

**Council Room Borough of Neptune City
March 12, 2018**

The Regular Council Meeting of the Mayor and Council was called to order by Council President Wardell at 7:01 p.m.

Administrator Underhill took roll call.

PRESENT: Councilmembers Pryor, Zajack, Renee, Wardell, Tallman, Kocsis.

ABSENT: Mayor Brown.

Council President 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.

Council President Wardell asked everyone to join in on the Flag Salute.

APPROVAL OF MINUTES

February 26, 2018

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

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

COMMUNICATIONS – there were no communications before Council.

PRESENTATIONS – there were no presentations before Council.

IN MAYORS AND COUNCIL REPORTS

LAW & ORDINANCE – Councilmember Renee

C/Renee reported the Law & Ordinance Committee met prior to the meeting to discuss the ordinances being introduced; the committee will meet again before final approval.

ADMINISTRATION & FINANCE – Councilmember Tallman

C/Tallman reported the Annual Financial Statement is awaited; the committee will then meet to discuss the budget for preliminary meetings.

PUBLIC WORKS – Councilmember Pryor

C/Pryor congratulated Public works for doing a great job with the snowstorm.

ADMINISTRATION & JUSTICE – Councilmember Zajack

C/Zajack reported the Neighborhood Watch meeting is on Wednesday, March 14 at 7:00 p.m.

SPECIAL SERVICES – Councilmember Kocsis

C/Kocsis reported the rabies clinic is Thursday, March 15 at 6:00 p.m. at the DPW facility on Flexcraft Drive. C/Kocsis noted paving will begin on Route 33 from Wells Fargo to Jumping Brook Country Club on 3/19 for residents who travel that way.

HUMAN SERVICES – Councilmember Wardell

C/Wardell thanked the Ladies Auxiliary for hosting the Steak & Bake. C/Wardell noted he is excited to have two new volunteers for the Fire Department.

PUBLIC PARTICIPATION (FOR AGENDA ITEMS ONLY) – there were no comments from the public on agenda items.

OLD BUSINESS - there was no Old Business before Council.

NEW BUSINESS

Resolution 18-32 - Payment of Bills

- Resolution 18-33 – Intro to Ord 2018-1 BAN Windsor**
- Resolution 18-34 – Intro to Ord 2018-2 BAN Parks**
- Resolution 18-35 – Intro to Ord 2018-3 Zoning**
- Resolution 18-36 - Approve Zaire McMillian as Firefighter**
- Resolution 18-37 – Approve Daniel Nann as Firefighter**
- Resolution 18-38 – Approve Temporary Capital Budget**
- Resolution 18-39 – Rescind Public Assistance Petty Cash Fund**

C/Tallman offered the following resolution and moved its adoption. Seconded by C/Pryor.
 C/Renee noted the format of the bill list has changed and expressed that approval should be postponed until the Finance Committee can review the format. Administrator Underhill explained the bill list contains all information required for approval. C/Tallman suggested workshopping the format for subsequent months, but voting to move forward with payment of the bills for tonight.

**RESOLUTION 2018-29
 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 \$616,876.15 be paid as presented.

On Roll Call the following vote was recorded:
 Aye: Councilmembers Pryor, Zajack, Renee, Wardell, Tallman and Kocsis.
 Council President Wardell declared the resolution adopted.

Attorney Aikins read the resolution into the record by title, noting the matter was ready for introduction.
 C/Renee offered the following resolution and moved its adoption. Seconded by C/Kocsis.

**RESOLUTION 2018-33
 BOND ORDINANCE 2018-01**

BOND ORDINANCE PROVIDING FOR REPAIRS TO WINDSOR AVNEUE IN THE BOROUGH, APPROPRIATING \$270,000.00 THREFOR INCLUDING \$260,000.00 FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION IN GRANT AND AUTHORIZING THE ISSUANCE OF \$10,000.00 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 improvement described in Section 3 of this Bond Ordinance is hereby authorized by the Borough of Neptune City, New Jersey. For the improvement described in Section 3, there is hereby appropriated the sum of \$270,000.00, which includes \$260,000.00 in Department of Transportation Grant and \$55,000.00 in engineering costs.

Section 2. In order to finance the cost of the repairs to Windsor Avenue not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$10,000.00 (with the total bond appropriation of \$270,000.00 including the \$260,000.00 Department of Transportation Grant) 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 repairs to Windsor Avenue and the purpose for which the bonds are to be issued, consists of roadway improvements to Windsor Avenue in the Borough. The period of usefulness of the improvements for repairs to Windsor is ten (10) years. Plans and specifications, as appropriate, are on file with the Municipal Clerk and are available for public inspection.

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 to 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 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 improvement 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 \$270,000.00 (less the \$260,000.00 Department of Transportation Grant) and the obligations authorized herein will be within all debt limitations prescribed by that law.

(c) An aggregate amount not exceeding \$55,000.00 for items of expense listed in and permitted under *N.J.S.A. 40A:2-20* may be included in the costs of the improvement 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 improvement 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. That in the event any such moneys are received from the United States of America, or from the State of New Jersey or any of its agencies or from any other sources after the issuance of the bonds or notes authorized by this ordinance, then such moneys so received shall be applied to the payment of such bonds or notes.

Section 10. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

On Roll Call the following vote was recorded:

Aye: Councilmembers Kocsis, Tallman, Wardell, Renee, Zajack, and Pryor. Council President Wardell declared the resolution adopted.

C/Renee offered a motion to advertise Ordinance 2018-1. Seconded by C/Tallman.

On voice vote the following vote was recorded:

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

The Public Hearing will be held on March 26, 2018.

Attorney Aikins read the resolution into the record by title, noting the matter was ready for introduction.

C/Kocsis asked if Memorial Park would be on a separate bond. Administrator Underhill explained the process of applying for the grant, noting not enough funds were available from the grant so two parks will be done now and the Borough will reapply for Memorial Park in the future. C/Renee asked if a presentation would be made prior to the final adoption of the ordinance. Administrator Underhill noted no presentation was planned. Discussion followed on the plans and specifications for the parks.

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

**RESOLUTION 2018-34
BOND ORDINANCE 2018-2**

**BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO JOE FREDA AND FIRST RESPONDER PARKS IN THE
BOROUGH, APPROPRIATING \$218,750.00 THEREFOR INCLUDING \$175,000.00 FROM THE MONMOUTH COUNTY
OPEN SPACE GRANT AND AUTHORIZING THE ISSUANCE OF \$43,750.00 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 improvement described in Section 3 of this Bond Ordinance is hereby authorized by the Borough of Neptune City, New Jersey. For the improvement described in Section 3, there is hereby appropriated the sum of \$218,750.00, which includes \$175,000.00 in Monmouth County Open Space Grant and \$48,750.00 in engineering costs.

Section 2. In order to finance the cost of improvements to the Joe Freda and First Responder Parks in the Borough not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$43,750.00 (with the total bond appropriation of \$218,750.00 including the \$175,000.00 Monmouth County Open Space Grant) 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 the Joe Freda and First Responder Parks and the purpose for which the bonds are to be issued, consists of improvements to the said Parks in the Borough. The period of usefulness of the improvements to the Joe Freda and First Responder Parks is fifteen (15) years. Plans and specifications, as appropriate, are on file with the Municipal Clerk and are available for public inspection.

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 to 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 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 improvement 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 \$218,750.00 (less the \$175,000.00 Monmouth County Open Space Grant) and the obligations authorized herein will be within all debt limitations prescribed by that law.

(c) An aggregate amount not exceeding \$48,750.00 for items of expense listed in and permitted under *N.J.S.A. 40A:2-20* may be included in the costs of the improvement 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 improvement 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. That in the event any such moneys are received from the United States of America, or from the State of New Jersey or any of its agencies or from any other sources after the issuance of the bonds or notes authorized by this ordinance, then such moneys so received shall be applied to the payment of such bonds or notes.

Section 10. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

On Roll Call the following vote was recorded:

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

Council President Wardell declared the resolution adopted.

C/Tallman offered a motion to advertise Ordinance 2018-2. Seconded by C/Kocsis.

On voice vote the following vote was recorded:

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

The Public Hearing will be held on March 26, 2018.

Attorney Aikins read the resolution into the record by title, noting the matter was ready for introduction.

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

Attorney Aikins noted the current ordinance is a draft from the planner; the planner will present to Council on 3/26 if the Land Use Board reviews the Ordinance before that date.

RESOLUTION 2018-35

ORDINANCE 2018-3

AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 139-10 ENTITLED "ZONING MAP," OF CHAPTER 139 ENTITLED "ZONING" OF THE CODE OF THE BOROUGH OF NEPTUNE CITY, NEW JERSEY TO REZONE CERTAIN LOTS TO C COMMERCIAL AND TO ADJUST ISOLATED

INSTANCES OF SPLIT LOT ZONING

WHEREAS, pursuant to N.J.S.A. 40:55D-89, the Borough of Neptune City Land Use Board undertook a general reexamination of the Borough of Neptune City Master Plan and Development Regulations; and

WHEREAS, on March 6, 2018, the Land Use Board adopted a report entitled "Master Plan Reexamination Report," including certain goals related to evaluating the zoning of lots along the Borough's commercial corridors and the adjustment of zoning district lines that created isolated instances of split lot zoning, in accordance with the findings of such Reexamination; and

WHEREAS, a Resolution memorializing said adoption of the Master Plan Reexamination Report was approved on March 6, 2018;

WHEREAS, in accordance with the Master Plan Reexamination Report, the Mayor and Borough Council are now rezoning certain lots to C Commercial and/or adjusting lots currently subject to split lot zoning as appropriate;

WHEREAS, the Borough Council has passed on first reading of this ordinance on March 12, 2018, at which time the ordinance was sent to the Land Use Board for consideration of consistency with the Borough's Master Plan; and

WHEREAS, a finding of consistency was rendered by the Land Use Board on March 13, 2018, as memorized in a Resolution of the Land Use Board on the same date.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Neptune City, County of Monmouth, State of New Jersey, that the following provisions of the Zoning Code shall be amended and supplemented as follows:

That Subsection 139-10 be amended and supplemented to the effect that the zoning map adopted by said subsection shall be revised so as to change the zoning designations of the properties identified in the following chart. The properties so identified will be deleted from the zone in the "prior zone" column, and added to the zones in the "new zone" column as represented in the following tables:

Zoning Changes - Major Category Change					
Block	Lot	Location	Acres	Prior Zone	New Zone
2	12	803 FOURTH AVE	0.04	R-1	RC
2	13	801 1/2 FOURTH	0.03	R-1	RC
2	13.01	801 FOURTH AVE	0.04	R-1	RC
2	14	21-23 MEMORIAL DR	0.15	R-1	RC

2	26	4 THIRD AVE	0.22	R-1	RC
5	1	800 EVERGREEN AVE	0.29	R-1	C
5	21	7 THIRD AVE	1.04	R-1	C
19	25	54-58 W SYLVANIA AVE	0.29	RC	C
24	1	40 STEINER AVE	0.87	RC	C
24	13	18 W SYLVANIA AVE	0.14	RC	C
24	14	16 W SYLVANIA AVE	0.11	RC	C
25	1	50 W SYLVANIA AVE	0.16	R-1 / RC	C
25	11	43 STEINER AVE	0.61	RC	C
25	15	38 W SYLVANIA AVE	0.25	RC	C
25	16.01	40 W SYLVANIA AVE	0.39	RC	C
25	18.01	44 W SYLVANIA AVE	0.15	RC	C
25	20	48 W SYLVANIA AVE	0.23	R-1 / RC	C
26	1	65 W SYLVANIA AVE	0.19	RC	C
26	2	61 HIGHWAY 35	0.18	RC	C
26	3	48 MYRON AVE	0.22	RC	C
27	1	51 W SYLVANIA AVE	0.45	RC	C
27	7	47 W SYLVANIA AVE	0.17	RC	C
27	9	45 W SYLVANIA AVE	0.22	RC	C
28	1	43 W SYLVANIA AVE	0.12	RC	C
28	3	41 W SYLVANIA AVE	0.16	RC	C
28	5	39 W SYLVANIA AVE	0.16	RC	C
28	7	37 W SYLVANIA AVE	0.16	RC	C
28	9	35 W SYLVANIA AVE	0.42	RC	C
29	1	31 W SYLVANIA AVE	0.15	RC	C
29	1.01	23 W SYLVANIA AVE	0.63	RC	C
30	5.01	43 HIGHWAY 35	0.66	R-1 / RC	C
34	11	13 BOSTON RD	0.20	RC	C
34	12	35 HIGHWAY 35	0.15	RC	C
41	1	36 HWY 35 & FIFTH AVE	1.72	RC	C
47	1.01	100 HIGHWAY 35	0.03	RC	C
47	2	118 HWY 35	0.64	RC	C
47	3	943 FOURTH AVE	0.56	RC	C
47	4	941 FOURTH AVE	0.47	RC	C
47	11	62 THIRD AVE	0.16	RC	C

47	13	64 THIRD AVE	0.01	RC	C
47	14	66 THIRD AVE	0.17	RC	C
49	17	88 EVERGREEN AVE	0.07	R-1	C
49	18	86 EVERGREEN AVE	0.14	RC	C
49	20	89 MORRIS AVE	0.08	RC	C
49	21	91 MORRIS AVE	0.33	R-1 / RC	C
50	1	89 THIRD AVE	1.71	RC	C
52	15	92 HILLSIDE AVE	0.06	RC	C
52	16	79-79 1/2 MORRIS AVE	0.08	RC	C
52	17	81 MORRIS AVE	0.11	RC	C

Zoning Changes - Major Category Change (continued)

Block	Lot	Location	Acres	Prior Zone	New Zone
52	19	85 MORRIS AVE	0.22	RC	C
53	1	86 MORRIS AVE	1.06	RC	C
55	14	94 SUMMIT AVE	0.22	RC	C
55	16	73 MORRIS AVE	0.08	RC	C
55	18	75 MORRIS AVE	0.08	RC	C
55	19	77 MORRIS AVE	0.10	RC	C
56	1.01	74 MORRIS AVENUE	0.23	RC	C
56	8.01	72 MORRIS AVE	0.17	R-1 / RC	C
56	18	66 MORRIS AVE	0.22	RC	C
56	21	64 MORRIS AVE	0.06	RC	C
56	26.02	52 MORRIS AVE	0.13	RC	C
56	41	80 HIGHWAY 35	0.02	RC	C
56	42	57 RIDGE AVE	0.15	RC	C
58	9.01	96 WOODLAND AVE & HWY 35	0.40	R-1 / RC	C
60	1.01	61 MORRIS AVE	0.28	R-1 / RC	C
60	9	57 MORRIS AVE	0.11	RC	C
60	12	55 MORRIS AVE	0.11	RC	C
60	15	53 MORRIS AVE	0.11	RC	C
60	18	90 W SYLVANIA AVE	0.25	RC	C
61	1	50 MORRIS AVE	0.48	RC	C
61	5	79 HWY 35	0.48	RC	C
63	33	78 HWY 35	0.24	RC	C
63	39	72 W SYLVANIA AVE	0.19	RC	C

64	21	70 W SYLVANIA AVE	0.33	RC	C
64	24	66 W SYLVANIA AVE	0.14	RC	C
64	25	64 W SYLVANIA AVE	0.16	RC	C
64	26	62 W SYLVANIA AVE	0.22	R-1 / RC	C
67	16.01	75 W SYLVANIA AVE	4.03	RC	C

Zoning Changes - Split Lot Adjustment

Block	Lot	Location	Acres	Prior Zone	New Zone
3	18	916 FOURTH AVE	0.22	R-1 / RC	RC
3	20	25 FIFTH AVE	0.52	R-1 / RC	RC
9	6	23 EVERGREEN AVE	0.21	R-1 / RC	RC
12	35.01	81 STEINER AVE	0.11	R-1 / C	C
12	42.01	77 STEINER AVE	0.17	R-1 / C	C
28	15	29 STEINER AVE	0.22	R-1 / RC	R-1
59	12.01	110 W SYLVANIA AVE	0.15	R-1 / RLC	RLC
88	7	120 W SYLVANIA AVE	0.29	R-1 / RLC	RLC
106	14	2040 SIXTH AVE	0.88	R-2 / HC	HC

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

On Roll Call the following vote was recorded:

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

Abstain: Councilmember Wardell.

Council President Wardell declared the resolution adopted.

C/Zajack offered a motion to advertise Ordinance 2018-3. Seconded by C/Tallman.

On voice vote the following vote was recorded:

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

The Public Hearing will be held on March 26, 2018.

Attorney Aikins read the resolution into the record.

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

RESOLUTION 2018-38

RESOLUTION 2018-36

APPROVAL OF VOLUNTEER FIREFIGHTER APPLICATION

WHEREAS, the Neptune City Fire Department is always in need of volunteers, and

WHEREAS, the following person has made application to become a member of the Neptune City Fire Department; Zaire McMillian, and

WHEREAS, the applicant has been recommended for membership by the Neptune City Fire Department, and

NOW THEREFORE BE IT RESOLVED, that Zaire McMillian be approved as a member of the Neptune City Fire Department.

On Roll Call the following vote was recorded:

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

Council President Wardell declared the resolution adopted.

Attorney Aikins read the resolution into the record.

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

RESOLUTION 2018-37

APPROVAL OF VOLUNTEER FIREFIGHTER APPLICATION

WHEREAS, the Neptune City Fire Department is always in need of volunteers, and

WHEREAS, the following person has made application to become a member of the Neptune City Fire Department; Daniel Nann, and

WHEREAS, the applicant has been recommended for membership by the Neptune City Fire Department, and

NOW THEREFORE BE IT RESOLVED, that Daniel Nann be approved as a member of the Neptune City Fire Department.

On Roll Call the following vote was recorded:

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

Council President Wardell declared the resolution adopted.

Attorney Aikins read the resolution into the record.

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

APPROVE TEMPORARY CAPITAL BUDGET

WHEREAS, the Borough of Neptune City, County of Monmouth desires to constitute a 2018 Temporary Capital Budget;

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

The 2018 Temporary Capital Budget of the Borough of Neptune City is hereby constituted by the adoption
of the following:

GENERAL CAPITAL FUND

Project Title	Estimated Cost	Grant Proceeds	Bonds and Notes Authorized
2018-01 Repairs to Windsor Avenue	\$ 270,000.00	\$ 260,000.00	\$ 10,000.00
2018-02 Improvements to Joe Freda and First Responder Parks	\$ 218,750.00	175,000.00	43,750.00
	<u>\$ 488,750.00</u>	<u>\$ 435,000.00</u>	<u>\$ 53,750.00</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 March 12, 2018.

Tamara Brown
Borough Clerk

On Roll Call the following vote was recorded:

Aye: Councilmembers Zajack, Renee, Wardell, Kocsis, Tallman, and Pryor.
Council President Wardell declared the resolution adopted.

Attorney Aikins read the resolution into the record.

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

C/Renee asked for an explanation of the resolution. Administrator Underhill explained Neptune City no longer has a local assistance board; the County now handles public assistance. The DCA needs a resolution to be able to clear the item from the budget. There has been no money in the fund for years, this is a clerical item.

**RESOLUTION 2018-39
RESCIND PUBLIC ASSISTANCE PETTY CASH FUND**

WHEREAS, it is the desire of the Borough of Neptune City, County of Monmouth that the petty cash fund for the Public Assistance be rescinded.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Neptune City, County of Monmouth hereby authorizes such action.

BE IT FURTHER RESOLVED by the Borough Council of the Borough of Neptune City, County of Monmouth that the Borough Clerk files two copies of this resolution with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

On Roll Call the following vote was recorded:

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

Council President Wardell declared the resolution adopted.

PUBLIC PARTICIPATION

Ms. Patty McCartney, Myron Avenue, explained she and several residents were in attendance to discuss the smell from TFH. Discussion followed on the issue and what has been done. C/Wardell noted the issue is in the jurisdiction of the Monmouth County Board of Health; and the smell has not broken the County's readings. C/Wardell advised the residents to keep calling the County. Ms. McCartney pointed out it is a waste of taxpayer money to keep calling the Police and County. Ms. McCartney noted a Borough Ordinance regarding odors; Attorney Aikins explained the County jurisdiction supersedes Borough Ordinances.

Ms. Christine Oppegaard, Myron Avenue, spoke about the history of the issues with TFH and meetings that have taken place and complaints signed in Court. Ms. Oppegaard shared the town has to send a stronger message to TFH.

Attorney Aikins read into the record an email from Monmouth County Board of Health Director Christopher Merkel dated 3/7 regarding odors and the timeline of complaints received regarding TFH Nylabone. Attorney Aikins reiterated the best thing to do is contact the County.

Ms. Oppegaard asked if there is a record of the number of times the Police were called. Administrator Underhill shared the log of calls from 2018 which showed 8 calls received, with multiple calls coming in on the same days. There were four calls received in 2017. Administrator Underhill noted the log needs to be further investigated. Ms. Oppegaard wants a stronger message from the Governing Body to Mr. Axelrod, further noting TFH are being bad neighbors.

C/Tallman suggested setting up a workshop with Mayor Brown, members of Council and residents to come up with strategies for how to proceed.

C/Renee requested the police report be sent to the County Board of Health.

Ms. Collen Christie, Lincoln Avenue, asked how long the Board of Health has to respond when a complaint is made. Council will obtain the information. Discussion continued. C/Renee asked how many residents attended to discuss the odor issue. Eight residents raised their hands. Discussion continued on taxes and home values and the workshop meeting. Residents requested a representative from the County Board of Health also attend. C/Wardell requested that in the meantime residents continue to call the County. Discussion continued on how best to proceed, parking issues in the area, if right turns are allowed and enforceability of the same. Attorney Aikins explained the parking and turn issues are the jurisdiction of the Planning Board. Discussion followed on jurisdiction and municipal ordinances vs. County authority. Attorney Aikins reiterated the Monmouth County Board of Health has paramount jurisdiction. Discussion continued if ordinances should be rescinded when superseded. Attorney Aikins reiterated residents should call the County Board of Health with complaints, also noting the workshop meeting will be scheduled.

C/Renee made a motion to amend the agenda to add resolution 2018-40, seconded by C/Kocsis.

Resolution 2018-40

Motion to schedule a meeting date within in the next month with TFH, the County Board of Health, Members of Council and the residents.

C/Tallman suggested collecting the emails of residents to keep in contact and to have them send in questions so all can be better prepared for the meeting. Attorney Aikins noted the goal is to set the meeting within the next month. C/Renee reiterated there was a motion on the table.

On Roll Call the following vote was recorded:

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

Ms. Christie requested Mr. Merkle’s phone number and asked what to do if the call went to voicemail. Attorney Aikins provided Mr. Merkle’s email address cmerkel@co.monmouth.nj.us. Ms. Christie requested the meeting be advertised; C/Wardell confirmed the meeting will be posted on the Borough website and electronic sign. C/Renee requested the meeting be advertised under the Open Public Meetings Act; Attorney Aikins confirmed that was unnecessary if there was no a quorum. Discussion continued. C/Renee called for a Law & Ordinance Committee meeting on 3/26 at 6:00 p.m. to review the zoning board resolutions and documents. C/Renee further requested Attorney Aikins attend the Committee meeting.

ADJOURN 7:52 p.m.

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

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

Mayor Robert Brown

Tamara Brown, Municipal Clerk