

**Council Room Borough of Neptune City
April 9, 2018**

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

Borough Clerk Brown took roll call.

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

ABSENT: Councilmember Wardell.

Mayor Brown asked everyone to join in on the Flag Salute.

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.

COMMUNICATIONS – there were no communications before Council.

PRESENTATIONS – there were no presentations before Council.

IN MAYORS AND COUNCIL REPORTS

Mayor Brown has submitted the paperwork for acquisition of the cemetery, once approved by the Courts the Borough will preserve the land as a historic site so no one can ever develop the property. Mayor Brown reported the Borough is filing the final paperwork for East Coast Ice; one remaining defendant needs to be served. Mayor Brown spoke about the property which has been vacant for twenty-five years as it was a superfund site. Grants were obtained to clean the land and now the Borough is able to foreclose in order to get the land back on the tax rolls. Mayor Brown reported redevelopment is moving along, but it is a long process with millions of dollars in investments. Mayor Brown shared he was overwhelmed by the support for the 2018 Mayor's Ball for Colton and Friends Foundation. Mayor Brown spoke about the family and their contributions to the Mayor's Ball and thanked the committee, sponsors and those that donated.

LAW & ORDINANCE – Councilmember Renee

C/Renee shared the Mayor's Ball was great and it was nice to see Colton there. C/Renee met with Administrator Underhill and C/Tallman regarding the bill list. There is a Law & Ordinance Committee meeting on April 23 at 6:00 p.m. The Shark River Clean Up Coalition is having a clean-up on Saturday, April 21 at 9:00 a.m.

ADMINISTRATION & FINANCE – Councilmember Tallman

C/Tallman shared the Mayor's Ball was a wonderful event for a great cause. C/Tallman reported the budget was given to Council for preliminary review, noting the workshop would be held next Monday at 7:00 p.m. for comments. C/Tallman noted he reviewed the budget with the Administrator, CFO and Mayor, further explaining the budget is healthy from a debt and operations standpoint. C/Tallman thanked his colleagues and the department heads for all their hard work.

PUBLIC WORKS – Councilmember Pryor

C/Pryor concurred the Mayor's Ball was a great event for a good cause. C/Pryor reported this week is clean up week. The Borough yard sale will be the 14th and 15th.

ADMINISTRATION & JUSTICE – Councilmember Zajack

C/Zajack reported the Board of Rec met last Sunday and discussed possibly coming up with an event/activity for the Wilson children during the summer. C/Zajack reported there was a quick Neighborhood Watch meeting where services the Police Department provides was shared including assistance with small animals and car seat inspection.

SPECIAL SERVICES – Councilmember Kocsis

C/Kocsis shared he enjoyed the Mayor’s Ball. C/Kocsis shared the State is giving away trees, a list is available for where the trees are being given away. JCP&L will be surveying the powerlines so a low flying helicopter may be in the area over the next two weeks.

HUMAN SERVICES – Councilmember Wardell was absent.

Mayor Brown requested when the Committees meet they keep reports to give to Administrator Underhill who can then distribute the reports to Council.

PUBLIC PARTICIPATION (FOR AGENDA ITEMS ONLY)

Ari Sims, 914 Fourth Avenue, presented the idea of starting a Community Garden. Mayor Brown explained this portion of the meeting was for comments on agenda items.

Anthony Susino, 79 Steiner Avenue, asked what property is being redeveloped. Mayor Brown confirmed the property is on Fifth Avenue between Steiner and Memorial.

Ms. Kelly Strazdas, 3 Overbrook Place, asked what the redevelopment is. Mayor Brown explained the redevelopment is not on the agenda, it was just part of the report further, noting he would talk about it later. Ms. Strazdas asked about the bill list noting it only shows checks. Mayor Brown shared it is in the condensed bill list, asking if there is a question about a particular bill. Ms. Strazdas asked why there was a change in the format. Mayor Brown explained the Committee is working on the format, explaining the old format had information that was insignificant to anyone but the office processing the payments. The current bill list has vendors and dollar amounts. Ms. Strazdas asked who is TNSA; Mayor Brown explained it is the Township of Neptune Sewer Authority.

OLD BUSINESS – there was no old business before Council.

NEW BUSINESS

Resolution 18-47- Payment of Bills

Resolution 18-48 – Proclamation Honoring Colton and Friends

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

**RESOLUTION 2018-47
PAYMENT OF BILLS**

Be It Resolved by the Mayor and Council of the Borough of Neptune City that the bills on the attached list in the amount of \$191,730.97 be paid as presented.

On Roll Call the following vote was recorded:

Aye: Councilmembers Pryor, Zajack, Tallman and Kocsis.

Absent: Councilmember Wardell.

Abstain: Councilmember Renee.

Mayor Brown declared the resolution adopted.

Borough Clerk Brown read the resolution into the record.

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

**RESOLUTION 2018-48
Proclamation Honoring Colton and Friends**

WHEREAS, Colton and Friends, a Foundation for Autism started when Frank and Jeannie Hines’ son Colton was diagnosed with autism and other special needs. Colton’s needs ranged from requiring educational devices to behavioral supports in order for him to be successful, and

WHEREAS, Through their journey advocating for Colton, they found that many children with autism and other special needs could overcome many obstacles and challenges with supports such as learning devices, recreational activities and equipment, and

WHEREAS, Colton and Friends wants all children to have what they need to be successful in their lives. They have donated many items for the children which gives them confidence and motivation. They also support Special Olympics and challenger sports teams among other things, and

NOW THEREFORE BE IT RESOVLVED, that the Mayor and Council of the Borough of Neptune City declare April 7, 2018 as Colton and Friends, a Foundation for Autism Day, and

BE IT FURTHER RESOLVED that 2018 Mayor's Ball proceeds benefit Colton and Friends, a Foundation for Autism to help all children have what they need to be successful in their lives.

On Roll Call the following vote was recorded:

Aye: Councilmembers Pryor, Zajack, Renee, Tallman and Kocsis.

Absent: Councilmember Wardell.

Mayor Brown declared the resolution adopted.

Distribution of the 2018 Budget

Mayor Brown noted Council has received a copy of the 2018 budget prior to the workshop and budget discussions.

PUBLIC PARTICIPATION

Ari Sims 914 Fourth Avenue, proposed the idea of starting a Community Garden in one of Neptune City's Parks. Mayor Brown commented that it was a great idea, asking Ms. Sims to meet with himself and C/Kocsis to further discuss the idea and particulars.

Kathy McGrory, 73 Wilson Avenue, asked what was put on the ground in Memorial Park; further asking if it is organic, explaining she wants whatever the town puts down to be safe. Mayor Brown explained a company performs the work for the Borough, asking Administrator Underhill to confirm it is organic. Further information will be provided to Ms. Mc Grory.

Ms. Linda Welsh, 111 Summit Avenue, spoke about the smell coming from Nylabone, noting the smell has gotten worse over the last three months. Ms. Welsh has reached out to Monmouth County as directed but also wanted to know if the town was doing anything about the issue. Mayor Brown reported there have been meetings with TFH and the County Board of Health has been contacted as they have jurisdiction. Mayor Brown reiterated that TFH wants to be good neighbors and has received a letter which explains that TFH is in the process of installing a filtration system which should be completed by the end of the month. TFH is aware there is an odor and are taking measures to address it. Discussion continued on what can be done and the fact that the issue has gotten worse over the last few months. Mayor Brown explained he wants everyone to live in harmony and if it takes work it will be done.

Ms. Christine Oppagaard, 34 Myron Avenue, explained she had a statement she had read to Mayor and Council in 2008 regarding the same issues with TFH. Ms. Oppagaard explained frustrations with the Board of Health who take over an hour to respond thus the smell dissipates by the time the Board arrives. Ms. Oppagaard asked if there's a stronger statement that could be made; noting TFH had sworn at the Land Use meeting that with the expansion there would no longer be a smell. Ms. Oppagaard requested something be done to address the delay in Monmouth County responding because they are missing the smell every time.

Mayor Brown reiterated he will not let up; and TFH will be made to be a good neighbor, but it must follow a process.

Discussion continued on what is made a TFH; edible dog bones and are required to follow health codes. Further discussion followed on if the public is privy to what ingredients are used and the expansion of the smell to other areas and towns. Mayor Brown gave his word, noting he will continue to do his job and will stay on top of TFH; further noting he fully understands everyone's concerns. Mayor Brown reiterated he will stay on top of TFH and follow what was promised at the end of the month. C/Tallman suggested having the health department hang automated sensors and retrieve the data. Discussion continued on what would happen if the Health Department did issue a summons. Mayor Brown reiterated that the Board of Health still has to be contacted when residents notice the odor.

Mr. Dick Connors, Hampshire Apartments, noted the Borough has plenty of power and authority to address the situation when the time comes. Mayor Brown agreed, explaining he was trying to avoid spending tax payer dollars on legal fees by shutting TFH down and is instead following a process. Mayor Brown further noted TFH has yet to receive a violation (not from the FDA, County Board of Health, State Board of Health or Federal Government), noting it is annoying, but an annoyance is not illegal.

Gail Connors, 21 Green Avenue, asked if there was a way the Board of Health can get a manufacturing schedule and come when the product is being made. Mayor Brown will look into it. Ms. Connors also suggested a meter be left instead of having someone come out. Mayor Brown explained there is someone that's trained to come out and smell the air, there is not a machine.

Ms. Colleen Christie, 79 Lincoln Avenue, asked if Council had considered giving the County Board of Health space in the Borough so they could arrive more quickly. Mayor Brown explained that the smell has to be a certain amount of time and smell – that there are certain requirements that must be met. Discussion continued on the County's standard of nuisance and who can call and complain when. Mayor Brown reiterated people need to keep calling the Board of Health, but everyone is aware of the issue and it is being addressed in the best manner possible.

Ms. Arlene Scirappa, 14 Tucker Drive, spoke about her daughter smelling the odor on Tucker Drive and being nauseated while walking. Ms. Scirappa noted real estate values will be affected, and further noted the smell is subjective.

Mayor Brown spoke about the MSDS, which does not show any toxic components or carcinogenic. The company meets every US and European regulation. Mayor Brown reiterated he is on it and will do everything he can to make them fit where they are.

Discussion continued on TFH and the odor and how it is expanding. Further discussion continued on manufacturing and if the chimney stacks were moved.

Mr. Larry Connors, 21 Green Avenue, spoke about traffic concerns, noting the street is totally congested during the work day. Mr. Connors asked if there are any controls in place. Mayor Brown explained TFH purchased the parking lot for overflow parking for their office staff which will alleviate parking on the street, but the Police Department can only address anything that is illegal. Mayor Brown and Director Kirschenbaum told residents to call the police if unlicensed, unregistered cars are parked on the street. Director Kirschenbaum told residents to call and the police will address the issue. Discussion continued on parking and regulations. Director Kirschenbaum spoke about how the police respond to complaints about TFH. Mayor Brown reiterated that residents should call the Police with complaints about parking and the department will follow through as per Title 39.

Mr. Richard Oppegaard, 34 Myron Avenue, stated that the new left turn only be governed by ordinance, so the Police Department can enforce it; further suggestion the no right turns become enforceable. Mayor Brown stated it was part of the site plan approval and will follow through if an ordinance is needed.

Mr. Bruce Westcott, 41 Third Avenue, asked if the microphones could be turned so the audience can hear better. Mr. Westcott asked for a copy of services offered by police.

Mayor Brown reiterated that the residents have his word that he will stay on top of TFH.

Ms. Oppagaard asked about the redevelopment project, confirming the property was given a PILOT agreement then asking what the PILOT program is. Mayor Brown gave a brief history of the property, then spoke about the facility that was built there, then spoke about the PILOT program where the property owner always pays their portion of the land value and 25% of the improvements then in the second year another 25% so after four years they are paying the full 100% of the property tax. This entices people to build something in the best interest of the community. Discussion continued regarding the PILOT program, redevelopment and impact on the community.

Mayor Brown encouraged residents to come to Council and Land Use meetings as redevelopment is a long process.

Tamara Tallman, 85 Avondale Avenue, spoke about Paint the Town Pink, reminding residents to check the website and inviting new business to join.

Ms. Scirappa, explained she heard they got a new contract and stepped up production. Ms. Scirappa also spoke about the out fall pipes as a representative of the Shark River Coalition. Mayor Brown gave an overview of the fallout pipes and sewers with fish on them that go right into Shark River. Ms. Scirappa explained the general idea is to eventually be able to reopen Memorial Beach; sharing tracking information obtained from the pipes over the course of several months. Discussion continued on the fallout pipes and diversion while construction was occurring. Mayor Brown noted swimming is not encouraged on Neptune City beaches. The Borough is ensuring no contamination is being made by the Borough of Neptune City. Discussion continued regarding responsibility. Ms. Scirappa asked for information from the Board of Health and Alberta Lake. Mayor Brown noted the East End Avenue Bridge is on schedule to be reopened before Memorial Day.

Mayor Brown invited everyone to the next Council meeting April 23. Residents thanked the Borough for the calendar.

Mayor Brown confirmed the turning from the parking lot onto Green Avenue will be addressed.

ADJOURN 8:32 p.m.

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

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

Absent: Councilmember Wardell.

Mayor Robert Brown

Tamara Brown, Municipal Clerk