

**Council Room Borough of Neptune City
September 9, 2019**

The Workshop Meeting of the Mayor and Council was called to order by Mayor Brown at 7:05 p.m.

Acting Borough Clerk Russell took roll call.

PRESENT: Councilmembers Renee, Wardell, Kocsis, Lewis, Calhoun and Mayor Brown.

ABSENT: Councilmember Zajack

Mayor Brown 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 Acting Municipal Clerk.

Mayor Brown invited all to stand for the Flag Salute.

C/Renee made a motion to amend the Agenda to add Resolution 19-163 for the Land Use Board to conduct an investigation to determine if any or all parts of Neptune City are in need of Rehabilitation. Seconded by C/Calhoun.

Voice Vote - AYES: Councilmembers Renee, Kocsis, Lewis and Calhoun
NAYS: Councilmember Wardell
ABSET: Councilmember Zajack

COMMUNICATIONS-

Mayor Brown asked for a motion to approve minutes of 8/12/2019.

Motion by C/Wardell to receive and file; seconded by C/Lewis.

Voice Vote - AYES: Councilmembers Renee, Wardell, Kocsis, Lewis and Calhoun
ABSENT: Councilmember Zajack

Mayor Brown asked for a motion to approve August 2019 Neptune City Police Department Report.

Motion by C/Renee to receive and file; seconded by C/Wardell

Voice Vote - AYES: Councilmembers Renee, Wardell, Kocsis, Lewis and Calhoun
ABSENT: Councilmember Zajack

PRESENTATIONS-

The Public Hearing for the 2019 Monmouth County Open Space

Motion was made by Councilman Kocsis and Seconded by Council President Renee to Open the Public Hearing for the 2019 Monmouth County Open Space Grant for the Memorial Park Playground Improvements Phase 2 Project. A voice vote in the affirmative was unanimous.

Susan Brasefield, Borough Engineer of Maser Consulting, states that this public hearing was publicly advertised for this date and time in the Town Paper the Coaster. The application is due September 19th and if any changes are needed, they will be made after this hearing.

Susan explained Phase One which was awarded for \$175,000 and consisted of new playground equipment on a rubber surface, new curbing, picnic tables and a new gazebo. Phase 2 will consist of new ADA playground equipment also on rubber surface with an ADA ramp from parking lot to playground. The Area will include an ADA ramp to connect to the picnic area and Bocce Courts. We will be replacing a small area of the parking lot for ADA compliant parking spaces. We cannot do the whole parking lot, but this portion will help currently.

Susan explained we are able to receive 75% funding and max funding is 250,000. The Borough Project estimated cost is 375,540.00. Once evaluated by the County total scope of project will be looked at and rescaled to fit borough budget. This concludes Susan Presentation and has opened up to Comment.

Mayor Brown wanted to clarify that phase 1 was under CDBG for all park improvements. Mr. Russell, Borough Administrator clarified to the Mayor that Memorial park phase 1 is under Monmouth County Open Space and Joe Frieda and First Responders was under CDBG.

Ms. Renee asked if we will have ADA walkway to the Gazebo and Susan said we will look into that but may need to be an alternate bid item.

Ms. Renee asked that no environmental concern jeopardize the area as to runoff in the parking lot with the paving of 2 additional ADA compliant parking spots.

Jenn Coombs, Citizen Media If you have a choice between ADA Compliance or Environmental concerns, she would rather see ADA compliance.

Mayor asked for any other public comments and seeing none mayor asked for a motion to close the public hearing. Motion was made by Councilwoman Lewis and seconded by Councilman Calhoun a voice vote in the affirmative was unanimous.

PUBLIC PARTICIPATION ON AGENDA ITEMS –

None.

BOARD OF EDUCATION LIASION –

Anthony Susino, Board President, opening day went well. Back to School Night is scheduled for September 11th at 7:00 pm.

OLD BUSINESS-

None.

NEW BUSINESS-

Resolution 19-159 Authorizing the Borough to Apply for the 2019 Monmouth County Open Space Grant for Memorial Park Playground Improvements Phase II Project

Resolution 2019-159

RESOLUTION AUTHORIZING THE BOROUGH OF NEPTUNE CITY TO APPLY FOR A 2019 MONMOUTH COUNTY MUNICIPAL OPEN SPACE GRANT FOR THE MEMORIAL PARK PLAYGROUND IMPROVEMENTS PHASE 2 PROJECT

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 Governing Body of **the Borough of Neptune City** desires to obtain County Open Space Trust Funds in the amount of **\$250,000.00** to fund **the Memorial Park Playground Improvements Phase 2 Project, located at 73 Riverview Ave, Block 32, Lot 1;** and

WHEREAS, the total cost of the project including all matching funds is **\$375,540;** and

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

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

1. **Bryan A. Russell, Borough Administrator** or his/her 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 Funds in accordance with such policies and procedures, and applicable federal, state, and local government rules, regulations and statutes thereto; and
4. **Bryan A. Russell, Borough Administrator** or his/her 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.

CERTIFICATION

I hereby certify the above to be a true and exact copy of a Resolution adopted by the Mayor and Council of the Borough of Neptune City at a meeting held on September 9, 2019

Bryan A. Russell, Acting Municipal Clerk

Motion for adoption was made by C/Kocsis, seconded by C/Renee. There was no discussion and the resolution was approved unanimously by roll call.

Resolution 19-160 Authorizing Payment of Bills

**Resolution 2019-160
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 \$45,850.51

CERTIFICATION

I hereby certify the above to be a true and exact copy of a Resolution adopted by the Mayor and Council of the Borough of Neptune City at a meeting held on September 9, 2019.

Bryan A. Russell, Acting Municipal Clerk

Motion for adoption was made by C/Lewis, seconded by C/Kocsis. There was no discussion and the resolution was approved unanimously by roll call.

Resolution 19-161 Resolution authorizing the Borough of Neptune City through the Neptune City Police Department to participate in the Defense Logistics Agency, Law Enforcement Support Office, 1033 Program

RESOLUTION 19-161

RESOLUTION AUTHORIZING THE BOROUGH OF NEPTUNE CITY THROUGH THE NEPTUNE CITY POLICE DEPARTMENT TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM TO ENABLE THE NEPTUNE CITY POLICE DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT

WHEREAS, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEAs); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS, participation in the 1033 Program allows municipal and county LEAs to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no cost to municipal and county LEAs, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5- 30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program; and

NOW THEREFORE BE IT RESOLVED by the governing body of the Borough of Neptune City that the Neptune City Police Department is hereby authorized to enroll in the 1033 Program for no more than a one- year period, with authorization to participate terminating on December 31 of the current calendar year from September 9, 2019 to December 31, 2019; and

NOW THEREFORE BE IT FURTHER RESOLVED that Neptune City Police Department is hereby authorized to acquire items of non- controlled property designated "DEMIL A," which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non- military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather

equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non- military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the Neptune City Police Department, without restriction; and

NOW THEREFORE BE IT FURTHER RESOLVED that Neptune City Police Department is hereby authorized to acquire the following “DEMIL B through Q” property, if it shall become available in the period of time for which this resolution authorizes: (1) utility truck; and

BE IT FURTHER RESOLVED that the Neptune City Police Department shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

BE IT FURTHER RESOLVED that the Neptune City Police Department shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately and shall be valid to authorize requests to acquire “DEMIL A” property and “DEMIL B through Q” property that may be made available through the 1033 Program during the period of time for which this resolution authorizes; with Program participation and all property request authorization terminating on December 31st of the current calendar year from (September 9, 2019 to December 31, 2019.

CERTIFICATION

I hereby certify the above to be a true and exact copy of a Resolution adopted by the Mayor and Council of the Borough of Neptune City at a meeting held on September 9, 2019.

Bryan A. Russell, Acting Municipal Clerk

Motion for adoption was made by C/Renee, seconded by C/Wardell. There was no discussion and the resolution was approved unanimously by roll call.

Resolution 19-162 Resolution for the Lease of Borough Police Vehicle Under New Jersey State Contract for the Borough of Neptune City.

Resolution 2019-162

RESOLUTION FOR THE LEASE OF BOROUGH POLICE VEHICLE UNDER NEW JERSEY STATE CONTRACT FOR THE BOROUGH OF NEPTUNE CITY.

WHEREAS, the Borough of Neptune City wishes to lease a Police Vehicles for the Borough from Winner Ford of Cherry Hill, an authorized vendor under the New Jersey State Contract number 88728; and

WHEREAS, Winner Ford of Cherry Hill NJ is an authorized vendor under the State of New Jersey Contract with the Borough of Neptune City; and

WHEREAS, the Borough Administrator recommends the utilization of this State Contract on the grounds that it represents the best means available to obtain the equipment needed by the Borough

NOW THEREFORE BE IT RESOLVED by the Borough of Neptune City that Winner Ford of Cherry Hill, be awarded a contract pursuant to the New Jersey State Contract #88728 pursuant to its terms

and conditions for the lease of one (1) 2020 Ford Police Interceptors Utility All Wheel Drive vehicles with emergency accessories and installations in an amount not to exceed \$ 42,393.09

1. The leasing company of Tax-Exempt Leasing will authorize a 4-year lease with an amount of \$12,146.99 per year.

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Bryan A. Russell, Acting Municipal Clerk

Motion for adoption was made by C/Renee, seconded by C/Wardell. Mayor Brown commented that this is a good program that started several years ago, it allows continued rotation of the vehicles for the officers. The resolution was approved unanimously by roll call.

Resolution 19-163 directing the Neptune City Land Use Board to Conduct an Investigation to Determine whether or not the Borough of Neptune City in its Entirety or any part or parts thereof, qualifies as an "Area in Need of Rehabilitation" pursuant to the New Jersey Local Redevelopment and Housing Law

Resolution 2019-163

DIRECTING THE NEPTUNE CITY LAND USE BOARD TO CONDUCT AN INVESTIGATION TO DETERMINE WHETHER OR NOT THE BOROUGH OF NEPTUNE CITY IN ITS ENTIRETY, OR ANY PART OR PARTS THEREOF, QUALIFIES AS AN "AREA IN NEED OF REHABILITATION" PURSUANT TO THE NEW JERSEY LOCAL REDEVELOPMENT AND HOUSING LAW

WHEREAS, there exists, has existed and persists in the Borough of Neptune City, Monmouth County, New Jersey ("Borough"), conditions of deterioration in housing, commercial and industrial installations, public services and facilities and other physical components and supports of community life, and improper, or lack of proper, development which result from forces which are amenable to correction and amelioration by the concerted effort of responsible public bodies, and without this public effort are not likely to be corrected or ameliorated by private effort; and

WHEREAS, the New Jersey Legislature has provided a mechanism for municipalities to address such conditions by enacting the *Local Redevelopment and Housing Law* (N.J.S.A. 40A:12A-1 et seq. ~ "Redevelopment Law"), which law provides municipalities with certain tools and powers necessary to address such conditions in order to prevent further deterioration and promote the overall development of the community; and

WHEREAS, section 14 of the *Redevelopment Law* permits a municipality to declare an area to be In Need of Rehabilitation if its Governing Body determines that such area exhibits certain specified conditions; and

WHEREAS, section 14 of the *Redevelopment Law* further provides that, "[w]here warranted by consideration of the overall conditions and requirements of the community, a finding of need for rehabilitation may extend to the entire area of a municipality"; and

WHEREAS, the first step in the Rehabilitation Area process is for the municipal Governing Body to direct the municipal Planning Board to undertake an investigation to determine if an area meets the Statutory Criteria under which it may be declared to be In Need of Rehabilitation pursuant to section 14 of the *Redevelopment Law*; and

WHEREAS, as permitted under N.J.S.A. 40:55D-25, Neptune City has a combined Land Use Board; and

WHEREAS, it is expressly recognized that Rehabilitation Area designation does not confer on the Borough the power of eminent domain otherwise granted under the *Redevelopment Law*.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Neptune City hereby directs the Neptune City Land Use Board to conduct the necessary investigations and to undertake the steps necessary to determine whether or not the Borough of Neptune City in its entirety, or any part or parts thereof, meets the statutory criteria for an Area in Need of Rehabilitation pursuant to the *Local Redevelopment and Housing Law* (N.J.S.A. 40A:12A-14).

BE IT FURTHER RESOLVED, that the Borough Council herewith authorizes ARH Associates, Licensed Professional Planners in the State of New Jersey and the Borough’s municipal Planner, to assist the Land Use Board with this investigation.

BE IT FURTHER RESOLVED that the Land Use Board shall, upon completion of the investigation and a public hearing related thereto, submit its findings and recommendations to the Governing Body in the form of a Resolution with supportive documentation.

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Bryan A. Russell, Acting Municipal Clerk

Motion for adoption was made by C/Renee, seconded by C/Lewis. C/Renee stated that since the State has already declared Neptune City as an Opportunity Zone, we should take advantage of the opportunity and move forward with this. Mayor Brown stated that with the opportunity zone, the State still does not know what they will be offering with that yet.

Voice Vote - AYES: Councilmembers Renee, Kocsis, Lewis and Calhoun
 NAYS: Councilmember Wardell
 ABSET: Councilmember Zajack

Resolution adopted.

Mayor Brown would like to make a request to the Law & Ordinance Committee as well as the Police Department to review the ordinance on vicious dogs, to help the Police Department when it comes to vicious dogs. Please go over that with the Police Department as well as the Code Enforcement and the SPCA. Speaking of SPCA, they will be at the next Council Meeting on September 23rd for a presentation on the new Trap, Neuter and Release Program.

Attorney Cannon stated that the Borough of Roosevelt has a very good Animal Control Ordinance if the committee wants a starting point.

Mayor Brown made an announcement that tomorrow, September 10th, at 6:00 pm there will be a promotion ceremony for the Police Department. This is not a Public Meeting but all are welcome to come on down, it will be held at Memorial Park on the Boardwalk.

Mayor Brown announced that on Wednesday September 11th at 6:00 pm at First Responders Park, there will be a 9-11 Memorial to show respect and remember what happened on 9-11-01.

C/Wardell wanted to bring up to the attention of the Governing Body about the parking on Stanley; I have had several residents and first responders bring this up to me that with it is a safety issue and if needed they might not be

able to get the ladder truck down there to the backside of the Senior Building. The Chief stated they have looked into this, but does feel that if they have parking only on one side of the street it would elevate that problem. Mayor Brown asked the Chief to tell the Governing Body what he recommends and they will do that.

C/Renee asked since there is a property on the corner for sale, maybe the Housing Authority to make that a parking lot. Mayor Brown stated that they will bring that up to the Housing Authority.

C/Wardell announced that like last year, I was able to get the Monmouth County Free Eye Screening at the Community Center on October 7th from 3:00-6:00 pm, an appointment is needed.

PUBLIC PARTICIPATION –

Patty Scott, 220 W Sylvania, there have been solicitors in town, do you still need to go to the Police Department? Mayor Brown responded that yes, there is an Ordinance that requires you to get a permit (not including religious or political) and be registered with the Borough. If you have any concerns, please call the Police Department to verify.

Jenn Coombs, Metra Media, would like to know more about the YouTube Channel. Mayor Brown stated that once we have more information and get it set up, we will be able to give more information about it.

Tammy Brown, 69 Laird, I have a few questions and comments. To the Administrator and Council, the Policy Manual was updated last year and every volunteer, not just Board of Rec, every employee and the governing body are all supposed to have full background checks. Administrator Russell stated that he read and is reading again and it needs to be updated yearly, I am starting that process now. Ms. Brown stated that is was from the insurance company and they also said we need to have driver licenses run too. Administrator Russell stated that we have the NJ Care system that does that.

Ms. Brown asked if the Participatory Budget meetings are public or is it just the committee. C/Calhoun stated that it is just the committee. Money has been approved in the Budget so there will be no public meetings. There will be public introductions of the program. Ms. Brown asked how the information to get ideas from the public is getting out to the public, will that be advertised. Calhoun stated that yes it will be advertised, a town hall the Website, and Facebook page.

Ms. Brown wanted to clarify that the Resolution that was added was only for rehabilitation not redevelopment. C/Renee stated that was correct and this is just a proposal to go to the Land Use Board to see what they think. Ms. Brown stated that the Borough has never had a rehabilitation project only an area of redevelopment. It could scare people away saying the whole town needs to be rehabilitated. Going back the Master Plan and the Town Center, it doesn't look pretty but what is it missing. C/Renee stated that a lot of residents have made suggestions and we are hoping for a town hall meeting for more suggestions, but we are not even at that step yet. There was continued discussion on this topic.

C/Renee commented that this Friday, September 13th there will be a Movie in the Park, viewing Coraline, at Memorial Park at 7:00 pm. If there is inclement weather, it will be moved to the Community Center.

ADJOURN 7:54 p.m.

Motion to adjourn by C/Wardell. Seconded by C/Lewis.

Approved unanimously by roll call.