

Council Room Borough of Neptune City
Special Meeting
February 1, 2021

The Regular Council Meeting of the Mayor and Council was held virtually and was called to order by Mayor Wardell at 7:01 p.m.

Borough Clerk Brown took roll call.

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

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

NONE

COMMUNICATIONS

NONE

PRESENTATIONS

NONE

BOARD OF EDUCATION REPORT:

NONE

MAYORS REPORT:

NONE

PUBLIC PARTICIPATION (FOR AGENDA ITEMS ONLY) -

NONE

UNFINISHED BUSINESS

NONE

NEW BUSINESS

C/Calhoun offered the following resolutions and moved their adoption. Seconded by C/Kocsis

Resolution 21-45 Appointment of Borough Administrator

RESOLUTION 21-45

**RESOLUTION OF THE
BOROUGH OF NEPTUNE CITY
AUTHORIZING APPOINTMENT OF
BOROUGH ADMINISTRATOR AND ENTERING INTO AN
EMPLOYMENT AGREEMENT**

WHEREAS, a special meeting of the Mayor and Neptune City Council (the "Council") was held on February 1, 2021; and

WHEREAS, there is a vacancy in the office of the Borough Administrator; and

WHEREAS, it is necessary for the Borough of Neptune City to have a Borough Administrator; and

WHEREAS, the Council has appointed Kevin Kane as Borough Administrator with the advice and consent of the Council, with an initial term commencing February 1, 2021 to December 31, 2021 and

WHEREAS, the Mayor and Council authorizes Kevin Kane to enter into an Employment Agreement with the Borough of Neptune City as Borough Administrator;

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH OF NEPTUNE CITY COUNCIL AS FOLLOWS:

1. The Council hereby authorizes the appointment of Kevin Kane to serve as Borough Administrator for the Borough of Neptune City.

2. The Mayor and Council authorize the approval and execution of an employment agreement with Kevin Kane, setting forth the terms of the Service as Borough Administrator in substantial conformance with this resolution.

3. The Municipal Clerk is directed to cause a brief notice of the above award to be published as required by N.J.S.A. 40A:11-5(1)(a)(i).

4. The Certifying Finance Officer of the Borough has certified that the funds for the Services are available from and anticipated to be included in the budget subject to budget adoption.

C/Pappas stated she had questions. She asked why wasn't the hiring process followed as stated in the Borough Policy Manual? She stated the date and resolution number that adopted the policy and mentioned it was voted on by council.

Was there an application completed? Mayor stated he was not provided an application. No Council members answered.

C/Pappas stated she never received a resume for Mr. Kane. Discussion continued.
C/Passas asked if interviews were conducted where and when? Who attended? Mayor Wardell stated he was not part of the interview process. Mayor asked if the council could answer. Nobody answered.

C/Pappas asked why the Mayor was not included in the interview process? She stated that he should have according to statute and also Roberts rules. C/Calhoun stated that the Council can appoint in 30 days and that is what they are doing. Discussion continued.

Mayor Wardell congratulated Mr. Kane and welcomed him to Neptune City and apologized for him not being able to start on Tuesday because of the gas leak but would like to meet with him in the afternoon if they get the all clear. Mr. Kane thanked Mayor Wardell and said he would like to meet him and he appreciates it.

Aye: Councilmembers Calhoun, Kocsis, Pietrunti, Renee

Nay: Councilmembers Pappas, Thomas

Absent:

Mayor Wardell declared the resolutions adopted

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

Resolution 21-46 Award of Contract for Professional Services- Legal

RESOLUTION 21-46

**RESOLUTION OF THE
BOROUGH OF NEPTUNE CITY
AWARDING A CONTRACT FOR
LEGAL SERVICES –BOROUGH ATTORNEY**

WHEREAS, a special meeting of the Neptune City Council (the "Council") was held on February 1, 2021; and

WHEREAS, it is necessary for the Council to have professional legal services (the "Services") to serve as Borough Attorney; and

WHEREAS, in accordance with N.J.S.A. 19:44A-20.4 et seq., the City undertook a fair and open process and advertised for qualifications and proposals for the provision of the Services, among other services; and

WHEREAS, based on that process the Council has appointed Rainone, Coughlin Minchello, LLC as Borough Attorney with the advice and consent of the Council, with an anticipated term of one year, and

WHEREAS, the Mayor and the Council authorizes the above professional to enter into a contract with the Borough of Neptune City; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH OF NEPTUNE CITY COUNCIL AS FOLLOWS:

1. The Council hereby awards a contract Rainone Coughlin Minchello, LLC to serve as Borough Attorney for the Borough of Neptune City.

2. The Council authorizes the approval and execution of the contract with Rainone Coughlin Minchello, LLC, setting forth the terms of the provision of the Services in substantial conformance with this resolution.

3. The Municipal Clerk is directed to cause a brief notice of the above award to be published as required by N.J.S.A. 40A:11-5(1)(a)(i).

4. The Certifying Finance Officer of the Borough has certified that the funds for the Services are available from and anticipated to be included in the budget subject to budget adoption.

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

Absent:

Mayor Wardell declared the resolutions adopted

Carol Berlen introduced herself and stated she looks forward to working with the Council and the Borough of Neptune City.

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

Resolution 21-47 Award of Contract for Professional Services-Public Defender

**RESOLUTION OF THE
BOROUGH OF NEPTUNE CITY
AWARDING A CONTRACT FOR
LEGAL SERVICES – PUBLIC DEFENDER**

WHEREAS, a special meeting of the Neptune City Council (the "Council") was held on February 1, 2021; and

WHEREAS, it is necessary for the Council to have professional legal services (the "Services") to serve as a Public Defender; and

WHEREAS, in accordance with N.J.S.A. 19:44A-20.4 et seq., the City undertook a fair and open process and advertised for qualifications and proposals for the provision of the Services, among other services; and

WHEREAS, based on that process the Council has appointed Ray Raya, Esq., as Public Defender with the advice and consent of the Council, with an anticipated term of one year, and

WHEREAS, the Mayor and the Council authorizes the above professional to enter into a contract with the Borough of Neptune City; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH OF NEPTUNE CITY COUNCIL AS FOLLOWS:

1. The Council hereby awards a contract to Ray Raya, Esq., to serve as a Public Defender for the Borough of Neptune City.

2. The Council authorizes the approval and execution of the contract with Ray Raya, Esq., setting forth the terms of the provision of the Services in substantial conformance with this resolution.

3. The Municipal Clerk is directed to cause a brief notice of the above award to be published as required by N.J.S.A. 40A:11-5(1)(a)(i).

4. The Certifying Finance Officer of the Borough has certified that the funds for the Services are available from and anticipated to be included in the budget subject to budget adoption.

C/Thomas asked if the Court Clerk or Deputy Court Clerk were consulted with regards to the appointment? Mayor Wardell said as far as he knows as of the last time he spoke with Kelly; they did not consult them. Discussion continued.

Aye: Councilmembers Calhoun, Kocsis, Pietrunti, Renee

Abstain: Councilmembers Pappas, Thomas

Absent:

Mayor Wardell declared the resolutions adopted

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

Resolution 21-48 Award of Contract for Professional Services- Alternate Public Defender

RESOLUTION 21-48

**RESOLUTION OF THE
BOROUGH OF NEPTUNE CITY
AWARDING A CONTRACT FOR
LEGAL SERVICES –ALTERNATE PUBLIC DEFENDER**

WHEREAS, a special meeting of the Neptune City Council (the "Council") was held on February 1, 2021; and

WHEREAS, it is necessary for the Council to have professional legal services (the "Services") to serve as an Alternate Public Defender; and

WHEREAS, in accordance with N.J.S.A. 19:44A-20.4 et seq., the City undertook a fair and open process and advertised for qualifications and proposals for the provision of the Services, among other services; and

WHEREAS, based on that process the Council has appointed the Law Office of Matthew Sage, LLC as an Alternate Public Defender with the advice and consent of the Council, with an anticipated term of one year, and

WHEREAS, the Mayor and the Council authorizes the above professional to enter into a contract with the Borough of Neptune City; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH OF NEPTUNE CITY COUNCIL AS FOLLOWS:

1. The Council hereby awards a contract to the Law Office of Matthew Sage, LLC to serve as an Alternate Public Defender for the Borough of Neptune City.

2. The Council authorizes the approval and execution of the contract with the Law Office of Matthew Sage, LLC, setting forth the terms of the provision of the Services in substantial conformance with this resolution.

3. The Municipal Clerk is directed to cause a brief notice of the above award to be published as required by N.J.S.A. 40A:11-5(1)(a)(i).

4. The Certifying Finance Officer of the Borough has certified that the funds for the Services are available from and anticipated to be included in the budget subject to budget adoption.

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

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

Resolution 21-49 Award of Contract for Professional Services- Legal Labor

RESOLUTION 21-49

**RESOLUTION OF THE
BOROUGH OF NEPTUNE CITY
AWARDING A CONTRACT FOR
LEGAL SERVICES –LABOR COUNSEL**

WHEREAS, a special meeting of the Neptune City Council (the "Council") was held on February 1, 2021; and

WHEREAS, it is necessary for the Council to have professional legal services (the "Services") to serve as Labor Counsel; and

WHEREAS, in accordance with N.J.S.A. 19:44A-20.4 et seq., the City undertook a fair and open process and advertised for qualifications and proposals for the provision of the Services, among other services; and

WHEREAS, based on that process the Council has appointed LaCourte, Bundy, Varady & Kinsella as Labor Counsel with the advice and consent of the Council, with an anticipated term of one year, and

WHEREAS, the Mayor and the Council authorizes the above professional to enter into a contract with the Borough of Neptune City; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH OF NEPTUNE CITY COUNCIL AS FOLLOWS:

1. The Council hereby awards a contract to LaCourte, Bundy, Varady & Kinsella to serve as Labor Counsel for the Borough of Neptune City.
2. The Council authorizes the approval and execution of the contract with LaCourte, Bundy, Varady & Kinsella, setting forth the terms of the provision of the Services in substantial conformance with this resolution.

3. The Municipal Clerk is directed to cause a brief notice of the above award to be published as required by N.J.S.A. 40A:11-5(1)(a)(i).

4. The Certifying Finance Officer of the Borough has certified that the funds for the Services are available from and anticipated to be included in the budget subject to budget adoption.

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

Absent:

Mayor Wardell declared the resolutions adopted

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

Resolution 21-50 Award of Contract for Professional Services- Insurance Consultant

RESOLUTION 21-50

**RESOLUTION OF THE
BOROUGH OF NEPTUNE CITY
AWARDING A CONTRACT FOR
PROFESSIONAL SERVICES –INSURANCE CONSULTING**

WHEREAS, , a special meeting of the Neptune City Council (the "Council") was held on February 1, 2021; and

WHEREAS, it is necessary for the Council to have professional insurance consulting services (the "Services"); and

WHEREAS, in accordance with N.J.S.A. 19:44A-20.4 et seq., the City undertook a fair and open process and advertised for qualifications and proposals for the provision of the Services, among other services; and

WHEREAS, based on that process the Council has appointed RD Parisi Associates to provide Insurance Consulting Services with the advice and consent of the Council, with an anticipated term of one year, and

WHEREAS, the Mayor and the Council authorizes the above professional to enter into a contract with the Borough of Neptune City; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH OF NEPTUNE CITY COUNCIL AS FOLLOWS:

1. The Council hereby awards a contract to RD Parisi Associates to provide Insurance Consulting Services to the Borough of Neptune City.

2. The Council authorizes the approval and execution of the contract with RD Parisi Associates, setting forth the terms of the provision of the Services in substantial conformance with this resolution.

3. The Municipal Clerk is directed to cause a brief notice of the above award to be published as required by N.J.S.A. 40A:11-5(1)(a)(i).

4. The Certifying Finance Officer of the Borough has certified that the funds for the Services are available from and anticipated to be included in the budget subject to budget adoption.

Aye: Councilmembers Calhoun, Kocsis, Pietrunti, Renee

Nay: Councilmembers Pappas, Thomas

Absent:

Mayor Wardell declared the resolutions adopted

Resolution 21-51 Award of Contract for Professional Services- Engineering Services

C/Pappas made a motion to table the resolution asked to table the resolution until further discussion and consideration. Seconded by C/Thomas.

Aye: Councilmembers Pappas, Thomas

Nay: Councilmembers Calhoun, Kocsis, Pietrunti, Renee

Absent:

Mayor Wardell declared the motion failed

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

RESOLUTION 21-51

RESOLUTION OF THE BOROUGH OF NEPTUNE CITY AWARDING A CONTRACT FOR PROFESSIONAL SERVICES – ENGINEERING SERVICES

WHEREAS, a special meeting of the Neptune City Council (the "Council") was held on February 1, 2021; and

WHEREAS, it is necessary for the Council to have professional engineering services (the "Services"); and

WHEREAS, in accordance with N.J.S.A. 19:44A-20.4 et seq., the City undertook a fair and open process and advertised for qualifications and proposals for the provision of the Services, among other services; and

WHEREAS, based on that process the Council has appointed CME Associates to provide engineering services with the advice and consent of the Council, with an anticipated term of one year, and

WHEREAS, the Mayor and the Council authorizes the above professional to enter into a contract with the Borough of Neptune City; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH OF NEPTUNE CITY COUNCIL AS FOLLOWS:

1. The Council hereby awards a contract to CME Associates to provide Engineering Services to the Borough of Neptune City.

2. The Council authorizes the approval and execution of the contract with CME Associates, setting forth the terms of the provision of the Services in substantial conformance with this resolution.

3. The Municipal Clerk is directed to cause a brief notice of the above award to be published as required by N.J.S.A. 40A:11-5(1)(a)(i).

4. The Certifying Finance Officer of the Borough has certified that the funds for the Services are available from and anticipated to be included in the budget subject to budget adoption.

Mayor Wardell stated he feels that Avakian has done a great job and feels that this appointment could be a detriment to the Borough. He stated that what knowledge he has of CME is that they are a great firm and do a wonderful job. Avakian have intimate and institutional knowledge of the Borough. This is in no way a marker of the job Avakian have done.

Aye: Councilmembers Calhoun, Kocsis, Pietrunti, Renee

Nay: Councilmembers Pappas, Thomas

Absent:

Mayor Wardell declared the resolutions adopted

Bennett Matlock introduced himself.

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

Resolution 21-52 Award of Contract for Professional Services- Planning Services

RESOLUTION 21-52

**RESOLUTION OF THE
BOROUGH OF NEPTUNE CITY
AWARDING A CONTRACT FOR
PROFESSIONAL SERVICES – PLANNING SERVICES**

WHEREAS, a special meeting of the Neptune City Council (the "Council") was held on February 1, 2021; and

WHEREAS, it is necessary for the Council to have professional Planning services (the "Services"); and

WHEREAS, in accordance with N.J.S.A. 19:44A-20.4 et seq., the City undertook a fair and open process and advertised for qualifications and proposals for the provision of the Services, among other services; and

WHEREAS, based on that process the Council has appointed ARH Associates to provide Planning services with the advice and consent of the Council, with an anticipated term of one year, and

WHEREAS, the Mayor and the Council authorizes the above professional to enter into a contract with the Borough of Neptune City; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH OF NEPTUNE CITY COUNCIL AS FOLLOWS:

1. The Council hereby awards a contract to ARH Associates to provide Planning Services to the Borough of Neptune City.

2. The Council authorizes the approval and execution of the contract with ARH Associates, setting forth the terms of the provision of the Services in substantial conformance with this resolution.

3. The Municipal Clerk is directed to cause a brief notice of the above award to be published as required by N.J.S.A. 40A:11-5(1)(a)(i).

4. The Certifying Finance Officer of the Borough has certified that the funds for the Services are available from and anticipated to be included in the budget subject to budget adoption.

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

Absent:

Mayor Wardell declared the resolutions adopted

Stuart Wiser introduced himself.

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

Resolution 21-53 Award of Contract for Professional Services- Auditing Services

RESOLUTION 21-53

**RESOLUTION OF THE
BOROUGH OF NEPTUNE CITY
AWARDING A CONTRACT FOR
PROFESSIONAL SERVICES – AUDITING SERVICES**

WHEREAS, a special meeting of the Neptune City Council (the "Council") was held on February 1, 2021; and

WHEREAS, it is necessary for the Council to have professional Auditing Services (the "Services"); and

WHEREAS, in accordance with N.J.S.A. 19:44A-20.4 et seq., the Borough undertook a fair and open process and advertised for qualifications and proposals for the provision of the Services, among other services; and

WHEREAS, based on that process the Council has appointed Oliwa & Company to provide Auditing Services with the advice and consent of the Council, with an anticipated term of one year, and

WHEREAS, the Mayor and the Council authorizes the above professional to enter into a contract with the Borough of Neptune City; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH OF NEPTUNE CITY COUNCIL AS FOLLOWS:

1. The Council hereby awards a contract to Oliwa & Company to provide Auditing Services to the Borough of Neptune City.

2. The Council authorizes the approval and execution of the contract with Oliwa & Company, setting forth the terms of the provision of the Services in substantial conformance with this resolution

3. The Municipal Clerk is directed to cause a brief notice of the above award to be published as required by N.J.S.A. 40A:11-5(1)(a)(i).

4. The Certifying Finance Officer of the Borough has certified that the funds for the Services are available from and anticipated to be included in the budget subject to budget adoption.

Mr. Oliwa introduced himself.

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

Absent:

Mayor Wardell declared the resolutions adopted

PUBLIC COMMENT

Mayor Wardell welcomed everyone and is looking forward to working with everyone for the best interest of the Borough. The success of the Borough is the first priority. There is no place for party politics on the local level. We are all residents and neighbors.

Mayor Wardell also stated that he was a little disappointed because he never appointed friends, family or elected officials as professional appointments in 2020, and it would appear that is not the case this year. The appointments include two current democratic Mayors and a firm with the third highest ranking Democrat in the state. He worries about partisanship in Neptune City. He would like to make sure we all work together in the future.

Deborah Gilanda, 35 Fifth Avenue asked if it was a conflict of interest to have a Mayor from another town serving as Borough Administrator? Would there be competition for grants? Mayor Wardell stated that he didn't believe there was a legal conflict.

Councilman Pietrunti stated there is a need for better communication. He also stated that we have both people on both sides in Freehold now.

Motion to adjourn at 8:00 offered by C/Calhoun. Seconded by C/Pappas.

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

Tamara Brown, Municipal Clerk