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## Council Room Borough of Neptune City

September 13, 2021

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The Regular Council Meeting of the Mayor and Council was held in Council Chambers at Borough Hall at 7:02.

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 AND MOMENT OF SILENCE**

### **APPROVAL OF MINUTES**

Motion to receive and file the Minutes July 26, 2021 offered by C/ Calhoun.

Seconded by C/Kocsis

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

### **COMUNICATIONS**

Recognition award from EZ Ride for safe routes to school for 2020. Motion to receive and file offered by C/Thomas. Seconded by C/Pietrunti

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

### **PRESENTATIONS**

By Glen Axelrod gave his presentation and answered questions from Councilmembers.

Mayor Wardell stated that some of the complaints received are the amount of odor. Why is it more on certain days? Mr. Axelrod stated they are working on a new filtration system and or substitute materials. Mr. Axelrod stated he would not make a promise that the odor will be completely gone because he does not believe it will. M/Wardell also commented that some of the resident concerns include parking and traffic on Myron Avenue. He asked if he could encourage his employees to use the parking lot on W. Sylvania Avenue. Mr. Axelrod agreed he will encourage them to use it but he cannot force them to use it. Mr. Axelrod stated if you speak to Chief Quagliato about the trucks turning down the side street or idling, he will confirm that they are turned in by TFH. Mr. Axelrod stated that if they receive a complaint of a truck idling, all they need is a time and possibly a name on the truck. They have cameras all over the

property. Mr. Axelrod stated he has verification; he will do something about it. He also stated that trucks have appointments to show up. They cannot just show up. M/Wardell thanked Mr. Axelrod for coming.

C/Renee thanked Mr. Axelrod for coming and thank you for all your humanitarian contributions.

C/Renee asked if there were directions for delivery drivers on where to come into the business? He believes they are on the paperwork. He stated there is no way of enforcing. C/Renee stated she is not asking them to enforce it. C/Renee asked what the hours of operation are. Mr., Axelrod stated they are a 24/7 operation. Not the office. C/Renee asked if they are following borough ordinances and Mr. Axelrod stated yes. They operate on 4/5 12-hour shifts. C/Renee asked when he spoke to his employees if he would ask them to not come in with blaring music. Mr. Axelrod noted if he was made aware of an employee coming in with blaring music they would be written up. Without verification of time or color of car, he would be able to look at the video, he cannot do anything about it. Deliveries and pick ups are done during the day, not during the night. C/Renee asked if they are following noise ordinance with the trucks. Mr. Axelrod stated they are not allowed in before 8am or after 6-7pm unless there is an emergency.

C/Renee asked Mr. Axelrod what exactly is the non-conforming use that TFH is operating under? Mr. Axelrod stated they have been operating for the past 40 years manufacturing facility. Mr. Axelrod stated the same equipment has been there since the 80's. His understanding is that they are in complete compliance. If he was not in compliance and not allowed to be in that facility he would probably be out of NJ. NJ is incredibly difficult to manufacture in. C/Pietrunti stated it took a long time to come to a council meeting to give an update. He stated the governing body represents the business and the residents, His hope is that Mr., Axelrod will continue to give updates to the governing body. Mr. Axelrod said he happy to take calls. He has been before the council in prior years. He has not come previously because he was unaware there was need.

#### **BOARD OF EDUCATION REPORT:**

Mr. Susino reported that the first week of school is going well. Lunch periods are going good as well. The some of the students are helping sanitizing the tables.

#### **MAYORS REPORT: Mayor Andrew Wardell**

Mayor Wardell reported on the following:

##### **Covid-19**

A. Starting Tuesday, September 14, the Brookdale Community College vaccination clinic will be moving to the Montessori Children's Learning Center (CLC) located between Lots 4 and 5. Monmouth County has COVID-19 vaccines available at Brookdale Community College with no appointment necessary on Tuesdays from 2 to 6 p.m.

B. Vaccines are available for residents who are at least 12 years old and live, work or attend school in Monmouth County. The County-operated sites administer the Moderna and Pfizer vaccines. Anyone under 18 years old must be accompanied by a parent or guardian. For more information, go to [www.visitmonmouth.com](http://www.visitmonmouth.com).

C. Monmouth County will offer free COVID-19 testing on Wednesday, September 15 in Keyport from 4 to 7 p.m. at the Keyport Senior Center located at 110 2<sup>nd</sup> Ave. Keyport. Visitors should note the clinic has 200 tests and once those are administered, the clinic will close for the day. There will also be a limited number of vaccines available for those who wish to receive it.

## II. DEP/BOH

1. I had two separate meetings with both the State DEP and BOH as well as the county BOH.

1. DEP has stated that all order complaints and potential summons must come through the DEP. Neptune City does not have the staff to enforce any odor ordinance and if we were to create such an ordinance it would likely not be enforceable and/or overturned in court.

1. Complainants must be home in order for any potential fine to be given.

2. MCBOH is partnered with the NJDEP to monitor odor and to issue any summons if deemed offensive.

2. Upon most recent inspection reports no harmful odors are being emitted into Neptune City's atmosphere.

3. NJDEP, at my request, is willing to offer a public forum to the residents about ongoing issues and how they are being handled.

B. The BOH meeting reiterated that the enforcement of odor violations is the responsibility of the state DEP, not the borough.

1. The State BOH would monitor if there were potential harmful materials to the borough, but does see any evidence of that.

2. I asked if we could hire an outside consultant and they said we could do it but they do not provide any recommendations.

3. The BOH commended our efforts to protect our residents, but recognize that we are limited in our ability to act.

## III. 9/11

1. Our 9/11 ceremony was a beautiful ceremony.

1. Thank you to all who attended

B. The dedication of First Responder's Park was equally beautiful.

1. Special thanks to the Shore Good Eats for providing Hot Dogs, chips, and beverages to all the guests in attendance.

## IV. First Responder's Month Fundraiser

1. Our First Responders' Month fundraiser is in full swing. We have plenty of yard signs available at Brough Hall and the Community Center. We ask for a donation of \$20 for each sign and all proceeds will be donated to the First Aid and Fire Department.

1. NCPD has graciously donated their end to the FA and FD

**ADMINISTRATION & FINANCE- John Pietrunti**

C/Pietrunti reported he had a meeting on Friday. Spoke about a few things, some budgetary items. At the next committee meeting he would like to look at the ¾ poll for the budget.

**PUBLIC WORKS- Pamela Renee**

C/Renee reported she wanted to thank the DPW for doing a great job on First responder park. The sweeper will be out in the next week. DPW will be doing some roadway patching and painting.

**LAW & ORDINANCE – Brian Thomas**

C/Thomas reported he had no report but wanted to remind everyone the community center and board of rec will have a movie in the park and they are discussing the possibility of some new things in the center for the kids.

**ADMINISTRATION & JUSTICE-Glen Kocsis**

C/Kocsis reported the police wanted to remind everyone to lock their doors to their cars and homes.

**SPECIAL SERVICES-Danielle Pappas**

C/Pappas had no report

**HUMAN SERVICES- Dave Calhoun**

C/Calhoun reported he received a communication from FD Chief with the report of active fire fighters, cadets, academy training and cadets. He reached out to the First Aid Captain and he had no report to share. He stated the ceremony for 9-11 was lovely.

**ADMINISTRATORS REPORT: Kevin Kane**

1. Administrator Kane reported: NPP Presentation

▶ The Neighborhood Preservation Program (NPP) grant application was submitted to the New Jersey Department of Community Affairs (NJDCA) on Wednesday, August 18th. As mentioned in my report last meeting, 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.

2. Neptune City Homeowners Association (NCHA)

| I have completed my response and have hand delivered the letter to Ms. Strazdas tonight, as well as everyone copied on the NCHA original letter. It was very time consuming doing my due diligence of reviewing the files and speaking to everyone involved throughout the years. Thank for your patience in waiting for my response.

**PUBLIC PARTICIPATION (FOR AGENDA ITEMS ONLY) -  
UNFINISHED BUSINESS**

**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.*

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

### **Resolution 21-130 Authorizing payment of bills**

#### **RESOLUTION 21-130 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 **\$340,649.84**

### **Resolution 21-131 Temporary closing of Ridge Terrace**

#### **RESOLUTION 2021-131 APPLICATION TO TEMPORARILY CLOSE RIDGE TERRACE**

**WHEREAS**, the residents at 80 Ridge Terrace have submitted an application to close a portion of Ridge Terrace on October 2, 2021, and

**WHEREAS**, the residents are requesting to have a block party between the hours of 2:00 P.M. until 10:00 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 Lincoln Avenue to be closed from 2:00 P.M. to 10:00 P.M. on October 2, 2021, and

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

### **Resolution 21-132 Authorization to participate in H-GAC Cooperative Pricing System**

#### **RESOLUTION 2021-132 RESOLUTION FOR MEMBER PARTICIPATION IN A COOPERATIVE PRICING SYSTEM**

**WHEREAS**, N.J.S.A. 52:34-6.2(b)(3) authorizes local contracting units to utilize a "nationally-recognized and accepted cooperative purchasing agreement" as a method of procurement,

provided the cooperative purchasing "shall result in cost savings after all factors, including charges for service, material, and delivery are considered"; and

**WHEREAS**, the Houston-Galveston Area Council (H-GAC) is a Cooperative Purchasing Program that is open to political subdivisions of states, including the Borough of Neptune City, by entry into an agreement with H-GAC; and

**WHEREAS**, the Borough of Neptune City wishes to enter into the Cooperative Purchasing Program with H-GAC, in order to realize efficiencies in the purchase of goods and services.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Neptune City hereby authorize entry into the H-GAC Cooperative Purchasing Program for the procurement of goods and services.

**BE IT FURTHER RESOLVED** that the Mayor and Borough Administrator are hereby authorized to enter into a Cooperative Pricing Agreement with the H-GAC, consistent with the foregoing.

**BE IT FURTHER RESOLVED** that a copy of this Resolution certified by the Municipal Clerk to be a true copy be forwarded to the H-GAC Cooperative Purchasing Program and shall take effect immediately upon passage.

#### **Resolution 21-133 Recognition of September as Hunger Action Month**

### **RESOLUTION 2021-133 SEPTEMBER AS HUNGER ACTION MONTH**

**WHEREAS**, hunger and poverty are issues of grave concern in the United States, the State of New Jersey; and

**WHEREAS**, the Borough of Neptune City is committed to taking steps to raise awareness about the need to combat hunger; and

**WHEREAS**, the Borough of Neptune City is committed to working with Fulfill, formerly The Food Bank of Monmouth and Ocean Counties, to educate people about the role and importance of food banks in addressing hunger and to devote more resources and attention to hunger issues; and

**WHEREAS**, more than 215,000 individuals in Monmouth and Ocean Counties now rely on food provided by Fulfill and its panners since the beginning of the pandemic; and

**WHEREAS**, the unemployment level is the highest it has ever been in the history if the State and the poverty level for a family of four is \$25,465 and 9.5% of families live below that level; and

**WHEREAS**, due to the pandemic, one (1) in every six (6) people in Monmouth and Ocean Counties received "emergency" food from Fulfill and their network of food pantries, soup kitchens, shelters and other community organizations; and

**WHEREAS**, food banks across the country, including Fulfill, will host numerous events throughout the month of September to bring awareness and attention to encourage involvement in efforts to end hunger in their local community.

**NOW, THEREFORE BE IT PROCLAIMED**, that the Mayor and Council of the Borough of Neptune City, County of Monmouth, State of New Jersey do hereby recognize September, as HUNGER ACTION MONTH in Borough of Neptune City, and call this observance to the attention of its citizens.

**Resolution 21-134 Authorization to apply for Open Space Grant for Adams Field**

**RESOLUTION 2021-134  
Open Space Grant Program**

**WHEREAS**, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

**WHEREAS**, the Mayor and Council of the Borough of Neptune City desires to obtain County Open Space Trust Funds in the amount of \$250,000.00 to fund Improvements to Adams Field-Phase II, and

**WHEREAS**, the total cost of the project including all matching funds is \$471,500.00; and

**WHEREAS**, the Borough of Neptune City is the owner of and controls the project site.

**NOW, THEREFORE, BE IT RESOLVED BY** the Mayor and Council of the Borough of Neptune City **THAT:**

1. Kevin Kane, Administrator or his successor is authorized to (a) make an application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (c) act as the municipal contact person and correspondent of the above named municipality; and
2. The Borough of Neptune City is committed to this project and will provide the balance of funding necessary to complete the project as described in the grant application in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and
3. If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program and the Policy and Procedures

Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Fund in accordance with such policies and procedures, and applicable federal, state, and local government rules, regulations and statutes thereto; and

4. Kevin Kane, Borough Administrator or his successor is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Monmouth for the approved Open Space Trust Funds; and

5. This resolution shall take effect immediately.

#### **Resolution 21-135 Authorizing the hiring of Nyasha Johnson as full-time secretary**

### **RESOLUTION 2021-135 APPOINTING A FULL-TIME OFFICE SECRETARY & DEPUTY REGISTRAR OF VITAL STATISTICS**

**WHEREAS**, there is a need in the Borough of Neptune City to fill a part time Office Secretary position to a full-time Office Secretary and Deputy Registrar of Vital Statistics, and

**WHEREAS**, Nyasha Johnson is presently working in that position in a part time capacity and has been deemed as qualified for employment in the title of full-time Office Secretary and Deputy Registrar of Vital Statistics, and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Neptune City that Nyasha Johnson is hereby appointed to the position of full-time Office Secretary and Deputy Registrar of Vital Statistics in the Borough of Neptune City, effective September 15, 2021.

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

Mayor Wardell declared the resolutions adopted

#### **PUBLIC PARTICIPATION:**

Chong Corlies 104 Midwood Street voiced concerns and opinions regarding short term rentals. He brought up the possibility of finding a middle ground being that the last council meeting mentioned completely prohibiting rentals such as limited use permits to address issues that may come up.

Ted Wardell 9 Tucker Drive mentions the stain glass windows of the church on W Sylvania. Being chairman of the Historical Committee, he thanks Rich McKay for transporting the historic windows safely and the new pastor of the church for donating them.

John Warhurst, Ridge Avenue and also a retired veteran said he was addressed by C/Renee during the Gully Rd Post 346 ceremony about restarting the Veterans group for Neptune City. One Tuesday every month at 7pm, the veterans can have a group meeting.

C/Pietrunti wanted to reach out to Mr. Warhurst about veteran signs.



Christine Oppegaard 34 Myron Avenue, a member of the Homeowners Association states the group has been treated unprofessionally by the governing body. She read a letter and, in the letter, it stated a letter that was discussed in the last council meeting was sent to the Environmental Protection in February and July but claims no letter was ever sent in. Mayor Wardell corrected Mrs. Oppegaard about her false accusations.

Rich Oppegaard 34 Myron Avenue wanted to thank the fire department for the great work they perform every day. Mr. Oppegaard then approaches the mic a second time addressing Mr. Glen Axelrod about employees of Nylabone, parking on the public street.

Sharon Williams 32 Windsor Ct addresses Administrator Kevin Kane about a letter she was confused about regarding TFH Nylabone. Mr. Kane explains all the questions she inquired about had been addressed. Mayor Wardell says according to the zoning officer and land use board attorney, the company is in legal state of law.

Joann Drennan 76 W Wall St pleased that Mr. Axelrod was present for this meeting. However, voices concern about tractor trailers and noise complaints that should be addressed.

Marie Mouldor 46 Ridge Pl concerned about school busses speeding down streets.

Lawrence Scott 4 Third Ave asks Mayor Wardell to request documentation from Mr. Axelrod proving they have the right to manufacture. The mayor explains the company goes through a number of inspections.

Motion to adjourn at 8:48 offered by *C/Pappas*. Seconded by *C/Kocsis*.

Voice Vote: Councilmembers Calhoun, Pappas, Renee, Thomas

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Tamara Brown, Municipal Clerk