

Borough of Neptune City
Regular Meeting of the Mayor and Council
Agenda
April 26, 2021

Call to Order
Roll Call:
Open Public Meetings Act
Flag Salute

MINUTES

April 12, 2021 Work Session
April 12, 2021 Regular meeting

COMMUNICATIONS

PRESENTATIONS

BOARD OF EDUCATION REPORT

ADMINISTRATORS REPORT

MAYORS REPORT

COUNCIL REPORTS

Administration & Finance - John Pietrunti
Public Works – Pamela Renee
Law & Ordinance – Brian Thomas
Administration & Justice – Glen Kocsis
Special Services- Danielle Pappas
Human Services- Dave Calhoun

PUBLIC PARTICIPATION (FOR AGENDA ITEMS)

UNFINISHED BUSINESS

Second reading Ordinance 21-01 Establish a Cap Bank

NEW BUSINESS

Introduction Ordinance 21-02 Bond Ordinance Steiner Avenue Phase 3
Introduction Ordinance 21-03 Bond Ordinance Improvements to Adams Field

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, receive and file letters, correspondence, reports and approval of applications and minutes.

Resolution 21-78 Payment of Bills
Resolution 21-79 Temporary Emergency Appropriations #2
Resolution 21-80 Temporary Capital Budget

Resolution 21-81 Determining that certain properties be designated as non-condemnation are in need of redevelopment

**PUBLIC PARTICIPATION
AJOURN**

ORDINANCE 2021-01
BOROUGH OF NEPTUNE CITY
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION 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 up to 1.0% 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 Mayor and Council of the Borough of Neptune City in the County of Monmouth finds it advisable and necessary to increase its CY 2021 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 Mayor and Council hereby determines that a 2.5% increase in the budget for said year, amounting to \$155,717.01 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Mayor and 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 Mayor and 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 CY 2021 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 2.5%, amounting to \$155,717.01, and that the CY 2021 municipal budget for the Borough of Neptune City be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, 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.

<u>Councilperson</u>	<u>Motion</u>	<u>2nd Motion</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>
Calhoun					
Kocsis					
Pappas					
Pietrunti					
Renee					
Thomas					

CERTIFICATION

I, Tamara Brown, Municipal Clerk of the Borough of Neptune City, hereby certify the foregoing to be a true copy of a resolution adopted by the Council of the Borough of Neptune City at their meeting held April 26, 2021.

WITNESS, my hand and the seal of the Borough of Neptune City this 26th day of April 2021.

TAMARA BROWN, MUNICIPAL CLERK

NOTICE
BOROUGH OF NEPTUNE CITY
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)

The Ordinance published herewith was introduced and approved at a meeting of the Borough of Neptune City, held on April 12, 2021. The Ordinance will finally be adopted after a public hearing thereon before the Borough Council of the Borough of Neptune City, during a meeting to be held on April 26, 2021 at the Municipal Complex, 106 West Sylvania Avenue, Neptune City, New Jersey at 7:00 p.m. or as soon thereafter as the matter may be reached, or at any meeting to which that meeting may be adjourned, at which time any and all persons who may be interested therein will be given an opportunity to be heard. The proposed Ordinance in its entirety is on file in the Municipal Clerk's office and copies may be obtained without charge between the hours 8:30 a.m. and 4:30 p.m. Monday through Friday.

Tamara Brown, Municipal Clerk

BOROUGH OF NEPTUNE CITY

BOND ORDINANCE 2021 - 02

**BOND ORDINANCE PROVIDING FOR THE STEINER AVENUE
PEDESTRIAN AND ADA IMPROVEMENTS PHASE 3,
APPROPRIATING \$425,000 AND AUTHORIZING THE
ISSUANCE OF \$245,395 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 \$425,000, which includes \$50,000 in costs as permitted by *N.J.S.A. 40A:2-20* and a Community Development Block Grant in the amount of \$179,605 that satisfies the down payment for the said purpose as required by the Local Bond Law.

Section 2. In order to finance the cost of the Steiner Avenue Pedestrian and ADA Improvements Phase 3 not covered by the aforementioned grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$245,395 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 Steiner Avenue Pedestrian and ADA Improvements Phase 3 are 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 \$245,395, and the obligations authorized herein will be within all debt limitations prescribed by law.

(c) An aggregate amount not exceeding \$50,000 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.

BOROUGH OF NEPTUNE CITY

NOTICE

NOTICE is hereby given that the foregoing Bond Ordinance was introduced and passed at a regular meeting of the Mayor and Council of the Borough of Neptune City held Monday April 26, 2021 at 7:00 p.m. and will be considered for passage and final adoption at the regular meeting of the Mayor and Council to be held at the Borough Hall, 106 West Sylvania Avenue, Neptune City, New Jersey, on Monday, May 10, 2021 at 7:00 p.m.

Tamara Brown, Municipal Clerk

BOROUGH OF NEPTUNE CITY

BOND ORDINANCE 2021 - 03

BOND ORDINANCE PROVIDING FOR THE IMPROVEMENTS TO ADAMS FIELD, APPROPRIATING \$400,000 AND AUTHORIZING THE ISSUANCE OF \$150,000 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 \$400,000, which includes \$50,000 in costs as permitted by *N.J.S.A. 40A:2-20* and a Monmouth County Open Space Grant in the amount of \$250,000 that satisfies the down payment for the said purpose as required by the Local Bond Law.

Section 2. In order to finance the cost of the Improvements to Adams Field not covered by the aforementioned grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$150,000 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 Improvements to Adams Field are 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

especially 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 \$150,000, and the obligations authorized herein will be within all debt limitations prescribed by law.

(c) An aggregate amount not exceeding \$50,000 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.

BOROUGH OF NEPTUNE CITY

NOTICE

NOTICE is hereby given that the foregoing Bond Ordinance was introduced and passed at a regular meeting of the Mayor and Council of the Borough of Neptune City held Monday April 26, 2021 at 7:00 p.m. and will be considered for passage and final adoption at the regular meeting of the Mayor and Council to be held at the Borough Hall, 106 West Sylvania Avenue, Neptune City, New Jersey, on Monday, May 10, 2021 at 7:00 p.m.

Tamara Brown, Municipal Clerk

**RESOLUTION 21-78
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 **\$80,767.55**

Councilperson	Motion	2 nd Motion	Aye	Nay	Abstain
Calhoun					
Kocsis					
Pappas					
Pietrunti					
Renee					
Thomas					

CERTIFICATION

I, Tamara Brown, Municipal Clerk of the Borough of Neptune City, hereby certify the foregoing to be a true copy of a resolution adopted by the Council of the Borough of Neptune City at their meeting held April 26, 2021.

WITNESS, my hand and the seal of the Borough of Neptune City this 26th day of April, 2021.

TAMARA BROWN, MUNICIPAL CLERK

RESOLUTION 2021-79

MEETING APRIL 26, 2021

**RESOLUTION OF MAYOR AND COUNCIL OF BOROUGH
OF NEPTUNE CITY, COUNTY OF MONMOUTH,
STATE OF NEW JERSEY
RESOLUTION TO ADOPT
2021
TEMPORARY EMERGENCY APPROPRIATIONS #2**

WHEREAS, N.J.S.A. 40A: 4-20 provides that an addition to temporary appropriations necessary for the period prior to the adoption of the budget and regular appropriations, the Governing Body may, by resolution adopted by 2/3 vote of the full membership thereof, make emergency temporary appropriations for any purpose for which the appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year.

WHEREAS, the total emergency temporary resolutions adopted in the year 2021 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A: 4-20) including this resolution total \$2,156,535.53.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Neptune City, that in accordance with the provisions of N.J.S.A. 40A: 4-20, the Chief Financial Officer be authorized to make the following emergency temporary budget appropriations in the 2021 current fund temporary budget and that said amounts be included under the correct headings in the municipal budget as adopted.

BE IT FURTHER RESOLVED that one certified copy of this resolution be filed with the Director of the Division of Local Government Services and one certified copy with the Chief Financial Officer.

Administrator's Office	Salaries and Wages	\$	17,100.00
Administrator's Office	Other Expenses		7,000.00
Mayor and Council	Salaries and Wages		10,550.00
Mayor and Council	Other Expenses		375.00
Municipal Clerk's Office	Salaries and Wages		10,800.00
Municipal Clerk's Office	Other Expenses		5,225.00
Financial Administration	Salaries and Wages		2,625.00
Audit Services	Other Expenses		6,250.00
Central Postage	Other Expenses		3,500.00
Collection of Taxes	Salaries and Wages		13,750.00
Assessment of Taxes	Salaries and Wages		6,450.00
Assessment of Taxes	Other Expenses		2,050.00
Legal Services	Other Expenses		6,500.00
Engineering Services	Other Expenses		3,500.00
Information Technology	Other Expenses		6,000.00
Planner	Other Expenses		1,500.00
Land Use Board	Salaries and Wages		2,950.00
Land Use Board	Other Expenses		2,000.00
Code Enforcement Office	Salaries and Wages		6,025.00
Code Enforcement Office	Other Expenses		100.00
General Liability	Other Expenses		11,240.00
Employees Group Insurance	Other Expenses		162,500.00
Health Benefit Waiver	Salaries and Wages		9,400.00
Police - Crossing Guard	Salaries and Wages		7,000.00
Police - Clerical	Salaries and Wages		14,350.00
Police - Officers	Salaries and Wages		463,517.00
Police	Other Expenses		18,000.00
First Aid Organization Contribution	Other Expenses		4,400.00
Fire Hydrant Service	Other Expenses		11,250.00
Fire	Other Expenses		9,375.00
Fire Prevention Bureau	Salaries and Wages		1,475.00
Fire Prevention Bureau	Other Expenses		500.00
Emergency Management	Other Expenses		2,300.00
Municipal Prosecutor	Salaries and Wages		9,400.00
Road Repairs and Maintenance	Salaries and Wages		150,000.00
Road Repairs and Maintenance	Other Expenses		7,700.00
Traffic Lights	Other Expenses		2,000.00
Solid Waste Collection	Salaries and Wages		1,450.00
Solid Waste Collection	Other Expenses		85,350.00
Public Buildings and Grounds	Salaries and Wages		5,300.00
Public Buildings and Grounds	Other Expenses		9,300.00
Maintenance of Borough Vehicles	Other Expenses		17,500.00
Animal Control	Other Expenses		4,200.00
Parks and Playgrounds	Other Expenses		3,850.00
Community Center	Salaries and Wages		31,362.00
Community Center	Other Expenses		3,475.00
Expenses in Participating in Free County Library	Salaries and Wages		12,900.00
Expenses in Participating in Free County Library	Other Expenses		875.00
Municipal Court	Salaries and Wages		41,750.00
Municipal Court	Other Expenses		825.00
Public Defender	Salaries and Wages		3,200.00
Construction Official	Salaries and Wages		6,762.00
Construction Official	Other Expenses		340.00
Sub-Code Officials	Salaries and Wages		8,762.00
Celebration of Public Events	Other Expenses		3,000.00
Electricity	Other Expenses		8,500.00
Street Lighting	Other Expenses		8,500.00
Telephone	Other Expenses		6,775.00
Water	Other Expenses		1,900.00
Gasoline	Other Expenses		2,000.00
Condo Services Act	Other Expenses		30,000.00
Contingent	Other Expenses		50.00
Public Employees Retirement System	Other Expenses		82,267.00
Social Security	Other Expenses		30,000.00
Police and Firemen's Retirements System	Other Expenses		277,229.00
Defined Retirement Contribution Program	Other Expenses		500.00
LOSAP	Other Expenses		15,000.00
Borough of Bay Head - Financial Administration	Other Expenses		8,870.00
Township of Neptune - Emergency Services	Other Expenses		10,000.00
Township of Neptune - Recycling	Other Expenses		22,500.00
Borough of Bradley Beach - Prisoner Processing	Other Expenses		5,100.00
Matching Funds for Grants	Other Expenses		2,500.00
Recycling Tonnage Grant	Other Expenses		14,381.64
Safe and Secure Communities Program	Other Expenses		30,000.00
Cops in Shops	Other Expenses		1,604.89
Payment of Bond Anticipation Note and Capital Notes	Other Expenses		360,000.00
		\$	<u>2,156,535.53</u>

RESOLUTION 2021-80
2021 Temporary Capital Budget

WHEREAS, the Borough of Neptune City, County of Monmouth desires to constitute a 2021 Temporary Capital Budget;

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

The 2021 Temporary Capital Budget of the Borough of Neptune City is hereby constituted by the adoption of the following:

GENERAL CAPITAL FUND

<u>Project Title</u>	<u>Estimated Cost</u>	<u>Grant Proceeds</u>	<u>Capital Improvement Fund</u>	<u>Bonds and Notes Authorized</u>
Hawthorne and Woodland Avenue Improvements	\$ 360,000.00	\$ 251,045.00		\$ 108,955.00
Improvements to First Responder Park	150,000.00		7,500.00	142,500.00
Memorial Park Improvements	332,000.00	200,000.00		132,000.00
	<u>\$ 842,000.00</u>	<u>\$ 451,045.00</u>	<u>\$ 7,500.00</u>	<u>\$ 383,455.00</u>

That one certified copy of this resolution be filed with the Director, Division of Local Government Services.

I, Tamara Brown, Municipal Clerk of the Borough of Neptune City, County of Monmouth, State of New Jersey, do hereby certify that the above resolution was approved by the governing body at the meeting of April 26, 2021

Tamara Brown, Municipal Clerk