

**Council Room Borough of Neptune City
November 26, 2018**

The Regular Council Meeting of the Mayor and Council was called to order by Mayor Brown at 7:00 p.m.

Ms. Michelle Lewis and family were invited to the floor for Ms. Lewis' swearing in as Councilwoman. Senator Vin Gopal swore in Councilwoman Lewis for an unexpired term ending December 31, 2019.

Borough Clerk Brown took roll call.

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

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 Municipal Clerk.

Mayor Brown invited all to stand for the Flag Salute.

APPROVAL OF MINUTES

November 12, 2018

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

Voice Vote - AYES: Councilmembers Pryor, Zajack, Renee, Wardell, and Kocsis.
ABSTAIN: Councilmember Lewis.

AMEND THE AGENDA

C/Renee offered a motion to amend the agenda to add Resolution 18-148. Seconded by C/Kocsis.

Roll Call - AYES: Councilmembers Renee, Wardell, and Lewis.
NAY: Councilmembers Pryor, Zajack, and Wardell.

Attorney Aikins announces the motion did not carry.

C/Renee asked if the Mayor votes since it was a tie. Attorney Aikins explained the Mayor does not vote to break a tie for a resolution, only for ordinances. Attorney Aikins further explained since the vote was a tie and not a majority of Council in favor, the motion does not carry.

PRESENTATION

Tax Assessor Bill Fitzpatrick

Mr. Fitzpatrick gave an overview of the Assessment Demonstration Program and calendar change for appeals, which are now due by January as well as the assessment schedule. Mr. Fitzpatrick gave details regarding the schedule for assessment and appeals timeline. The goal of the program is that every year the valuation is studied to make sure it is fair each year depending upon sales over the past two years to match the market value. Mayor Brown commented that if people disagree with the assessment to contact Mr. Fitzpatrick to discuss adjustments, which can be made more easily before the appeal process has to be used. Mr. Fitzpatrick explained 20% of properties must be verified each year to make sure what the assessor has on file is true to fact and that it is a fair value. Mayor Brown further commented that the process eliminates big surprises on tax bills. Mr. Fitzpatrick spoke about how the tax rate is arrived at, which is certified by the County tax board. The rate has come down for the Borough over the past four years, but based on County, School and State the rate has stayed flat. Mr. Fitzpatrick noted tax rates cannot be set until the State adopts a budget. Mayor Brown noted Neptune City is ordered to reassess; further explaining that tax bills are printed by the County then distributed to Neptune City for mailing. Mr. Fitzpatrick spoke about the value of reassessment yearly. Mr. Fitzpatrick's hours are Thursdays, 5:30 – 7:30 but is always available by email and can answer calls at other times. Ms. Strazdas asked who decides the school budget; Mr. Fitzpatrick explained the school makes their own budget, which is sent to the County. The borough then collects the monies to distribute to the school. The School Board decides their own budget. Mayor Brown reiterated the School, County and Municipality all prepare their own independent budgets. Mr. Fitzpatrick explained how the rate is set as well as valuation and equalization. Discussion continued on what improvements impact valuation. C/Renee noted her taxes went up \$900.00 with no improvements. Mr. Fitzpatrick explained what is sold compared to neighborhood assessments

creates a change in a home's assessment. Mayor Brown commented you assessment can go up without your taxes going up. Residents asked specific questions about their own properties. Mr. Fitzpatrick explained homes are compared to home in a particular area; further explaining the County reviews the assessments to ensure homes are at market value. Discussion continued on the appeals process.

COMMUNICATIONS

Resignation of E. Kirshenbaum

Mayor Brown read the letter into the record.

Motion to accept with regret by C/Zajack; seconded by C/Wardell.

Voice Vote - AYES: Councilmembers Pryor, Zajack, Renee, Wardell, Kocsis, and Lewis.

PUBLIC PARTICIPATION – AGENDA ITEMS

Ms. Kelly Strazdas asked if she could ask about the vote earlier. Mayor Brown explained she could during Public comment because it was not on the agenda.

OLD BUSINESS

Discussion of Authorities

Mayor noted Neptune City has one authority – housing. Mayor Brown explained the Housing Authority is senior housing subsidized by HUD and run by a Board. Mr. Brad Hines asked if they have authority over the building. Mayor Brown confirmed there is an administrator, superintendent and director that run the facility; further noting there is a process to be able to move in. Mayor Brown explained there is a member appointed by the State, 1 resident member and all other Board members live in Neptune City. None of the residents are involved with section 8 or Brighton Arms. Mayor Brown explained the positions and employees on the board which is subsidized by HUD and part of PILOT. Mayor Brown noted the Housing Authority runs very well. Administrator Underhill explained the review is to make sure the Authority is doing what it is supposed. There is currently 100% occupancy which is proof it is doing what it is supposed. C/Lewis asked how the Housing Official fits in. Mayor Brown explained the Housing Official is not part of the Housing Board.

NEW BUSINESS

Resolution 18-141 Payment of Payroll and Bills

Resolution 18-142 Municipal Agreement with Oxford Heights

Resolution 18-143 Inter local Agreement with Neptune Township

Resolution 18-144 Agreement with Monmouth County SPCA

Resolution 18-145 Requirement of Direct Deposit

Resolution 18-146 Introduction of Ordinance 18-12 Salary Ordinance

Resolution 18-147 Introduction of 18-13 Snow Ordinance

Resolution 18-141

C/Renee offered the following resolution and moved its adoption. Seconded by C/Wardell.

RESOLUTION 2018-141

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 \$57,314.74

Roll Call - Aye: Councilmembers Pryor, Zajack, Renee, Wardell, and Kocsis.

Abstain: Councilmember Lewis.

Mayor Brown declared the resolution adopted.

Resolution 18-142

Borough Clerk Brown read the resolution into the record by title.

C/Pryor offered the following resolution and moved its adoption. Seconded by C/Zajack.

RESOLUTION 2018-142**Municipal Service Agreement between Oxford Heights and the Borough of Neptune City**

WHEREAS, Oxford Heights is a "multi-family dwelling" as defined by *N.J.S.A. 40:66-1.2* in the Borough of Neptune City, Monmouth County, New Jersey in which five or more dwelling units are leased or sold for residential purposes; and

WHEREAS, in accordance with *N.J.S.A. 40:66-1.1 et seq.*, hereinafter referred to as the "Act", the Borough is required either to perform certain specified services in the complex, which is a multi-family dwelling as defined by *N.J.S.A. 40:66-1.1 et seq.*, or to reimburse said complex to the extent specified in the statute for the actual costs to the complex of providing said specified services in that statute or the actual costs to the Borough providing said specified services, whichever shall be less, and

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Neptune City enter into this agreement with Oxford Pond in accordance with *N.J.S.A. 40:66-1.1 et seq* the parties hereby covenant and agree.

Roll Call - Aye: Councilmembers Pryor, Zajack, Renee, Wardell, and Kocsis.

Abstain: Councilmember Lewis.

Mayor Brown declared the resolution adopted.

Resolution 18-143

Borough Clerk Brown read the resolution into the record by title.

C/Zajack offered the following resolution and moved its adoption. Seconded by C/Kocsis.

Mayor Brown explained this is resolution is for the reverse 911 services; and encouraged all residents to sign up. Information is available on the Borough website.

RESOLUTION 2018-143**INTERLOCAL AGREEMENT WITH THE TOWNSHIP OF NEPTUNE SHORE AREA EMERGENCY NOTIFICATION SYSTEM**

WHEREAS, the Borough of Neptune City and the Township of Neptune desire an Interlocal Agreement for and Emergency Notification System, and

WHEREAS, both Municipalities are desirous of entering into this agreement for a period of three years commencing January 1, 2019 and ending December 31, 2021, and

WHEREAS, *N.J.S.A. 40:8A-1 et seq.* permits entering into an Interlocal Agreement,

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Neptune City hereby enter into an Interlocal Agreement with the Township of Neptune under the provisions of the attached agreement, and

BE IT FURTHER RESOLVED, that the Mayor and Council authorize the Municipal Clerk/Administrator and the Mayor to sign the agreement on behalf of the Borough.

Roll Call - Aye: Councilmembers Pryor, Zajack, Renee, Wardell, and Kocsis.

Abstain: Councilmember Lewis.

Mayor Brown declared the resolution adopted.

Resolution 18-144

Borough Clerk Brown read the resolution into the record by title.

C/Kocsis offered the following resolution and moved its adoption. Seconded by C/Zajack.

Mayor Brown noted the Borough switched the SPCA a few years ago as the SPCA is a law enforcement agency with the ability to write summonses as well as being a no kill facility.

RESOLUTION 2018-144**CONTRACT WITH MONMOUTH COUNTY SPCA ANIMAL CONTROL SERVICES**

WHEREAS, the Borough of Neptune City is need of Animal Control Services, and

WHEREAS, Monmouth County SPCA has given a proposal for a contract for the year 2018, and

WHEREAS, the 2019 budget will provide the funds for such a service,

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Neptune City hereby approve a contract with the Monmouth County SPCA for Animal Control Services at an annual cost of \$13,800.00, and

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk sign the attached agreement which specifies the terms of the contract.

Roll Call - Aye: Councilmembers Pryor, Zajack, Renee, Wardell, and Kocsis.

Abstain: Councilmember Lewis.

Mayor Brown declared the resolution adopted.

Resolution 18-145

Borough Clerk Brown read the resolution into the record by title.

C/Renee offered the following resolution and moved its adoption. Seconded by C/Lewis.

RESOLUTION 2018-145

RESOLUTION OF THE BOROUGH OF NEPTUNE CITY, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, REQUIRING DIRECT DEPOSIT OF PAYROLL CHECKS

WHEREAS, P.L.1981, c. 385 (C.52:14-15a) was amended by the Senate and General Assembly of the State of New Jersey to provide that municipalities (along with other State entities) may provide for mandatory direct deposit of net pay for all employees on or after July 1, 2014; and

WHEREAS, the Chief Financial Officer of the Borough of Neptune City recommends the municipality adopt this requirement for mandatory direct deposit of net pay as it provides an increase in the productivity of the Finance department, a decrease in the cost of producing and replacing lost checks, and the elimination of the cost of delivery of checks; and

WHEREAS, the employees of the municipality shall indicate, in writing to the Chief Financial Officer, the specific banking institution(s) and designated checking account(s), savings account(s) or share account(s) to which the deposit shall be made on behalf of the employee; and

WHEREAS, the Chief Financial Officer of the Borough of Neptune City may determine special exceptions to this policy for paychecks for terminated employees and seasonal employees; and

WHEREAS, the Chief Financial Officer and the Borough Clerk recommend the adoption of this policy.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Neptune City that, effective December 1, 2018, mandatory direct deposit of net pay for all employees of the Borough of Neptune City shall be made to the specific banking institution(s) provided by each employee.

Roll Call - Aye: Councilmembers Pryor, Zajack, Renee, Wardell, Kocsis and Lewis.

Mayor Brown declared the resolution adopted.

Resolution 18-146

Attorney Aikins read the ordinance by title, noting the matter was ready for introduction.

Borough Clerk Brown gave the salaries of the Chief and Captain. Administrator Underhill noted the Finance Committee looked at the ordinance. The Police Committee will also make a recommendation.

C/Wardell offered the following resolution and moved its adoption. Seconded by C/Renee.

RESOLUTION 2018-146

BOROUGH OF NEPTUNE CITY

ORDINANCE 2018-12

AN ORDINANCE TO AMEND AN ENTITLED "AN ORDINANCE OF THE BOROUGH OF NEPTUNE CITY IN THE COUNTY OF MONMOUTH AND STATE OF NEW JERSEY, FIXING THE SALARIES OF CERTAIN OFFICES AND EMPLOYEES" ADOPTED MARCH 4, 1965

	Minimum	Maximum
Administrator	\$85,000.00	\$95,000.00
Borough Clerk	\$60,000.00	\$65,000.00
Deputy Clerk	\$2,000.00	\$2,000.00
Tax Collector	\$40,000.00	\$55,000.00
Deputy Tax Collector	\$50.00 per hour	\$ 50.00 per hour
Tax Assessor	\$17,000.00	\$26,000.00
Emergency Management	\$800.00	\$2,000.00
Director of Public Works	\$60,000.00	\$100,000.00
Superintendent of Public Works	\$50,000.00	\$85,000.00
Judge	\$30,000.00	\$35,000.00
Prosecutor	\$22,000.00	\$35,000.00
Public Defender	\$6,000.00	\$14,000.00

Construction Officer	\$15,000.00	\$25,000.00
Zoning Officer	\$1,200.00	\$3,000.00
Sub Code Building Inspector	\$5,000.00	\$8,800.00
Sub Code Plumbing	\$3,000.00	\$8,000.00
Sub Code Fire Inspector	\$5,000.00	\$10,000.00
Electrical Inspector	\$3,000.00	\$8,000.00
Housing Official	\$5,000.00	\$6,500.00
Code Enforcement	\$14,000.00	\$18,000.00
Land Use Board Secretary	\$7,000.00	\$12,000.00
Librarian	\$14,000.00	\$20,000.00
Library Aid 1	\$12.50 per hour	\$16.00 per hour
Library Aid 2	\$12.50 per hour	\$15.00 per hour
Library Aid 3	\$10.00 per hour	\$12.00 per hour
Library Aid 4	\$10.00 per hour	\$12.00 per hour
Office Manager (Admin)	\$2,000.00	\$6,000.00
Fire Prevention Official	\$7,000.00	\$12,000.00
Fire Prevention Inspector	\$500.00	\$2,500.00
Sewer Operator	\$8,000.00	\$18,000.00
Assistant Sewer Operator	\$3,500.00	\$12,000.00
Recycling Coordinator	\$2,500.00	\$5,200.00
Assistant Recycling Coordinator	\$300.00	\$1,000.00
Secretary 1	\$25,000.00	\$40,000.00
Book Keeper	\$25,000.00	\$35,000.00
Registrar of Vital Statistics	\$1,000.00	\$3,000.00
Assistant to the Finance Officer	\$2,000.00	\$4,000.00
Court Administrator	\$65,000.00	\$75,000.00
Deputy Court Administrator 1	\$40,000.00	\$52,000.00
Violations Clerk	\$23,000.00	\$30,000.00
Public Works Employee 1	\$25,000.00	\$37,500.00
Public Works Employee 2	\$45,000.00	\$55,000.00
Public Works Employee 3	\$45,000.00	\$56,000.00
Public Works Employee 4	\$47,000.00	\$57,000.00
Public Works Employee 5	\$50,000.00	\$60,000.00
Police Administrative Clerk	\$25,000.00	\$65,000.00
Police Records Clerk	\$12,000.00	\$19,500.00
Hourly/Seasonal/Casual	\$8.25 per hour	\$18.00 per hour
Mayor	\$4,500.00	\$6,300.00
Council	\$3,500.00	\$5,600.00
Chief of Police	\$140,000.00	\$160,000.00
Captain of Police	\$130,000.00	\$150,000.00
Lieutenant	\$88,000.00	\$118,000.00
Sergeant	\$82,000.00	\$114,222.44
Patrolman Ninth Year	\$105,501.00	\$107,347.00
Patrolman Eighth Year	\$99,000.00	\$99,000.00
Patrolman Seventh Year	\$95,000.00	\$95,000.00
Patrolman Sixth Year	\$86,000.00	\$86,000.00
Patrolman Fifth Year	\$81,000.00	\$81,000.00
Patrolman Fourth Year	\$75,000.00	\$75,000.00
Patrolman Third Year	\$68,000.00	\$68,000.00

Patrolman Second Year	\$61,000.00	\$61,000.00
Patrolman First Year	\$56,000.00	\$56,000.00
Probationary Patrolman	\$50,000.00	\$50,000.00
Academy Pay	\$40,000.00	\$40,000.00
Public Safety Director	\$110,000.00	\$122,500.00
Community Center Director	\$35,000.00	\$71,000.00
Assistant Community Center Director	\$12,000.00	\$19,500.00
Housing Officer	\$6,000.00	\$9,200.00
Mechanic	\$40,000.00	\$60,500.00
Crossing Guard	\$15.00 per hour	\$16.50 per hour
OPRA Clerk	\$2,500.00	\$5,500.00
Class 2 Special Officer	\$15.00 per hour	\$35.00 per hour

Be it ordained by the Mayor and Council of the Borough of Neptune City as follows:

That the annual Salary and Compensation for the following employees of the Borough of Neptune City with the following ranges shall be payable semi-monthly except as otherwise stated herein:

1. That all other employees and officers of the Borough not specifically mentioned herein are continued at their present range of salary until changed by the resolution of the Borough Council.
2. That all salary and compensation of ordinances and parts thereof not inconsistent herewith shall remain in full force effect and virtue.
3. That all salary and compensation ordinances and parts thereof not inconsistent herewith shall remain in full force effect and virtue
4. That this Ordinance will take effect January 1, 2019 when finally passed and published according to law.

Roll Call - Aye: Councilmembers Pryor, Zajack, Renee, Wardell, and Kocsis.
Abstain: Councilmember Lewis.

Mayor Brown declared the resolution adopted.

C/Renee offered a motion to advertise. Seconded by C/Wardell.

NOTICE is hereby given that the foregoing Ordinance was introduced and passed at the regular meeting of the Mayor and Council of the Borough of Neptune City held on Monday, November 26, 2018 at 7:00 p.m. and will be considered for 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, December 10, 2018 at 7:00 p.m., or as soon thereafter as the matter may be reached, when objections, if any, to the passage of the Ordinance will be received. This Ordinance amends the Salary Ordinance of the Borough of Neptune City.

Voice Vote - Aye: Councilmembers Pryor, Zajack, Renee, Wardell, Kocsis and Lewis.

Resolution 18-147

Borough Clerk Brown read the resolution into the record by title.

C/Renee offered the following resolution and moved its adoption. Seconded by C/Kocsis.

C/Zajack asked the reason for changing the ordinance. C/Renee explained it was at the request of the Director of Public Safety. Attorney Aikins noted it was at the request of the Director of Public Works. Mayor Brown shared he had received no correspondence regarding the drafts and process of changing the ordinance. Mayor Brown explained the issues with the ordinance and alternate side parking. Mayor Brown checked with Public Works and the Police Department and thinks this will add more work for the Police Department. C/Zajack suggested tabling the ordinance until after speaking with Police and Public works to see if this ordinance is the best way to move forward as this is the first time Council is seeing the ordinance. C/Wardell spoke about the meeting with Public Works, but did not realize the Police Department was not involved. C/Zajack made a motion seconded by C/Wardell to table the ordinance. C/Renee made a motion to table; seconded by C/Kocsis.

Voice Vote - Aye: Councilmembers Pryor, Zajack, Renee, Wardell, Kocsis and Lewis.

RESOLUTION 2018-147**ORDINANCE NO. – 2018-11****An Ordinance To Amend Chapter 113 Streets And Sidewalks, Article III Temporary No Parking And Snow Removal By Removing Current Section 113-15 And Replacing It With New Section 113-15****Article III Temporary No Parking and Snow Removal****Section 1.****113-15. Temporary no parking and snow removal.**

Whenever snow has fallen and the accumulation is such that it covers the street or highway for four (4) inches or more, a snow emergency shall exist and no vehicles shall be parked on any street or highways or portions thereof except as indicated in this Article. The owner or operator of any vehicle parked on the street prior to the time that the street became covered with snow shall remove it from the street within two hours after the street became covered with snow of four (4) inches or more.

The above parking prohibitions shall remain in effect after the snow has ceased, until the streets have been plowed sufficiently and to the extent that parking will not interfere with the normal flow of traffic.

- A. Any vehicle parked in violation of this Article or abandoned on a public street shall be deemed to be a nuisance and a menace to public safety and any public safety officer may provide for the removal of such vehicle. The owner shall pay the reasonable costs of removal and storage of such vehicle before redeeming possession thereof.
- B. This parking prohibition shall remain in effect until after the snow has ceased and the streets have been plowed for the full width as well as until parking will not interfere with the normal flow of traffic.
- C. Temporary Snow Storm Parking Prohibitions shall be limited to one side of the street and initially parking shall only be allowed on the North and East sides of the street or highway. Twelve (12) hours after the storm has ended, parking shall be allowed only on the South and West sides of the street or highway until roads have been plowed, at which time all parking prohibitions due to the snow shall end.
- D. During a snow emergency, if off-street parking is available, any vehicle shall not be parked on any street.
- E. Any owner or owners, occupant or occupants, tenant or tenants, building superintendent, rental agent or person in charge of premises abutting or bordering upon any public street in the Borough shall remove all snow and ice from abutting sidewalks of such streets, or in the case of ice which may be so frozen as to make removal impracticable, shall cause the same to be thoroughly covered with appropriate ice melt material, within 24 hours of daylight after the same shall fall or be formed thereon.
- F. The penalty provisions of Chapter 1 (1-14) shall apply to a violation of this Article. In addition, the Police Department shall have the option of towing any vehicle in violation of this Article at the owner's expense.
- G. During a snow emergency, vehicles may be parked in the parking areas of Holmes A. Adams Recreation Complex, 2 West End Avenue (corner West Sylvania Avenue), notwithstanding the provisions of Section 95-4.

Section 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistency only.

Section 3. This Ordinance shall become effective when passed and published as required by law.

Roll Call - Aye: Councilmembers Pryor, Zajack, Renee, Wardell, Kocsis and Pappas-Long.

Mayor Brown declared the resolution adopted.

PUBLIC PARTICIPATION

Mr. Jeff Miller asked who has authority regarding overtime for leaf removal on weekends. Mayor Brown explained it is at the discretion of the Director of Public Works. C/Pryor noted the issue was drainage, which DPW was trying to clear before the rain came.

Ms. Arlene Sciarappa asked if the salary ranges were amended lower or higher. Mayor Brown explained there had been no range for one position. C/Renee commented that 13 were amended higher and three lower.

Ms. Colleen Christie asked for an update on TFH. Mayor Brown shared the Borough will be notified when the ionizer is up and running.

C/Renee congratulated Captain on becoming Chief noting she was happy for his promotion.

Ms. Kelly Strazdas asked about the tied vote to amend the agenda. Mayor Brown explained it was voted "no" to add the item.

Ms. Sciarappa asked about the vacated TFH building becoming storage. Mayor have not received any notice of application, which would be the first step.

Mr. John Pietrunti commented on the new sidewalks, noting they look nice but there is a curb on Windsor that has not been replaced that is filling with water. Discussion followed on the rain and flooding. Administrator Underhill noted the Engineer and contractor are working to fix the issues in the Spring to address the drainage and completing the work.

Mr. Hines thanked Director Kirshenbaum for his time in Neptune City and his positive influence on the Police Department.

C/Wardell congratulated C/Lewis and thanked C/Pappas-Long for her service.

C/Kocsis congratulated those who ran in the close race.

ADJOURN 8:00 p.m.

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

Voice Vote - Aye: Councilmembers Pryor, Zajack, Renee, Wardell, Kocsis, and Pappas-Long

Mayor Robert Brown

Tamara Brown, Municipal Clerk