

\*\*\*\*\*  
\*\*\*\*\*  
**Council Room Borough of Neptune City**  
**February 10, 2020**  
\*\*\*\*\*

\*\*\*\*\*

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

Municipal Clerk took roll call.

PRESENT: Councilmembers Calhoun, Kocsis, Pappas, Renee, Sullivan, Thomas and Mayor Wardell.

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 invited all to stand for the Flag Salute.

**MINUTES -**

Mayor Wardell asked for a motion to approve minutes of the 1-13-2020 Council Meeting

Motion by C/Calhoun to receive and file; seconded by C/Kocsis.

Voice Vote - AYES: Councilmembers Calhoun, Kocsis, Pappas, Renee, Sullivan and Thomas.

**COMMUNICATIONS-**

None.

**BOARD OF EDUCATION LIASION –**

None.

**PRESENTATIONS-**

None.

**PUBLIC PARTICIPATION ON AGENDA ITEMS –**

Arlene Sciarappa, 14 Tucker Drive, on the Certification for the rules for the meeting, it has the date of February 5<sup>th</sup>, was this a mistake or was this approved? Municipal Clerk Brown stated it was a mistake, the resolution was not approved.

Christine Oppegaard, Myron Avenue, agree with time limit but is it going to be 3 minutes per person one time each meeting? Mayor Wardell stated that everyone will get a chance at both the Public Participation on Agenda Items and the Public Participation on all items.

Jen Coombs, Citizen Media, did homework after last meeting and sent out an OPRA Request to all towns in Monmouth County, all range in time from 3 minutes to 7 minutes, the decision is up to you. On #2 in that Resolution, you shouldn't have to state your name and address. Attorney Sena commented to the Council, Ms. Coombs has consulted to Legal Counsel in some respect in regard to this proposed resolution and I recommend the Council not make any comments in regard to enforcement mechanisms on hypothetical situations. Ms. Coombs for item #3 that is contrary to case law, a person is allowed to make both a video and audio recording which means 2 devices. Attorney Sena stated that the resolution states one video recording device.

Arlene Sciarappa, 14 Tucker Drive, if I have several questions to ask, do I get more time to ask them later. Mayor Wardell responded that you would get 3 minutes at a meeting, you can always ask any questions anytime you want by reaching out to our Administrator. The Meetings are not the only time/place you can ask questions at.

Kelly Strazdas, 3 Overbrook Place, 3-minute limit is a problem. If someone says something and I want what I have to say on the record, it is not fair, could be taken that you do not want people to voice their opinions. Mayor Wardell responded that is not the case.

Ted Wardell, 9 Tucker Drive, the whole purpose of it is to stop the back and forth, these meetings are to conduct business with the ability for residents to make comments and ask questions.

Arlene Sciarappa, 14 Tucker Drive, I have been to Neptune Township and they do have a 5-minute limit, but they have also suspended the time limits before if there was a hot topic. Mayor Wardell stated that yes if there was a serious topic then at that time the Council can make a decision on that. Mayor Wardell continued that if the point is to be on record, then you can email as that is a public record for the Borough emails. I have been talking about the possibility of "Mobile Hours" where residents can come one day a week to speak with the Mayor or Council at either the Library or Community Center or a local business in town since not everyone is comfortable to speak at meetings. The reason for the limits is not to shut down the public, it is to be able to run a more efficient business meeting.

Jen Coombs, Citizen Media, I agree with you, but it has to be done within the context of the Open Public Meetings Act (OPMA).

### **COUNCIL REPORTS-**

Administration & Finance – Brian Thomas, met this week, discussed the financial standing of the Borough; the scheduling software should be installed this week which will make things run more efficiently in the Borough; the State will be shutting down the free permit system which will then be a financial situation on us to get a system we can use.

Public Works – Brian Sullivan, nothing to report.

Law & Ordinance/Board of Rec – Dave Calhoun, meeting on January 30<sup>th</sup> we talk about Senate Bill 2897 which is dealing with mold in public buildings and facilities. We were going to implement something locally, but it was decided there was nothing we could really do since there are no guidelines to set in place or training for our Code Enforcement. Differed until if/when the State passes 2897 then we can support it. We also talked about a unified fee ordinance to include the Community Center, the Library and any other amenities in town such as the new kayak racks and put it all into one ordinance moving forward. For Board of Rec meeting was last week; the indoor bocce courts are constructed and ready to go for the 1<sup>st</sup> event. Rec Basketball event will be 2/28 with a magician, Buster from the Blueclaws and a DJ all night. Neptune City/Bradley Beach Little League they are going to have a challenge league to try to draw up interest again, or a wavier can be signed for the Neptune Little League if your child wishes to continue until when/if a league can be brought back here. Friends of Belmar Harbor will be reinstating the sailing program for 8 and 9-year olds. At the next meeting on 2/18 they will talk about a sports equipment exchange.

Administration & Justice – Danielle Pappas, nothing to report, meeting is scheduled for this week.

Special Services – Pamela Renee, the Rabies Clinic will be on March 12<sup>th</sup> and Dog Licenses are currently due for renewal but will not be considered late until after the rabies clinic.

Human Services – Glenn Kocsis, Fire Department answered 12 Calls in January; None for OEM; Conducted 2 Drills. Thank you for assisting Ocean Grove in a really bad fire. On Sunday there is a fundraiser at Patrick's starting at 1:30pm for the Daytona 500.

Mayor Wardell, met with the Administrator and Engineer to discuss improvements to Memorial Park, we have Grant money that we need to use for Memorial Park, looking at different Gazebo as a nice platform for

different events. Also looking to update playground equipment to be ADA compliant with the soft turf around it.

Administrator Cherbini, going through the Budget items and realized that for the Nixle System found we are overpaying, was able to renegotiate the shared service contract with Neptune and have a new contract for \$2,800 instead of the original \$5,800.

Mayor Wardell, the new Court Administrator stated this month, the Borough is back to full capacity for employees now and everything is running smoothly. Invited everyone to come out to watch the indoor Bocce Tournament Benefit for Sue Cousins, there are now 65 teams playing, should be a good time. Thanks to everyone that helped put together the bocce courts.

Administrator Cherbini thanked DPW for working hard with switching out the lights in Council Chambers to LED lights, which is going to help lower our electric bill, they will be continuing throughout the building with switching over to LED lights.

**OLD BUSINESS-  
None.**

**NEW BUSINESS-**

**RESOLUTION 20-35  
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 \$530,696.55

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

**RESOLUTION 20-36  
ESTABLISHING RULES FOR THE CONDUCT OF MEETINGS OF  
THE MAYOR AND COUNCIL CONCERNING TIME FOR PUBLIC  
COMMENT AND VIDEO RECORDING OF MEETINGS**

**WHEREAS**, New Jersey law permits municipalities to establish reasonable rules regarding the length of public comment at meetings of public bodies and regarding the video recording of meetings by members of the public; and

**WHEREAS**, for the orderly operation of its meetings, the governing body of the Borough of Neptune City finds that it is reasonable and necessary to establish the following rules.

**NOW, THEREFORE, BE IT RESOLVED** that the governing body of the Borough of Neptune City hereby establishes the following rules for the orderly conduct of meetings of the Mayor and Council:

1. Public comment shall be limited to four (4) minutes per person during each public comment portion of a meeting of the Borough Council;

2. Any person making public comment shall approach the microphone at the front of the Council Chambers and is requested to state their full name and address for purposes of maintaining a clear record. Any speaker who is not physically able to approach the microphone will be accommodated;
3. Recording devices shall be unobtrusive and not block aisles, doorways, or other means of ingress or egress into the Council Chambers;

Motion for adoption was made by C/Thomas, seconded by C/Pappas. C/Renee would like to change the time to 5-minutes instead of 3-minutes as per some public comments, also to adjust No. 1 in the resolution to be clearer, that people will be given time to speak in both public comment portions of the meetings. Under No. 2 instead of making it mandatory to state name and address, have it changed to "requested to state name and address". I would also like to move to strike No. 3 since I have not seen anybody with more than one device at all. C/Calhoun my understanding was that there would be a 3-minute comment section followed by if after everyone gets a chance if someone that already went has something else, they could ask. Mayor Wardell responded that it is not limiting them to one round of questioning unless they take the entire 3-minute time limit already. Mayor Wardell clarified that what is wanted, under No. 1 adjust the time limit; No. 2 change the wording from mandate to requested; also, to remove No. 3. Attorney Sena reread the changes to be made. C/Renee made a motion to amend Resolution 20-36 with the changes that were just read; seconded C/Kocsis. The resolution was approved unanimously by roll call.

**RESOLUTION 20-37**  
**SUPPORT SENATE NO. 2897**  
**ESTABLISHMENT OF PROCEDURES FOR INSPECTION AND ABATEMENT OF MOLD HAZARDS**

**WHEREAS**, the S-2897 seeks to require the Department of Community Affairs to establish procedures for inspection and abatement of mold hazards in residential buildings and school facilities, and certification programs for mold inspectors and mold hazard abatement workers, and

**WHEREAS**, Within six months after the effective date of this act, the Department of Community Affairs, in consultation with the Department of Health and the Department of Labor and Workforce Development, shall adopt rules and regulations pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et 33 seq.), that establish procedures for the inspection, identification, evaluation, and abatement of the interior of residential buildings and school facilities for mold based upon, but not limited to, industry standards and standards and guidelines developed by the United States Environmental Protection Agency, and

**WHEREAS**, within twelve months after the effective date of this act, the DCA shall adopt rules and regulations pursuant to the "Administrative Procedure Act, to establish a program for the certification of persons who inspect for the presence of mold hazards in residential buildings and school facilities

**NOW THEREFORE BE IT RESOLVED**, the Mayor and Council of the Borough of Neptune City support S-2897 requiring the DCA to establish procedures for inspection and abatement of mold hazards in residential buildings and school facilities, and certification programs for mold inspectors and mold hazard abatement workers,

Motion for adoption was made by C/Calhoun, seconded by C/Renee. C/Kocsis stated that he spoke to the Assemblyman and he is not sure if they will be moving forward with this or not. Just want to state that I

support this, but it is meaningless if the State does not pursue it. The resolution was approved unanimously by roll call.

## **RESOLUTION 2020-38**

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

#### **AUTHORIZING RENEWAL OF A SHARED SERVICES AGREEMENT WITH MONMOUTH COUNTY FOR PUBLIC SAFETY ANSWERING POINT SERVICES**

**WHEREAS**, Monmouth County and the Borough of Neptune City have a Shared Service Agreement in place for Public Safety Answering Point (PSAP) services to the Borough of Neptune City; and

**WHEREAS**, the Borough of Neptune City is desirous of continuing the use of services provided by Monmouth County; and

**WHEREAS**, the cost to the Borough would be \$143,616 for 2020, with a 1.5% increase in 2021 and a 1.0% increase in 2022; and

**WHEREAS**, the agreement is on file in the Office of the Municipal Clerk.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Neptune City herein authorizes the renewal of the Shared Services agreement with Monmouth County for PSAP services; and

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution, shall be forward to Monmouth County Shared Services Coordinator Elizabeth Perez, 1 East Main Street, Freehold, New Jersey 07728 and to Borough Chief Financial Officer.

Motion for adoption was made by C/Thomas, seconded by C/Pappas. Administrator Cherbini explained that this is to renew our dispatching for the police. The resolution was approved unanimously by roll call.

#### **PUBLIC PARTICIPATION –**

Bruce Wescott, 41 Third Avenue, would like a status on First Responder Park and Joe Freda Park. Mayor Wardell responded that we are not done with any of the parks yet. Administrator Cherbini explained that there was a Bond Ordinance done but it was short money and we will be coming forward with a Bond Ordinance to add money to complete it. We also must do Memorial Park this year too, otherwise we will lose the grant, we hope to have it all ready for the next meeting. Mr. Wescott also asked about a light at Joe Freda Park. Administrator Cherbini made note of that to be added in with the Engineer before we come up with the final numbers. Mr. Wescott asked if there was still talk about putting a dog park in. Administrator Cherbini stated that there is not at this time. Mr. DeVos, Director of Public Works, stated that there is a concrete walkway going in on the east and south side of Joe Freda Park.

Jen Coombs, Citizen Media, thank you all for talking about Resolution 20-36.

Ted Wardell, 9 Tucker Drive, would like to have accommodation made for Resolution 20-36 for people that are handicap and unable to make it up to the microphone. Mayor Wardell responded that it is in the Resolution 20-36 under No. 2. Administrator Cherbini stated that we were told we need to get new speakers in council chambers, we currently have a quote from a vendor which I will be discussing getting a new microphone with either a longer cord or a wireless one. Mr. Wardell gave an update from the Historical Committee, regarding the cemetery, pavers are in, next step is the cleanup, which we are waiting for the warmer weather to start that. We did apply for a Grant from the County, and we were awarded the Grant which will help offset the cost. C/Renee wanted to thank Mr. Wardell and the whole Historical Committee for all the efforts made for the cemetery.

Arlene Sciarappa, 14 Tucker Drive, always have been concerned with the river, particularly Memorial Park, while doing some OPRAs for the Neptune City Homeowner's Association, found some email chain with Nelson Santiago from the Monmouth County Health Department that I found alarming/disturbing with regard to raw sewage going into the drain pipe into the river. Ms. Sciarappa read the email. Mayor Wardell asked if these were Borough Employees. Ms. Sciarappa stated that it was DEP and Gerrit from DPW. Mr. DeVos explained that the State storm drain line when it was put in, broke our sewer line. Ms. Sciarappa asked if readings were still being done. Mr. DeVos stated that there were readings done last week and they were all good. Ms. Sciarappa stated that horseshoe crab tagging would be happening in May and June, requested that the beach not be raked during that time. Mr. DeVos stated that for years they have not been raking during that time. Ms. Sciarappa asked if the Green Team was abolished. Mayor Wardell stated that it just has not been reappointed, it was not abolished. Ms. Sciarappa asked if she should bring it to the attention to the town, the property at the end of East End Avenue cleared all of the trees off the property and feels that it might go against the Cafer Zone. Attorney Sena stated that is handled under DEP, and suggests contacting them. Administrator Cherbini asked Ms. Sciarappa to reach out to him as well so he can follow up on this.

C/Renee asked why the Bond was short. Administrator Cherbini stated he did not know why it was short, it was done back in 2018 and is short by about \$50,000.00.

Mr. Sorenson asked if the new Council had any plans on making the roads safer for bicyclists and pedestrians. Also, would like to comment of how dangerous it is to cross Memorial Drive. Mayor Wardell responded that part of the problem we have here is most of our major roads are either State or County roads, will definitely look into but we will have to reach out to the County for that. C/Renee we met last week with the Engineer and the Administrator, last week and this was discussed, the County is working on Memorial Drive. There was continued discussion on the topic of speed and bike lanes.

C/Pappas wished everyone a Happy Valentine's Day, President's Day and wished Mayor Wardell a Happy Birthday. Mayor Wardell thanked C/Pappas and wished C/Pappas a Happy Birthday as well.

**ADJOURN 8:15 p.m.**

Motion to adjourn by C/Pappas. Seconded by C/Renee.

Approved unanimously by roll call.

