



Borough of Neptune City
Regular Meeting of the Mayor and Council
Monday, April 8, 2024 at 7:00 pm

**Amended 4/8/24 at 5 pm*

1. CALL TO ORDER

2. OPEN PUBLIC MEETINGS ACT STATEMENT

The notice requirements provided for in the Open Public Meetings Act have been satisfied. Notice of this meeting was properly given by transmission to The Asbury Park Press, The Coaster, and The Coast Star, and by posting on the Borough website, at the Municipal Building, and filing with the Borough Clerk.

3. ROLL CALL

4. FLAG SALUTE

5. CLOSED SESSION - None

6. RECEIPT OF MINUTES *(vv)*

- A. Regular Meeting Minutes 3/25/2024

7. RECEIPT OF COMMUNICATIONS *(vv)*

- A. Atlantic Shore Winds – Notice of Intent for Atlantic Shores North Project (Meetings Dates)
B. New Jersey Economic Development Authority – Notice of Offshore Wind Ready Event (April 11)

8. PRESENTATIONS

- A. **Commissioner Director Arnone** – Presentation on Status of County's Acquisition of Boathouse Property *
B. **Proclamation** - Recognizing April as Autism Acceptance Month

9. MAYOR'S REPORT - Mayor Rachel McGreevy

10. COUNCIL REPORTS

- A. **Council President Danielle Pappas**, Administration of Justice
B. **Councilmember Scott Dellett**, Special Services
C. **Councilmember Dana Farley**, Community Relations
D. **Councilmember Glen Kocsis**, Administration and Finance
E. **Councilmember Pamela Renee**, Buildings and Grounds
F. **Councilmember Brian Thomas**, Emergency Services

11. PUBLIC COMMENTS ON AGENDA ITEMS

12. UNFINISHED BUSINESS

A. Ordinance Adoption *(rc)*

- 1) **Ordinance 2024-03** - An Ordinance of the Borough of Neptune City, Monmouth County, State of New Jersey to Exceed 2024 Budget CAP Appropriations Limits and to Establish a CAP Bank (N.J.S.A. 40A:4-45.14) *(Public Hearing/Adoption)*
2) **Ordinance 2024-04** – Ordinance Authorizing Entry of a Real Estate Purchase and Sale Agreement with Genesis Redevelopment, LLC as the Designated Redeveloper of Block 13, Lot 1 (87 Rosewood Place) within the East Coast Ice Redevelopment Area *(Public Hearing/Adoption)*

B. Tabled Resolutions - None

13. NEW BUSINESS

A. Ordinance Introduction – None

B. Consent Resolutions (rc) – *All matters listed hereunder are considered to be routine and will be enacted in one motion.*

Any member of the Governing Body may request an item be removed for separate consideration.

- 1) **Resolution 2024-43** – Auth. Payment of the Bills
- 2) **Resolution 2024-44** – Approving and Authorizing the Execution of an Amendment to the Order Terms Between the Borough of Neptune City and Seagrave Fire Apparatus, LLC
- 3) **Resolution 2024-45** – Endorsing Treatment Works Application for 1100 5th Avenue, LLC, Block 1, Lot 1 aka 142 Steiner Avenue Redevelopment

14. PUBLIC PARTICIPATION

15. CLOSED SESSION – None

16. ADJOURN (vv)

The next Council Meeting is scheduled for 7:00 pm on Monday, April 22, 2024

A. Ordinance Adoption (rc)

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- 2) Ordinance 2024-04** – Ordinance Authorizing Entry of a Real Estate Purchase and Sale Agreement with Genesis Redevelopment, LLC as the Designated Redeveloper of Block 13, Lot 1 (87 Rosewood Place) within the East Coast Ice Redevelopment Area *(Public Hearing/Adoption)*

Ordinance 2024-03 - An Ordinance of the Borough of Neptune City, Monmouth County, State of New Jersey to Exceed 2024 Budget CAP Appropriations Limits and to Establish a CAP Bank (N.J.S.A. 40A:4-45.14) *(Public Hearing/Adoption)*

**ORDINANCE 2024-03
BOROUGH OF NEPTUNE CITY
COUNTY OF MONMOUTH**

**AN ORDINANCE OF THE BOROUGH OF NEPTUNE CITY MONMOUTH COUNTY, STATE OF NEW JERSEY,
TO EXCEED THE 2024 MUNICIPAL BUDGET APPROPRIATIONS LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Neptune City in the County of Monmouth finds it advisable and necessary to increase its 2024 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$71,556.73 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Neptune City, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the 2024 budget year, the final appropriations of the Borough of Neptune City shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$71,556.73, and that the 2024 municipal budget for the Borough of Neptune City be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Ordinance 2024-04 – Ordinance Authorizing Entry of a Real Estate Purchase and Sale Agreement with Genesis Redevelopment, LLC as the Designated Redeveloper of Block 13, Lot 1 (87 Rosewood Place) within the East Coast Ice Redevelopment Area (*Public Hearing/Adoption*)

**ORDINANCE 2024-04
BOROUGH OF NEPTUNE CITY
COUNTY OF MONMOUTH
ORDINANCE AUTHORIZING ENTRY OF A REAL ESTATE PURCHASE AND SALE AGREEMENT WITH GENESIS
REDEVELOPMENT, LLC AS THE DESIGNATED REDEVELOPER OF BLOCK 13, LOT 1 (87 ROSEWOOD PLACE) WITHIN THE
EAST COAST ICE HOUSE REDEVELOPMENT AREA**

WHEREAS, the Borough of Neptune City (the "**Borough**") is the owner of certain parcels of land located within the East Coast Ice House Redevelopment Plan ("**Redevelopment Plan**") Area, which includes Block 13, Lot 1 (87 Rosewood Place) on the Borough’s official tax map (the "**Borough Property**"); and

WHEREAS, the Borough has designated Genesis Redevelopment, LLC (the "**Redeveloper**") as the designated redeveloper of the Borough Property and is entering a Redevelopment Agreement (the "**Redevelopment Agreement**") for the redevelopment of the Borough Property into a commercial use permitted under the Redevelopment Plan (the "**Project**"); and

WHEREAS, pursuant to N.J.S.A. 40A:12A-8(g) the Borough is authorized to “convey property or improvements to any other party . . . without public bidding and at such prices and upon such terms as it deems reasonable, provided that the . . . conveyance is made in conjunction with a redevelopment plan . . .”; and

WHEREAS, in accordance with the Redevelopment Agreement and the Redevelopment Plan (as defined in the Redevelopment Agreement), the Borough has determined that the proposed Real Estate Purchase and Sale Agreement is essential to the development of the Project.

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

SECTION 1. The above recitals are incorporated by reference as if fully set forth herein.

SECTION 2. The Borough Council hereby accepts and approves the Real Estate Purchase and Sale Agreement for the conveyance of Block 13, Lot 1 to Genesis Redevelopment, LLC as the designated redeveloper of the Property One Dollar (\$1.00), plus all costs associated with the environmental remediation of the Borough Property, and other good and valuable consideration as shall be provided by the Buyer in accordance herewith, subject to the terms of the Redevelopment Agreement.

SECTION 3. The Borough Council hereby authorizes and directs the Mayor or Borough Administrator to execute the Real Estate Purchase and Sale Agreement upon adoption of this Ordinance.

SECTION 4. The Borough Council hereby authorizes and directs the Borough Administrator, Chief Financial Officer, and other Borough employees and agents to take any necessary and appropriate actions to effectuate the implementation of this Ordinance and the Real Estate Purchase and Sale Agreement.

SECTION 5. All ordinances or resolutions of the Borough which are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of such inconsistency.

SECTION 6. If any section, subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect the remaining portion of this Ordinance.

SECTION 7. This Ordinance shall take effect upon final passage, approval and publication in accordance with law.

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

- 1) **Resolution 2024-43** - Auth. Payment of the Bills
- 2) **Resolution 2024-44** - Approving and Authorizing the Execution of an Amendment to the Order Terms Between the Borough of Neptune City and Seagrave Fire Apparatus, LLC **Resolution 2024-45** – Endorsing Treatment Works Application for 1100 5th Avenue, LLC, Block 1, Lot 1 aka 142 Steiner Avenue Redevelopment

**RESOLUTION 2024-43
 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 \$ 310,007.40

Vendor Name	Description	Amount
GABRIELLI TRUCK SALES	RECYCLE TRUCK-DPW	\$ 130,000.00
GABRIELLI TRUCK SALES	RECYCLE TRUCK-DPW	\$ 43,391.32
BLOODGOOD LAW ENF TRAINING GRP	CASE LAW STREET EDITION	\$ 525.00
HUNTLEY, BRANDY	CC RENTAL DEPOSIT: 3-23-2024	\$ 250.00
NJ STATE ASSOC CHIEF OF POLICE	OPRA/RECORDS MANAGEMENT 30/102	\$ 299.00
NJ STATE ASSOC CHIEF OF POLICE	OPRA/RECORDS MANAGEMENT 30/102	\$ 299.00
JANITOR SUPPLY COMPANY	Garbage Bags	\$ 599.52
WINNER FORD OF CHERRY HILL	POLICE VEHICLE-NCPD	\$ 27,389.52
WINNER FORD OF CHERRY HILL	POLICE VEHICLE-NCPD	\$ 31,390.44
VERIZON WIRELESS (CELL PHONES)	SERVICE: FEBRUARY 2024	\$ 682.75
VERIZON WIRELESS (CELL PHONES)	SERVICE: FEBRUARY 2024	\$ 345.73
VERIZON WIRELESS (CELL PHONES)	SERVICE: FEBRUARY 2024	\$ 249.66
THE NEW COASTER, LLC.	PUBLICATION LEGAL NOTICES	\$ 21.39
S&S ASSOCIATES, LLC	CLEANING NCPD: MARCH 2024	\$ 900.00
DORSETT, JR. SHAUN RYAN	BASKETBALL REFEREE FEB-MAR 24	\$ 200.00
DICORCIA WILLIAMS, CORINNE	RABIES CLINIC: 3-14-2024	\$ 100.00
CINTAS	JANITORIAL SUPPLIES	\$ 332.83
CINTAS	JANITORIAL SUPPLIES	\$ 300.00
CINTAS	JANITORIAL SUPPLIES	\$ 300.00
MONMOUTH COUNTY SPCA	SERVICE: FEBRUARY 2024	\$ 1,150.00
NJ AMERICAN WATER	HYDRANTS: MARCH 2024	\$ 4,888.70
JCP&L	SERV: MARCH 2024 COMM CENTER	\$ 514.43
NJ DEPT HEALTH & SENIOR SERV	DOG LIC FEES: MARCH 2024	\$ 74.40
NJ NATURAL GAS CO	SERVICE: FEB-MARCH 2024	\$ 4,014.99
MONMOUTH TELECOM	SERVICE: MARCH 2024	\$ 1,345.14
VIRGILIO, FRANK	MEDICAL REIMBURSEMENT	\$ 1,404.42
SCHINDLER ELEVATOR CORP.	MONTHLY PREV MAINTENANCE	\$ 309.76
BOROUGH OF BRADLEY BEACH	PRISONER HOLDING 2024	\$ 15,280.00
BROWN & BROWN BENEFIT ADVISORS	PREMIUM: APRIL 2024	\$ 1,250.00
CLEARY GIACOBBE ALFIERI JACOBS	SERV: FEB 2024 #131322	\$ 3,671.50
NJ CONFERENCE OF MAYORS	ANNUAL MAYORS CONFERENCE 2024	\$ 465.00
CIVICPLUS, INC.	WEBSITE SOFTWARE 2024	\$ 3,293.75
STANDARD INSURANCE COMPANY	PREMIUM: MARCH 2024	\$ 315.81
ELLCOTT NETWORK CONSULTANTS	GOOGLE SUBSCRIPTION 2024	\$ 3,762.00

PLOSIA COHEN, LLC	PROF SERV: MARCH 2024	\$ 1,086.00
DELISA DEMOLITION & DISPOSAL	SERVICE: MARCH 2024	\$ 750.95
DELISA DEMOLITION & DISPOSAL	SERVICE: MARCH 2024	\$ 599.15
DELISA DEMOLITION & DISPOSAL	SERVICE: MARCH 2024	\$ 6,063.58
DELISA DEMOLITION & DISPOSAL	SERVICE: MARCH 2024	\$ 22,191.66
4/8/2024 Bill List Total:		\$ 310,007.40

RESOLUTION 2024-44

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

**APPROVING AND AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE ORDER TERMS BETWEEN
BOROUGH OF NEPTUNE CITY AND SEAGRAVE FIRE APPARATUS, LLC**

WHEREAS, the Borough of Neptune City (“Borough”) and Seagrave Fire Apparatus, LLC (“Seagrave”) are parties to an agreement (“Agreement”) for the provision of a custom fire apparatus, dated December 13, 2021; and

WHEREAS, following execution of the Agreement, Seagrave represented to the Borough that, due to supply chain limitations, the original terms of the Agreement have become commercially impracticable and the cost of the apparatus had substantially increased; and

WHEREAS, after extensive negotiations between the Borough and Seagrave, the Parties agreed to revise the Agreement to include a material cost increase of \$100,895 in exchange for the Borough’s receipt of a \$15,000 parts and service voucher, a \$5,000 credit towards the Borough’s attendance at the final inspection, and a revised delivery date of October 31, 2024, among other consideration; and

WHEREAS, the Parties wish to enter into an Amendment to the Order Terms (“Amendment”) to reflect the revised agreement, attached hereto and incorporated herein.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Neptune City, County of Monmouth, State of New Jersey, that the Amendment to Order Terms between the Borough of Neptune City and Seagrave Fire Apparatus, LLC, is hereby approved, and the Mayor is duly authorized to execute same.

RESOLUTION 2024-45

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

**ENDORING TREATMENT WORKS APPLICATION FOR 1100 5TH AVENUE, LLC, BLOCK 1, LOT 1 AKA 142
STEINER AVENUE REDEVELOPMENT**

WHEREAS, the Borough of Neptune City has been requested to endorse a Treatment Works Applications related to seventy (70) new two-bedroom condo units, which were approved by the Borough Land Use Board; and

WHEREAS, the proposed application will have a daily flow of 15,750 gallons per day, which will require a permit from the Township of Neptune Sewerage Authority and the New Jersey Department of Environmental Protection (NJ DEP); and

WHEREAS, the Borough Engineer has reviewed the plans and recommends approval of this sewer connection.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Neptune City that is reviewed the recommendation of the Borough Engineer, and is authorizing the Borough Administrator and/or Clerk to execute any and all documents necessary to effectuate the intent and purpose of this Resolution; and

BE IT FURTHER RESOLVED, that a copy of this Resolution, certified by the Borough Clerk to be a true copy to be forwarded to each of the following:

- 1) Borough Engineer; 2) Mark Walsifer; 3) Richard DiFolco, P.E., JKR Engineering; 4) Neptune City Land Use Board