

Council Room Borough of Neptune City

August 23, 2021

The Regular Council Meeting of the Mayor and Council was held in Council Chambers at Borough Hall at 6:48.

Borough Clerk Brown took roll call.

PRESENT: Councilmembers Calhoun, Kocsis, Pappas, Pietrunti, Renee, Thomas, and Mayor Wardell

ABSENT:

Mayor Wardell 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 the Coaster and by filing a copy with the Municipal Clerk. Mayor Wardell also noted that the 48-hour notice was advertised and posted as required

FLAG SALUTE

APPROVAL OF MINUTES

COMUNICATIONS

Letter of resignation from Katie Kepler. Motion to receive and file offered by C/Pietrunti. Seconded by C/Calhoun

Voice Vote: Councilmembers Calhoun, Kocsis, Pappas, Pietrunti, Renee, Thomas

PRESENTATIONS

Proclamation honoring Ron Biggs.

WHEREAS, the Borough of Neptune City lost a valued member of the community on July 29, 2021, with the death of Ron Biggs, and

WHEREAS, Ron served his country for over 26 years in the United States Army and Army Reserves earning the respected rank of Sergeant Major, and

WHEREAS, as a Veteran himself, Ron knew the importance of helping other veterans and he selflessly served as the Borough's Veterans Liaison, and

WHEREAS, Ron was very generous with his time as a volunteer for the Borough of Neptune City as a member on the Land Use Board, the Housing Authority and also as a member of the Fire Police, as well as being employed as a crossing guard, and

WHEREAS, Ron cherished his wife Pamela of 27 years, his children and his grandchildren, and

NOW THEREFORE BE IT RESOLVED, the mayor and Council of the Borough of Neptune City recognize the significant contributions of Ron Biggs over the years and mourn his death, and

BE IT FURTHER RESOLVED, the Mayor and Council of the Borough of Neptune City and the residents of the Borough recognize the remarkable achievements of Ron Biggs and gratefully acknowledges and appreciates his many contributions to the community and offers their condolences to the Biggs family.

BOARD OF EDUCATION REPORT:

MAYORS REPORT: Mayor Andrew Wardell

Mayor Wardell reported on the following:

I. Covid-19

- A. Monmouth County has seen a significant increase in cases the past two weeks.
- B. The Borough is not mandating masks to be worn but does suggest to wear them. Especially for those who are at most risk.
- C. Vaccines are available to all residents 12 years of age and older on Tuesdays at BCC from 2 to 6. No appointment necessary. However, appointments can be made with the MCBH.
 - 1. Pfizer has now full FDA approval for use
- D. Third booster shots are also available for those eligible at the BCC vaccination site. Visit [CDC](https://www.cdc.gov) website
- E. Testing sites will still be available tomorrow at the Freehold Borough FD from 4-7. It is recommended that you fill out the testing forms at the www.visitmonmouth.com website.

II. Local Mayor's Meeting

- 1. I will be attending the quarterly meeting with Mayors Fox and Bonanno of BB and Avon, respectively, on September 1st.
 - 1. Main topic will be shared services

III. Redevelopment

. I am pleased to announce that we will be designating a redevelopment company for Blocks 13 and 18 lot 1 tonight. This process began in 2020 and will see much needed improvements to areas of Neptune City (East Coast Ice) and restore these properties back on the tax rolls. It has been decades since this property has been paying property taxes.

IV. Mayor's Conference

1. The NJCOM has postponed their Mayor's Conference scheduled for September. No new date has yet been set.

V. The Mayor's Ball

1. The Neptune City Mayor's Ball has been scheduled for February 19, 2022 in benefit of the NCFA.
 1. I met with the members of the NCFA to start the planning process and have scheduled monthly meetings for now.

VI. NJDEP

1. I have a tentative meeting scheduled for this Friday with the Director of Office of Local Government Assistance for the NJ DEP. I am waiting for confirmation on the time.

VII. First Responders Month

- . Neptune City will be dedicating September as First Responder's Month in the Borough.
- A. Our plan is to honor and thank your first responders by asking residents to sponsor lawn signs to be displayed on their property in support of our First Responders.
- B. Uniserve here in Neptune City is partnering with me to help us raise funds to help our volunteers and First Responders. They have agreed to donate 500 lawn signs to be sold for \$20 with all proceeds going to our First Responders and Volunteers.
- C. I thank Mr. Glenn Sucheki of Uniserve for his generosity and Mr. Thomas and Ms. Pappas for helping to get this project started.

VIII. 9/11

1. Neptune City will be honoring those who were lost during the tragic events of 9/11 during a ceremony held on September 11th at noon.
 1. Ceremony will be at First Responder's Park and will dually serve as our dedication of First Responder's Park.
 2. Thank you to Shore Good Eats for providing refreshments at the celebration.

ADMINISTRATORS REPORT: Kevin Kane

Administrator Kane reported:

1. Grant Applications

- ▶ The Neighborhood Preservation Program (NPP) grant application was submitted to the New Jersey Department of Community Affairs (NJDEA) on Wednesday, August 18th. If successful, this grant is anticipated to last five years, with a \$125,000.00 grant each year with a requirement of a \$25,000.00 annual municipal match for a total of \$150,000.00 per year

allocated towards the NPP program. We will explain the Neighborhood Preservation Program and present the project to the governing body at the next council meeting on September 13th.

2. Letter from the Neptune City Homeowners Association (NCHA)

► I want to apologize to the Neptune City Homeowners Association for the delay in the response to their letter dated July 12, 2021. I continue to do my due diligence and have spoken with the Mayor, Senator Gopal, Mr. Axelrod, and our attorney about the issues raised from the NCHA. Some of the concerns documented in the letter require additional investigation and I will send the reply as soon as it is completed in its entirety. Thank you.

ADMINISTRATION & FINANCE- John Pietrunti

C/Pietrunti reported he had no report. He commented he noticed on the bill list a lot of rental deposits being returned. He remembers 911 and being at the world trade center, he will never forget the police officers running into the building. (inaudible)

PUBLIC WORKS- Pamela Renee

C/Renee reported DPW completed the electric at the gazebo and she reminded everyone to clean up after yourself at the park. She also mentioned that the door on the book box has been repaired and there will be painting in the school zone coming up this week.

LAW & ORDINANCE – Brian Thomas

C/Thomas reported joint committee meeting to discuss a few things. They discussed short term rentals. C/Thomas also commented on the Board of Recreations upcoming events. C/Thomas thanked UniServ for their donation of the signs for our first responders.

ADMINISTRATION & JUSTICE-Glen Kocsis

C/Kocsis reported a traffic study will be done on Myron Avenue. C/Kocsis also stated they are looking into options for Myron Ave.

SPECIAL SERVICES-Danielle Pappas

C/Pappas had no report work in progress with the feral cat issue. C/Pappas also thanked the Mayor on behalf of the First Aid for the efforts for the first responders.

HUMAN SERVICES- Dave Calhoun

C/Calhoun reported he had no report. He commented he is happy with the fundraiser to help the first responders.

PUBLIC PARTICIPATION (FOR AGENDA ITEMS ONLY) -

Kelly Strasdaz 3 Overbrook Place asked M/Wardell about his meeting scheduled with the DEP and other Mayors. Mayor Wardell explained the meeting is with the Director of the office of Local Government Assistance of the DEP. Ms. Strasdaz asked if they will help get testing for air quality. Mayor Wardell stated he can ask any and all questions and he not opposed to doing so.

UNFINISHED BUSINESS

Second reading Ordinance 21-10 Bond Ordinance Police Cameras

Mayor Wardell read the following Ordinance by title.

C/Kocsis offered a motion to open the public hearing. Seconded by *C/Calhoun*

Voice vote: AYES: Councilmembers Calhoun, Kocsis, Pappas, Pietrunti Renee, Thomas

BOND ORDINANCE 2021 - 10

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF POLICE BODY CAMERAS APPROPRIATING \$90,000 AND AUTHORIZING THE ISSUANCE OF \$85,500 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 \$90,000 and \$4,500 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 Police Body Cameras, negotiable bonds are hereby authorized to be issued in the principal amount of \$85,500 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 Police Body Cameras 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 \$85,500, 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.

C/Pappas offered a motion to close the public hearing. Seconded by *C/Kocsis*
Voice vote: AYES: Councilmembers Calhoun, Kocsis, Pappas, Pietrunti Renee, Thomas

C/Pietrunti offered a motion to adopt the Resolution. Seconded by *C/Calhoun*

Aye: Councilmembers Calhoun, Kocsis, Pappas, Pietrunti, Renee, Thomas
Abstain:
Mayor Wardell declared the Ordinance adopted.

Second reading Ordinance 21-11 Bond Ordinance for Fire Department Equipment

Mayor Wardell read the ordinance by title into the record.

C/Calhoun offered a motion to open the public hearing. Seconded by *C/Thomas*
Voice vote: AYES: Councilmembers Calhoun, Kocsis, Pappas, Pietrunti Renee, Thomas

BOND ORDINANCE 2021 - 11

**BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF
FIRE DEPARTMENT EQUIPMENT APPROPRIATING \$31,000
AND AUTHORIZING THE ISSUANCE OF \$29,450 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 \$31,000 and \$1,550 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 \$29,450 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 \$29,450, 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.

C/Calhoun offered a motion to close the public hearing. Seconded by *C/Pietrunti*
Voice vote: AYES: Councilmembers Calhoun, Kocsis, Pappas, Pietrunti Renee, Thomas

C/Calhoun offered a motion to adopt the Ordinance. Seconded by *C/Kocsis*

Aye: Councilmembers Calhoun, Kocsis, Pappas, Pietrunti, Renee, Thomas
Absent:
Mayor Wardell declared the Ordinance adopted.

NEW BUSINESS

CONSENT AGENDA

All items listed are considered to be routine and non-controversial by the Mayor and Council and will be approved by one motion. There will be no separate discussion on these items unless a Council member (s) so request it, in which case the item (s) will be removed from the Consent Agenda and considered in its normal sequence on the agenda. The one motion signifies and

adoption of all resolutions received and file letters, correspondence, reports and approval of applications and minutes.

Motion by *C/Renee* to move Resolution 21-126 Authorization to designate Genesis Redevelopment as redeveloper of the East Coast Redevelopment area for discussion. Seconded by *C/Kocsis*.

Voice Vote: Councilmembers Calhoun, Kocsis, Pappas, Pietrunti, Renee, Thomas

C/Renee offered the following resolutions and moved their adoption. Seconded by *C/Pappas*

Resolution 21-120 Authorizing payment of bills

**RESOLUTION 21-120
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 ***\$104,978.67***

Resolution 21-121 Temporary closing of Lincoln Avenue

**RESOLUTION 2021-121
APPLICATION TO TEMPORARILY CLOSE LINCOLN AVENUE**

WHEREAS, the residents at 79 Lincoln Avenue have submitted an application to close a portion of Lincoln Avenue on September 25, 2021, and

WHEREAS, the residents are requesting to have a block party between the hours of 3:00 P. M. until 9:00 P.M., and

WHEREAS, this application has been reviewed by the Chief of Police, and

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Neptune City hereby approve a portion of Laird Avenue to be closed from 10:00 A.M. to 10:00 P.M. on September 25, 2021, and

BE IT FURTHER RESOLVED that the proper signs and barricades be posted as not to create a traffic hazard.

Resolution 21-122 Recognition of Overdose Awareness Day

RESOLUTION 21-122
RECOGNITION OF OVERDOSE AWARENESS DAY

WHEREAS, addiction is a chronic disease, characterized by compulsive or difficult to control drug use despite harmful consequences; and

WHEREAS, addiction is seen by both the Centers for Disease Control and the World Health Organization as a fast-growing epidemic that can all too easily lead to overdose and death; and

WHEREAS, in 2020, over 93,000 individuals died from drug overdoses in the United States; and

WHEREAS, New Jersey alone, 3,006 people died from drug overdoses in 2018; and

WHEREAS, furthermore, for every drug overdose that results in death, there are many more nonfatal overdoses, each taking an emotional and economic toll on the individual, their family, and the community at large; and

WHEREAS, addiction can fuel feelings of shame, guilt, embarrassment, depression, and hopelessness, causing individuals to resist seeking treatment and support; and

WHEREAS, Overdose Awareness Day is a global event held on August 31st of each year that aims to raise awareness of drug overdoses, reduce the stigma of a drug-related death, and to acknowledge the grief felt by families and friends remembering those who have died or had a permanent injury as a result of a drug overdose; and

WHEREAS, to further the goals of Overdose Awareness Day, all flags throughout the State should be flown at half-staff for the day's duration; and

WHEREAS, Overdose Awareness Day in New Jersey sends a strong message to former or current substance users, namely, that they are valued, and that overdose death is preventable.

NOW, THEREFORE, BE IT RESOLVED by Mayor and Council of the Borough of Neptune City and State of New Jersey:

1. August 31st of each year shall be designated as "Overdose Awareness Day" in the Borough of Neptune City to raise awareness of overdose and reduce the stigma of a drug-related death.
2. The Governor is respectfully requested to order flags be flown at half-staff and to issue a proclamation calling upon public Officials and the citizens of this State to observe "Overdose Awareness Day" with appropriate activities and programs each year.
3. This resolution shall take effect immediately.

Resolution 21-123 Authorization for CME to provide services for 2020 Roadway Improvements

RESOLUTION 2021-123

**AUTHORIZING THE BOROUGH ENGINEER TO PROVIDE SERVICES
RELATING TO THE 2020 NJDOT ROAD IMPROVEMENTS PROJECT**

WHEREAS, CME Associates is currently retained as Borough Engineer to the Borough of Neptune City; and

WHEREAS, there exists a need to obtain professional engineering and land surveying services for the 2020 NJDOT Road Improvements Project; and

WHEREAS, the road improvements project is expected to be supported by a New Jersey Department of Transportation FY2020 Municipal Aid Grant in the amount of \$211,103.00; and

WHEREAS, CME Associates has submitted a proposal, which is attached hereto, and incorporated by reference, proposing to complete the foregoing tasks for a total fee of \$37,700.00; and

WHEREAS, the governing body wishes to have the Borough Engineer complete the professional services outlined in the attached document; and

WHEREAS, the Chief Financial Officer has certified as to the sufficiency of funds in budget line account Ordinance .

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Neptune City hereby approves the attached proposal and directs the Borough Engineer to proceed with same, consistent with the foregoing

**Resolution 21-124 Authorization for CME to provide services for 2021 Roadway
Improvements**

RESOLUTION 2021-124

**AUTHORIZING THE BOROUGH ENGINEER TO PROVIDE SERVICES
RELATING TO THE 2021 NJDOT ROAD IMPROVEMENTS PROJECT**

WHEREAS, CME Associates is currently retained as Borough Engineer to the Borough of Neptune City; and

WHEREAS, there exists a need to obtain professional engineering and land surveying services for the 2021 NJDOT Road Improvements Project; and

WHEREAS, the road improvements project is expected to be supported by a New Jersey Department of Transportation FY2021 Municipal Aid Grant in the amount of \$241,132.00; and

WHEREAS, CME Associates has submitted a proposal, which is attached hereto, and incorporated by reference, proposing to complete the foregoing tasks for a total fee of \$39,800.00; and

WHEREAS, the governing body wishes to have the Borough Engineer complete the professional services outlined in the attached document; and

WHEREAS, the Chief Financial Officer has certified as to the sufficiency of funds in budget line account Ordinance .

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Neptune City hereby approves the attached proposal and directs the Borough Engineer to proceed with same, consistent with the foregoing

Resolution 21-125 Authorization for handicapped parking space at 71 Lincoln Avenue

**Resolution 2021-125
Authorization of Handicapped Parking Spot at 71 Lincoln Avenue**

WHEREAS the owner of 71 Lincoln Avenue has presented documentation that there is a need for a Handicapped Parking Spot in front of her private residence, and

WHEREAS, C.39.4 197.6 authorizes municipalities to establish handicapped parking zones in front of residences occupied by people with disabilities, and

WHEREAS, the Mayor and Council have jurisdiction over Lincoln Avenue,

NOW THEREFORE BE IT RESOLVED by the Mayor and Council that a handicapped parking space be permitted at 71 Lincoln Avenue and that the Public Works Department are authorized to properly stripe and provide signage for the property, and that the Police Department approve the exact location of the handicapped parking space.

****Removed from consent agenda**

Resolution 21-126 Authorization to designate Genesis Redevelopment as redeveloper of the East Coast Redevelopment area

Resolution 21-127 Authorizing the referral of revised redevelopment plan to Land Use Board

RESOLUTION # 2021- 127

AUTHORIZING THE REFERRAL OF THE REVISED REDEVELOPMENT PLAN TO A PREVIOUSLY ADOPTED REDEVELOPMENT PLAN FOR BLOCK 1, LOT 1 KNOWN AS “142 STEINER AVE REDEVELOPMENT PLAN” TO THE LAND USE BOARD FOR REVIEW OF THE PROJECT MODIFICATIONS AS PROPOSED BY THE REDEVELOPER

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”), authorizes municipalities to determine whether certain properties located therein constitute areas in need of redevelopment; and

WHEREAS, on February 8, 2016, by Resolution #2016-22, the Mayor and Council adopted the findings of the Neptune City Land Use Board resolution dated December 8, 2015 and declared Block 1, Lot 1 to be a Non-condemnation area in need of Redevelopment consistent with N.J.S.A. 40A: 12A-6(b)(5); and

WHEREAS, the Borough Planner at the time was authorized to prepare a Redevelopment Plan as contemplated by the Local Redevelopment and Housing Law; and

WHEREAS, Beacon Planning and Consulting Services, LLC prepared the 142 Steiner Ave Redevelopment Plan dated June 2016 and revised September 2016; and

WHEREAS, the Redeveloper desired to make amendments to the project; and

WHEREAS, Beacon Planning and Consulting Services has prepared revisions to the 142 Steiner Ave Redevelopment Plan (Rev. July 2021); and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Neptune City as follows:

1. The Borough Council hereby refers and directs Beacon Planning and Consulting Services LLC to submit the revised 142 Steiner Ave. Redevelopment Plan (July 2021) to the Land Use Board for their review.
2. Pursuant to N.J.S.A. 40A:12A-7(f), the Land Use Board is hereby authorized and directed to prepare an amendment or revision to the revised 142 Steiner Ave. Redevelopment Plan and to transmit the amended 142 Steiner Ave. Redevelopment Plan to the Borough Council for review and adoption.
3. A certified copy of this Resolution shall be forwarded to the Borough Clerk, Chief Financial Officer and Borough Land Use Board.

Resolution 21-128 Dedication by Rider for donations for First Responders

RESOLUTION 2021-128

RESOLUTION OF MAYOR AND COUNCIL OF BOROUGH OF NEPTUNE CITY, COUNTY OF MONMOUTH, STATE OF NEW JERSEY RESOLUTION TO ADOPT DEDICATION BY RIDER FOR DONATIONS FOR FIRST RESPONDERS 40A:5-29

WHEREAS, permission if required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by the a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:5-29 allows municipalities to receive amounts earmarked as donations for first responders; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the donations for first responders are hereby appropriated for the purposed to which said revenue is dedicated by statute or other legal requirement.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Neptune City, County of Monmouth, New Jersey as follows:

the governing body does hereby request permission of the Division of Local Government Services to pay expenditures for first responder donations as permitted by N.J.S.A. 40A:4-39 and

the Clerk of the Borough of Neptune City, County of Monmouth is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

Resolution 21-129 Declaration of September as First Responders Month

RESOLUTION 21-129 SUPPORT AND HONOR OF THE FIRST RESPONDERS OF THE BOROUGH OF NEPTUNE CITY

WHEREAS, in emergency situations in the Borough of Neptune City, First Responders carry out the critical role of protecting and ensuring public safety;

WHEREAS, the Neptune City Police Department, the Neptune City Fire Department, the Neptune City First Aid Squad the Neptune City Department of Public Works and the Office of Emergency Management act as a combined team, in conjunction with partners from other agencies, to rescue people from dangerous circumstances, secure dangers, treat the injured and protect the lives and safety of people, regardless of the peril or hazard to themselves;

WHEREAS, the Neptune City First Responders protect the people of the Borough every day, being always available to provide a coordinated response to any emergency at any hour, under any conditions or circumstances;

WHEREAS, the Mayor and Council is charged first and foremost with assuring public safety by protecting the lives, peace and property of its residents;

WHEREAS, the Mayor and Council encourages all residents of the Borough of Neptune City to express their gratitude to our First Responders with their own acts and expressions of kindness and appreciation for their efforts, and

WHEREAS, as the September 11th anniversary approaches, the Mayor and Council support and affirms the goals and efforts and celebrate the contributions and sacrifices made by our first responders in the Borough of Neptune City, and

NOW THEREFORE, BE IT RESOLVED, that Mayor Andrew Wardell declares, for the residents of the Borough of Neptune City, that the Borough gratefully and completely supports our First Responders and declares September as First Responders month in the Borough of Neptune City.

Aye: Councilmembers Calhoun, Kocsis, Pappas, Pietrunti, Renee, Thomas

Absent:

Mayor Wardell declared the resolutions adopted

****Resolution 21-126 Authorization to designate Genesis Redevelopment as redeveloper of the East Coast Redevelopment area**

C/*Calhoun* offered the following resolution and moved their adoption. Seconded by C/*Pietrunti*

BOROUGH OF NEPTUNE CITY

RESOLUTION 21-126

RESOLUTION CONDITIONALLY DESIGNATING GENESIS REDEVELOPMENT, LLC AS THE EXCLUSIVE REDEVELOPER FOR THE PROPERTY KNOWN AS BLOCK 13, LOT 1 AND BLOCK 18, LOT 1 IN THE BOROUGH OF NEPTUNE CITY SUBJECT TO CERTAIN CONDITIONS

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., the governing body of the Borough of Neptune City (hereinafter referred to as the “Borough”) adopted a Redevelopment Investigation Report dated January 8, 2021, for the East Coast Ice property known as Block 13, Lot 1 and Block 18, Lot 1 on the Tax Map of Neptune City (the “Redevelopment Area”); and

WHEREAS, by Resolution #21-81, duly adopted on April 26, 2021, the Borough Council designated the East Coast Ice property as a non-condemnation area in need of redevelopment; and

WHEREAS, Genesis Redevelopment, LLC desires to implement a redevelopment project in the redevelopment area; and

WHEREAS, as part of the conditional designation, the Borough desires to authorize the execution of an interim cost agreement with Genesis to reimburse the Borough for any and all costs incurred by the Borough prior to execution of a redevelopment agreement, including the Borough’s reasonably incurred out-of-pocket expenses related to the designation of Genesis as conditional redeveloper, negotiation of the terms and conditions of the redevelopment agreement and such other reasonable costs related to the redevelopment of the redevelopment area including

but not limited to, fees for legal, accounting, engineering, planning and financial advisory services (the “Interim Costs”); and

WHEREAS, the Borough Council desires to conditionally designate Genesis Redevelopment, LLC (hereinafter, “Genesis”) as the official redeveloper of the East Coast Ice redevelopment area (Block 13, Lot 1 and Block 18, Lot 1) in accordance with the provisions of the New Jersey Local Redevelopment and Housing Law, subject to satisfaction of certain terms and conditions as shall be contained within the Interim Cost Agreement and the Redevelopment Agreement for this project and as set forth herein; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Neptune City in the County of Monmouth, New Jersey as follows:

1. The foregoing recitals are hereby incorporated by reference as if fully set forth herein.
2. Genesis Redevelopment, LLC is conditionally designated as the exclusive redeveloper of the East Coast Ice Redevelopment Area, Block 13, Lot 1 and Block 18, Lot 1 in the Borough of Neptune City, County of Monmouth, State of New Jersey and is contingent upon the execution and funding of an Interim Cost Agreement and successful negotiation and execution of a Redevelopment Agreement with the Borough.
3. Genesis shall obtain ownership control of Block 18, Lot 1 either by having acquired title to said lot or as a contract purchaser of said lot in such form as is acceptable to Borough Counsel.
4. Genesis shall further submit a redevelopment plan for the property to the Land Use Board for review and approval and obtain a Borough approved redevelopment plan adopted by ordinance pursuant to N.J.S.A. 40A:12A-7.

C/Renee asked Mr. Roberts and Mr. McGowan to open up for some questions. Attorney McGowan introduced Mr. and Mrs. Roberts and told the governing body of Mr. Roberts professional history.

C/Renee asked what the plan was for the properties?

Mr. McGowan stated that Mr. Roberts is in contact with the owner of the adjacent parcel of property. He also stated this redevelopment will take place with non-condemnation, there will be improvements to the park that is existing. To move forward it is an interactive process. There needs to be an agreement then a plan. The possibilities may be warehousing/storage for this parcel and the Seaboard property possibly housing. The East Coast Ice Property needs remediation.

C/Renee asked if the seaboard parcel was finalized. Mr. McGowan explained both properties are tied together. C/Renee asked if the park would be redone and they stated yes. C/Renee also stated her concerns with past projects and wanted to make sure there was a timeline and they would be good neighbors. She also asked if they were willing to submit their financials. M/Wardell stated it was inappropriate at this time to ask for financials.

C/Pietrunti asked regarding the timeline and stated he hoped the unground contamination is containable.

Aye: Councilmembers Calhoun, Kocsis, Pappas, Pietrunti, Thomas

Abstain: C/Renee

Mayor Wardell declared the resolutions adopted

PUBLIC PARTICIPATION:

Mayor Wardell reminded everyone that a 4-minute rule and to please come to the microphone and do not speak out of turn.

Arlene Sciarappa 14 tucker Drive, stated she was watching the Facebook livestream and cannot hear.

Lisa Cottrell 29 Windsor Court asked what the dates for the Mobile MVC. She also stated she noticed the new church going in on W. Sylvania Avenue and hopes it's good for the community. Ms. Cottrell also stated the rentals at the First Aid, thinks it's a great idea, she has not missed it while it was not rented. She stated that renters walk up and down the street and back and forth to cars. Ms. Cottrell stated her concerns with the rentals at the First Aid. Ms. Cottrell also touched base on Nylabone stating that the last two years have been terrible due to the smell, noise, and litter accumulated from the company.

Sharon Williams Windsor Ave stated the noise and idling tucks at Nylabone disrupts sleep. She contacted the PD and reports were made. She asked how to file a report. She was told a name was needed. She also stated cars come in with loud sound systems every day. Chief Quagliato stated they will look into it and speak with the property manager and meet with Code Enforcement.

Linda Colucci 37 Windsor Ave states that she has spoken to Mr. Patel, Mr. Scarpelli from the state DEP and MCHD. They have stated that based on our Ordinance, it is the towns responsibility for enforcement. Mayor Wardell deferred to Attorney Berlen who stated, the Ordinance uses as a guideline from 1951 guideline from Washington DC. A/Berlen stated that the guideline cannot be located or no longer exists, therefore cannot be enforced. The Ordinance can be revised with guidelines that are applicable. She stated again, the Ordinance is not enforceable. Discussion continued.

Mayor Wardell stated he is not comfortable discussion TFH after seeing the News entity outside of TFH Building. He had heard there was a potential legal battle. The borough is not going to get involved with a legal battle between two private entities. He reiterated that there is nothing on the books regarding Air BNB but we have the ability to do something. Without proof of the law being broken on other issues we are limited on what we can do. Mayor Wardell stated we will continue to research. Every past attorney has stated that we have done everything the town can do in the confines of the law.

Attorney Berlen asked Ms. Colucci to email reports to the clerk for comparison to her research and the ordinance.

Joann Drennen 76 W Wall St. stated that homeowners would like the Gov't body to fast track to help the residents effected.

Kelly Strazdas 3 Overbrook Pl. stated she is eagerly waited for a response from the administrator regarding her letter submitted. She stated that she feels that the interaction with Homeowners Association is not pleasant. She stated she hears about the first aid and other things in town, she feels they (Homeowners Association) are not responded too. She stated that they are told the Borough wants to help them but doesn't that anyone wants to help them. Ms. Strazdas stated that she doesn't understand how we can hire a redeveloper this evening. Mayor Wardell stated that this was appointing them as the developer and it was conditional. He explained the process will include the Land Use Board. Ms. Strazdas stated she doesn't care how bad of condition a property is that storage units never go away. Everyone is worried about Airbnb and strangers coming into town. Mayor Wardell reminded her that people do not live-in storage units. She stated she feels they are a nightmare. She stated "we" do not want storage units in our town. Mayor Wardell asked if she was speaking for everyone in town and she said she is speaking for her family. She continued with her concerns.

Barry Williams Barry Williams 32 Windsor Ave asked if anyone is familiar with safety data sheets at TFH. C/Pappas stated that they are provided to our Fire Department.

Jacob Roberts Jacob Rogers 36 Boston Rd thanks C/Renee for pulling resolution and asked that and reiterated the redeveloper agreement and Mayor Wardell explained the process. He also stated he would like the agenda to include a report on TFH each meeting. Mr. Roberts asked when Mayor Wardell speaks to the DEP if he could ask about the miscommunication between the DEP and the town. Mayor Wardell stated he would. Discussion continued about the 1951 guideline for odor.

Larry Scott Larry Scott 8 Third Ave voiced concerns about Nylabone zoning and researched information about the company. He stated the month of August marked two years that residents from Third and Memorial stopped complying with the Land Use Board resolution. This was brought to the attention of two mayors and three borough administrators. He is still awaiting an answer. Mayor Wardell said he spoke with Mr. Doolittle regarding the application for a variance and also the zoning. Discussion continued.

Arlene Sciarappa 15 Tucker Dr. stated she would like to review the Safety Data Sheets from TFH. C/ Pappas explained that the books with the safety data sheets are kept on premises for first responders.

Motion to adjourn at 8:48 offered by *C/Pappas*. Seconded by *C/Kocsis*.
Voice Vote: Councilmembers Calhoun, Pappas, Renee, Thomas

Tamara Brown, Municipal Clerk