



Borough of Neptune City  
Regular Meeting of the Mayor and Council

**Agenda**

**Monday, November 28, 2022**

7:00 pm

*This meeting has been advertised in accordance with Notice Requirements of Chapter 231 P.L. 1975, which have been satisfied by the publication of said notice in the Asbury Park Press, and the Coaster and by filing a copy with the Municipal Clerk.*

**Call to Order**

Roll Call

Open Public Meetings Act Statement

Flag Salute

**Minutes**

Regular Meeting and Executive Session 11/14/2022

**Communications**

A. NJ DCA – 2022 FDS Enforcement

B. NJ State Firemen's Association Application for Membership (Membership Transfers for Clark and Clayton)

C. Neptune City Police Department – Monthly Report, October 2022

**Presentations**

None

**Board of Education Report**

None

**Mayor's Report**

Mayor Wardell

**Council Reports**

Administration & Finance – Council President Brian Thomas

Human Services – Councilmember Scott Dellett

Administration & Justice – Councilmember Dana Farley

Law & Ordinance – Councilmember Glen Kocsis

Public Works – Councilwoman Danielle Pappas

Special Services – Councilmember Pamela Renee

**Administrator's Report**

Administrator Jardine

**Public Comments** - Agenda Items Only

## Unfinished Business

### Ordinance Adoption

**Ordinance 2022-14** - Ordinance Authorizing the Vacation of the Unimproved Paper Street Designated as “Field Street” on the Official Tax Map of the Borough of Neptune City – *Public Hearing/Adoption*

#### **ORDINANCE NO. 2022-14**

#### **BOROUGH OF NEPTUNE CITY, COUNTY OF MONMOUTH**

#### **ORDINANCE AUTHORIZING THE VACATION OF THE UNIMPROVED PAPER STREET DESIGNATED AS “FIELD STREET” ON THE OFFICIAL TAX MAP OF THE BOROUGH OF NEPTUNE CITY**

**WHEREAS**, the Borough of Neptune City (the “Borough”) has determined that the unimproved paper street designated as “Field Street”, as shown on the official tax map of the Borough, is not needed for any public purpose, and that the public interest would be best served by vacating and extinguishing all public right, title and interest in and to that portion of Field Street, so that the underlying lands may be combined with, and become and form part of, adjacent properties; and

**WHEREAS**, the area of Field Street to be vacated (the “Subject Area”) measures approximately 2,939 square feet, and is located adjacent to Block 18, Lot 1, which is a privately-owned lot commonly known as 96 Laird Avenue (“96 Laird Avenue”), and Block 8, Lot 6, which is public park owned by the Borough (the “Laird Avenue Park”); and

**WHEREAS**, the Subject Area, 96 Laird Avenue and the Laird Avenue Park are all located within a Non-Condemnation Area in Need of Redevelopment, as determined by the Borough Council of the Borough of Neptune City through Resolution No. 21-81 dated April 26, 2021 (the “Redevelopment Area”); and

**WHEREAS**, the Borough and Genesis Redevelopment, LLC (the “Redeveloper”) are party to a Redevelopment Agreement approved via Resolution 22-95 dated July 25, 2022 intended to facilitate the redevelopment of 96 Laird Avenue and another lot within the Redevelopment Area, and the rehabilitation of the Laird Avenue Park (the “Redevelopment Agreement”); and

**WHEREAS**, the Redevelopment Agreement provides that vacation of the Subject Area is conditioned upon the Redeveloper’s acquisition of title to 96 Laird Avenue and shall serve as consideration for the rehabilitation of Laird Avenue Park by the Redeveloper; and

**WHEREAS**, the Subject Area is shown on a survey prepared by Kevin E. Shelley, P.E. of Shore Pointe Engineering, dated October 10, 2022, a copy of which is attached hereto as Exhibit A and made a part hereof, and is more particularly described in a legal description prepared by John W. Lord, P.L.S., a copy of which is attached hereto as Exhibit B and made a part hereof; and

**WHEREAS**, it is the intention of the Borough that once the Redeveloper acquires title to 96 Laird Avenue, the Borough’s interest in the Subject Area will be vacated and the ownership of the underlying lands shall revert to the Redeveloper as the owner of 96 Laird Avenue by operation of law; and

**WHEREAS**, when not necessary for any public use, a public street, or part thereof, which has not been opened by the municipality, may be vacated by the governing body by Ordinance pursuant to N.J.S.A. 40:67-19, et seq.; and

**WHEREAS**, the Borough believes that the vacation of all public right, title and interest in and to in the Subject Area is in the best interests of the Borough as well as the adjacent property owners and is consistent with the policy underling the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of Neptune City in the County of Monmouth, State of New Jersey, that:

1. Pursuant to N.J.S.A. 40:67-19, et seq., and contingent upon the Borough acquiring title to 96 Laird Avenue, the Borough hereby vacates, extinguishes, releases and abandons all public right, title and interest in and to that unimproved paper street known as Field Street which is located immediately adjacent to Block 18, Lot 1 and Block 8, Lot 6, and is an area that measures approximately 2,939 square feet, as more particularly shown on **Exhibit A** attached hereto, and as more particularly described in **Exhibit B** attached hereto.
2. It is the intention of the Borough that once the Subject Area has been vacated, then ownership of the underlying lands shall revert to the Redeveloper by operation of law conditioned upon its prior acquisition of title to 96 Laird Avenue.
3. The provisions of this Ordinance shall not be deemed to vacate any rights and privileges which may be possessed by any public utility company (as defined in N.J.S.A. 48:2-13), or by any cable television company (as defined in N.J.S.A.

48:5A-1, et seq.), to maintain, repair, and replace any existing facilities in, adjacent to, over or under the said vacated area.

4. Following the introduction of this Ordinance, the Borough Clerk shall provide notice of its pending status as mandated by N.J.S.A. 40:49-6, and at least one week prior to the time fixed for further consideration and final passage of the Ordinance, the Borough Clerk shall mail a copy of the Ordinance, together with a notice of the introduction thereof, and information as to the time and place of when and where the Ordinance will be further considered for final passage, to every person whose lands may be affected by the Ordinance, by certified mail return receipt requested and regular mail, to their last known post office address(es).
5. Following the adoption of this Ordinance, the Borough Clerk shall within sixty (60) days of the effective date thereof, file a copy of this Ordinance along with the attached exhibits, certified by the Clerk, under the Seal of the Borough, to be a true and exact copy of the Ordinance, together with a copy of the proof of publication thereof, in the Office of the Monmouth County Clerk for recordation in the County's Book of Vacations, pursuant to N.J.S.A. 40:67-21.
6. Once the Subject Area has been vacated following the Redeveloper's acquisition of title to 96 Laird Avenue, then the Borough's interests in and to the said area shall be extinguished.
7. The Borough Attorney and Borough Engineer are hereby authorized and directed to undertake all actions and to prepare all documents that are necessary in order to effectuate the intentions of this Ordinance.
8. The Mayor and/or the Borough Administrator are hereby authorized and directed to execute any documents necessary to effectuate this Ordinance.
9. All costs and expenses associated with this Ordinance shall be the responsibility of the current contract purchaser of Block 8, Lot 6, and sufficient funding shall be posted by said property owner prior to the adoption of this Ordinance to cover all Borough's expenses associated with this Ordinance.
10. This Ordinance shall take effect immediately upon final passage and publication in accordance with the law.
11. The provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgement shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.
12. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

**Ordinance 2022-16** - Bond Ordinance Providing for the Acquisition of Fire Department Equipment Appropriating \$85,000 and Authorizing the Issuance of \$80,750 Bonds or Notes of the Borough for Financing part of the Cost Thereof – *Public Hearing/Adoption*

#### **ORDINANCE NO. 2022-16**

#### **BOROUGH OF NEPTUNE CITY, COUNTY OF MONMOUTH**

#### **BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF FIRE DEPARTMENT EQUIPMENT APPROPRIATING \$85,000 AND AUTHORIZING THE ISSUANCE OF \$80,750 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE COST THEREOF.**

**BE IT ORDAINED** by the Borough Council of the Borough of Neptune City, in the County of Monmouth, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

**Section 1.** The capital improvement described in Section 3 of this Bond Ordinance is hereby authorized by the Borough of Neptune City, New Jersey. For the capital improvement described in Section 3, there is hereby appropriated the sum of \$85,000 and \$4,250 as the down payment for the said purpose as required by the Local Bond Law.

**Section 2.** In order to finance the cost of the Acquisition of Fire Department Equipment, negotiable bonds are hereby authorized to be issued in the principal amount of \$80,750 pursuant to the Local Bond Law. In anticipation of issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

**Section 3.** The Acquisition of Fire Department Equipment is hereby authorized and the purpose for which the bonds are to be issued. The minimum period of usefulness is ten years.

**Section 4.** All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer

shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of *N.J.S.A. 40A:2-8(a)*. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate, and the maturity schedule of the notes sold, the price obtained, and the name of the purchaser.

**Section 5.** The capital budget of the Borough of Neptune City is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency therewith; and the resolutions promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Municipal Clerk and is available for public inspection.

**Section 6.** The following additional matters are hereby determined, declared, recited and stated:

**(a)** The purchase described in Section 3 of this bond ordinance is not a current expense. It is an improvement that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

**(b)** The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the Office of the Clerk, and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The gross debt of the Borough of Neptune City is increased by the authorization of the bonds or notes provided in this bond ordinance by \$80,750, and the obligations authorized herein will be within all debt limitations prescribed by law.

**(c)** An aggregate amount not exceeding \$2,000 for items of expense listed in and permitted under *N.J.S.A. 40A:2-20* may be included in the costs of the purchase authorized in Section 3 hereof and is included in the foregoing estimate thereof.

**Section 7.** The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of an interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and interest thereon without limitation on rate or amount.

**Section 8.** That in the event any moneys are received by the Borough from the United States of America, or from the State of New Jersey or any of its agencies, or from any other sources for the purchase provided for herein prior to the issuance of any of the bonds or notes authorized by this ordinance, the amount of such bonds or notes authorized herein shall be reduced by the amount so received prior to the issuance of any such bonds or notes.

**Section 9.** This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

## New Business

### Consent Agenda

*(All matters listed hereunder are considered to be routine in nature and will be enacted in one motion. Any member of the Governing Body may request an item be removed for separate consideration).*

**Resolution 2022-134** - Auth. Payment of the Bills

**Resolution 2022-135** - Auth. Shared Svc. with Neptune Township for Telephonic Community Notification System

**Resolution 2022-136** - Auth. Shared Svc. With Neptune Township for Disposal of Leaves

**Resolution 2022-137** - Auth. Extension of Shared Svc. With Neptune Township for EMS Services

### RESOLUTION 2022-134

#### BOROUGH OF NEPTUNE CITY

#### COUNTY OF MONMOUTH, STATE OF NEW JERSEY

#### AUTHORIZING PAYMENT OF THE BILLS

**BE IT RESOLVED** that the bills as presented, all have been certified and approved as complete as to form, goods having been delivered, and/or services performed and sufficient funds being available for payment for said bills, be paid in the amount of \$39,439.42

Vendor Name	Description	Amount
MUNICIPAL RECORD SERVICE	RECEIPTS-NC MUNICIPAL COURT	\$ 1,017.00
DUKES, ROSALIND	CC RENTAL: 11-12-2022	\$ 150.00
MGL PRINTING SOLUTIONS	2023 DOG TAGS	\$ 355.00
E.R.S. FLEET REPAIR, INC	FIRE TRUCK REPAIR	\$ 1,641.50
E.R.S. FLEET REPAIR, INC	FIRE TRUCK REPAIR	\$ 1,047.00
FARRELL, EILEEN	BALLROOM DANCE TEACHER	\$ 675.00
FIRE HOOKS UNLIMITED	EQUIPMENT-NCFD	\$ 5,252.40
DARK CITY FIRE AND TOOLS WORKS	EQUIPMENTS-NCFD	\$ 1,749.65
J.R. HENDERSON LABS, INC.	WATER TESTING	\$ 800.00
AMAZON CAPITAL SERVICES	CHARGING MODULE KIT-DPW	\$ 95.98
PETRO CHOICE	5W-20 MOTOR OIL POLICE DEPT.	\$ 897.05
CRAFTMASTER PRINTING, INC.	REGISTRATION CARDS	\$ 159.00
JESCO, INC.	SEALS AND O-RINGS HYD CYLINDER	\$ 106.82
NJ STATE LEAGUE MUNICIPALITIES	PUBLICATION: RFP 2023	\$ 210.00
JCP&L	SERVICE: SEPT-OCT 2022	\$ 2,643.96
JCP&L	SERVICE: AUGUST-SEPT 2022	\$ 555.43
JCP&L	SERVICE: SEPT-OCT 2022	\$ 235.10
JCP&L	SERVICE: SEPT-OCT 2022 SEWERS	\$ 842.88
NJ AMERICAN WATER COMPANY	SERVICE: NOVEMBER 2022	\$ 979.13
TRUGREEN COMMERCIAL	SERVICE: 11-1-2022	\$ 613.21
TRUGREEN COMMERCIAL	SERVICE: 11-1-2022	\$ 221.50
STANDARD INSURANCE COMPANY	PREMIUM: SEPT-OCT 2022	\$ 628.78
S&S ASSOCIATES, LLC	SERVICE: 10/16-10/30/2022	\$ 900.00
CLEARY GIACOBBE ALFIERI JACOBS	PROFESSIONAL SERV-OCT 2022	\$ 3,514.50
QUAGLIATO, MATTHEW	CELL PHONE ALLOWANCE-NOV 2022	\$ 100.00
CANO, HOOVER	CELL PHONE ALLOWANCE-NOV 2022	\$ 100.00
HELLWIG, KELLY	CELL PHONE ALLOWANCE-NOV 2022	\$ 100.00
REYNOLDS, ROBERT SR.	CELL PHONE ALLOWANCE-NOV 2022	\$ 50.00
LAUENSTEIN, ERIC	CELL PHONE ALLOWANCE-NOV 2022	\$ 35.00
JARDINE, ALBERT	CELL PHONE ALLOWANCE-NOV 2022	\$ 100.00
SCHINDLER ELEVATOR CORP.	SERVICE: NOVEMBER 2022	\$ 281.90
COLLINS, VELLA & CASELLO, LLC	INV# 11370 KELLY'S ACRES	\$ 735.00
COLLINS, VELLA & CASELLO, LLC	INV# 11370 KELLY'S ACRES	\$ 437.50
COLLINS, VELLA & CASELLO, LLC	INV# 11371 SEPT/OCT LUB	\$ 700.00
WYMAN, RONALD	REIMBURSEMENT: R. WYMAN	\$ 510.30
QUAGLIATO, MATTHEW	MUNICIPAL CONFERENCE	\$ 126.00
VOLLBRECHT, MICHAEL	VEHICLE REGISTRATION	\$ 60.00
DELISA DEMOLITION & DISPOSAL	SERVICE: SEPT-OCT 2022	\$ 6,613.44
DELISA DEMOLITION & DISPOSAL	SERVICE: SEPT-OCT 2022	\$ 4,199.39
	<b>BILL LIST TOTAL FOR 11/28/2022</b>	<b>\$ 39,439.42</b>

**RESOLUTION 2022-135****BOROUGH OF NEPTUNE CITY, COUNTY OF MONMOUTH, STATE OF NEW JERSEY****AUTHORIZING SHARED SERVICE WITH NEPTUNE TOWNSHIP FOR TELEPHONIC COMMUNITY NOTIFICATION SYSTEM**

**WHEREAS**, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 through 40:65-35) authorizes local units of this State to enter into a contract with any other local unit or units for the joint provision within their several jurisdictions of any service which any party to the agreement is empowered to render within its own jurisdiction; and



**WHEREAS**, the Borough of Neptune City (“Borough”) and the Township of Neptune (“Township”) through the Township have identified an area where working together through Shared Services will result in a positive outcome for both the Borough and the Township; and

**WHEREAS**, the Township will provide the following services under the agreement to the Borough:

1. The Township of Neptune possesses a Telephonic Community Notification System (“System”) to alert its residents in the event of an anticipated or on-going emergency within the Township of Neptune
2. The Township of Neptune will allow the Borough to utilize the System to provide emergency information to its residents; and

**WHEREAS**, the term of this agreement will be an initial period of one (1) year commencing January 1, 2023, and shall automatically renew for additional terms of one (1) year for a maximum of three (3) years, unless either party, with written notice by certified mail at least ninety (90) days before the expiration of the yearly term that it does not wish to renew this agreement.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Neptune City, County of Monmouth, State of New Jersey that the Mayor and Clerk are hereby authorized and directed to enter into a Shared Services Agreement (“Agreement”) with the Township of Neptune with the respect to the provision of Telephonic Community Notification System pursuant to the terms and conditions set forth in the Agreement. A copy of the Agreement shall be available for public inspection at the Office of the Borough Clerk; and

**BE IT FURTHER RESOLVED**, that the terms of this Agreement shall take effect upon the adoption of appropriate Resolutions and execution of the Agreement by the parties thereto; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the Business Administrator and Chief Financial Officer.

#### **RESOLUTION 2022-136**

#### **BOROUGH OF NEPTUNE CITY, COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

#### **AUTHORIZING SHARED SERVICE WITH NEPTUNE TOWNSHIP FOR DISPOSAL OF LEAVES**

**WHEREAS**, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 through 40:65-35) authorizes local units of this State to enter into a contract with any other local unit or units for the joint provision within their several jurisdictions of any service which any party to the agreement is empowered to render within its own jurisdiction; and

**WHEREAS**, the Borough of Neptune City (“Borough”) and the Township of Neptune (“Township”) through the Township have identified an area where working together through Shared Services will result in a positive outcome for both the Borough and the Township; and

**WHEREAS**, the Township will provide the following services under the agreement to the Borough:

1. The Township has an existing agreement with a Third-Party Contractor for the disposal of leaves from the Township’s Public Works Yard within the Township of Neptune
2. The Borough shall be responsible for the transportation and disposal of leaves at the Township’s Public Works Yard for consideration set forth below, and the Township shall accept, remove, and recycle said leaves under the terms of its existing contract with a third-party vendor; and

**WHEREAS**, the term of this agreement will commence on January 1, 2023 through December 31, 2025, unless either party with written notice by certified mail at least thirty (30) days may terminate the agreement.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Neptune City, County of Monmouth, State of New Jersey that the Mayor and Clerk are hereby authorized and directed to enter into a Shared Services Agreement (“Agreement”) with the Township of Neptune with the respect to the provision of Disposal of Leaves pursuant to the terms and conditions set forth in the Agreement. A copy of the Agreement shall be available for public inspection at the Office of the Borough Clerk; and

**BE IT FURTHER RESOLVED**, that the terms of this Agreement shall take effect upon the adoption of appropriate Resolutions and execution of the Agreement by the parties thereto; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the Business Administrator and Chief Financial Officer.

**RESOLUTION 2022-137****BOROUGH OF NEPTUNE CITY, COUNTY OF MONMOUTH, STATE OF NEW JERSEY****AUTHORIZING EXTENSION OF SHARED SERVICE AGREEMENT WITH NEPTUNE TOWNSHIP FOR EMS SERVICES**

**WHEREAS**, the Borough of Neptune City and the Township of Neptune desire entered into a Shared Service Agreement for the provision of Emergency Medical Services commencing January 1, 2021 for a one-year term which permitted extensions for a period of five years; and

**WHEREAS**, both Municipalities are desirous of authorizing an extension of this agreement for a period of one year commencing January 1, 2023 and ending December 31, 2023; and

**WHEREAS**, N.J.S.A. 40:8A-1 et seq. permits entering into a Shared Services Agreement; and

**WHEREAS**, the fee for the provision of Emergency Medical Services to the Borough of Neptune City shall be \$5,899.73 per month.

**NOW THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Borough of Neptune City hereby enter into a Shared Service Agreement with the Township of Neptune as per the provisions of the agreement on file in the Office of the Borough Clerk; and

**BE IT FURTHER RESOLVED**, that the Mayor and Council authorize the Municipal Clerk and the Mayor to sign the agreement on behalf of the Borough.

**Public Participation****Adjourn**

**The next Regular Council Meeting will be held  
Monday, December 12, 2022 at 7:00 pm**