

Council Room Borough of Neptune City
March 26, 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, Wardell, Tallman, Kocsis 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 asked everyone to join in on the Flag Salute.

APPROVAL OF MINUTES

March 12, 2018

Mayor Brown confirmed all Councilmembers had been in attendance.

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

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

Mayor Brown thanked Mr. Wardell for running the last meeting. Mayor Brown acknowledged the residents in attendance from the TFH area; then explained he had met with TFH and the Health Department. Mayor Brown further acknowledged Council had passed a resolution to have a meeting with TFH, the County Health Department and the residents, then explained Council can't summons government agencies or private entities without just cause. At the meeting TFH reported they are in the process of installing an engineered system of charcoal filters; TFH will not meet in a public setting but will meet with a small committee (to include C/Wardell and C/Kocsis) and have noted they are aware of the issues and will make every effort to rectify the situation. Mayor Brown will report back with more information once final dates are determined. TFH is taking steps to do the best they can until the system is installed. The Borough will do all that is allowed under their authority. The Mayor's Ball will be Saturday, April 7 – all proceeds will be donated to Colton and Friends. Mayor Brown requested the Law & Ordinance Committee review the Borough's snow ordinance regarding enforcement of vehicles being parked on the street during snowstorms. Mayor Brown spoke about the zoning ordinance on the agenda that was passed down through land use in conjunction with the Master Plan. Neptune City was selected by the State to be part of the new opportunity zone which is to help promote economic growth; the ordinance works together with the new opportunity.

LAW & ORDINANCE – Councilmember Renee

C/Renee thanked Public works for the good job clearing the snow during the last storm. C/Renee met with Attorney Aikins and Administrator Underhill to discuss Ordinance 139 regarding odor issues; it was determined not to revise the ordinance in case the shared services contract with the County ends. The odor issue was reviewed as was the parking issue; there is hope after the new parking lot is completed the issues will be resolved. Council will revisit. The snow ordinance was also briefly discussed; the police department is doing a survey to determine if one side street parking is needed. C/Renee called a Law & Ordinance meeting for April 23 at 6:30 p.m., the Borough Attorney was requested to attend.

ADMINISTRATION & FINANCE – Councilmember Tallman

C/Tallman tentatively called for a Administration & Finance meeting next Tuesday. C/Tallman reviewed the preliminary budget with Mayor Brown and the CFO; C/Tallman noted the Borough is in good financial health thanking the CFO and all who make it happen.

ADMINISTRATION & JUSTICE – Councilmember Zajack

C/Zajack reported the Neighborhood Watch met on March 14. The group discussed possibly holding a mini-CPR class as many residents were interested. C/Zajack attended the Board of Rec Meeting; they had a successful All-Star Jam Night for basketball. The Board of Rec does a fantastic job and is generous in volunteering their time.

SPECIAL SERVICES – Councilmember Kocsis

C/Kocsis reminded residents of falling branches, which are still coming down after the storm.

HUMAN SERVICES – Councilmember Wardell

C/Wardell announced reschedule dates. The Board of Education meeting will be held tomorrow at 6:00 at the Elementary School in the Science room. The Fire Department's Easter Egg Hunt will be next Saturday, March 31.

PUBLIC WORKS – Councilmember Pryor

C/Pryor spoke about the phenomenal job by Public Works during the snow storms. C/Pryor called for a Public Works meeting next week.

Mayor Brown shared during the storm the Police Department brings in extra personnel and the volunteers standby at the fire house for a four hour or twelve-hour shift. Mayor Brown thanked Director Kirschenbaum and OEM Coordinator Zakerowski.

PUBLIC PARTICIPATION (FOR AGENDA ITEMS ONLY)

Ms. Kelly Strazdas, Overbrook Place, asked if the zoning was on the agenda, then asked what was being changed. Mayor Brown explained the Borough Engineer would explain everything in a presentation during the public hearing. Ms. Strazdas asked if parking and public works was part of the agenda, it is not so comments will be held until public participation.

OLD BUSINESS

Resolution 18-41 - Intro to Ord 2018-1 BAN Windsor

Resolution 18-42 – Intro to Ord 2018-2 BAN Parks

Resolution 18-43 – Intro to Ord 2018-3 Zoning

Resolution 18-41– Public Hearing/Adoption of Ord 2018-1 BAN Windsor

Attorney Aikins read the resolution into the record by title, noting it was advertised and ready for public hearing.

C/Tallman offered to the open the meeting to the public. Seconded by C/Wardell. Carried.

Mayor Brown commented on the project, noting for years there have been drainage issues on Windsor due to the collapse of the DOT drainage pipe and the deterioration of the DOT bulkhead. The bulkhead and pipes have been replaced and a catch basin installed as well as a higher pipe to assist in moving the water. This project is the second phase to address the issues and will include new curbs, sidewalks and drainage. The Borough received a DOT grant to do the work which will allow for minimal impact on tax payers.

C/Tallman made a motion to close the meeting to public. Seconded by C/Wardell. Carried.

RESOLUTION 18-41

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

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

RESOLUTION 2018-41**BOND ORDINANCE 2018-1**

BOND ORDINANCE PROVIDING FOR REPAIRS TO WINDSOR AVNEUE IN THE BOROUGH, APPROPRIATING \$270,000.00 THEREFOR 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.

INTRODUCTION: March 12, 2018

ADOPTION: March 26, 2018

On Roll Call the following vote was recorded:

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

Mayor Brown declared the resolution adopted.

C/Tallman offered a motion to advertise the adoption of Ordinance 2018-1. Seconded by C/Wardell.

On voice vote the following vote was recorded:

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

Resolution 18-42– Public Hearing/Adoption of Ord 2018-2 BAN Parks

Attorney Aikins read the resolution into the record by title, noting it was advertised and ready for public hearing.

C/Tallman offered to the open the meeting to the public. Seconded by C/Kocsis. Carried.

Ms. Kelly Strazdas, 3 Overbrook Place asked if the ordinance was to improve the parks and if bonds were being received from the government. Mayor Brown explained grants were received from Monmouth County Open Spaces. Ms. Strazdas asked about the financing. Mayor Brown noted engineering and design are not allowed to be paid for from the grant funds. Mayor Brown noted it was a good grant, and the First Responders Park is well deserved to show respect to those who are first responders and will be a beautiful park.

David Calhoun 160 Fifth Ave. asked for a general overview of the project. Mayor Brown noted there had been a hearing and public display; Engineer Shafai shared the drawings he brought. Mayor Brown explained the concept of First Responders Park, noting exact details will be up to the committee made of First Responders, the Mayor and Engineer.

Mrs. Kocsis 89 Bennett Ave. asked about Joe Frieda Park. Mayor Brown explained grants are specific of what can and cannot be done and if money is going to be given the Borough has to follow the requirements laid out.

Discussion continued on the park projects and parks in the Borough.

C/Renee noted Memorial Park was originally included in the plan, but there was not enough grant money and thus the project will be revisited in the future. Discussion continued on grant funding.

C/Tallman made a motion to close the meeting to public. Seconded by C/ Kocsis. Carried.

RESOLUTION 18-42

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

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

RESOLUTION 2018-42

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.

INTRODUCTION: March 12, 2018

ADOPTION: March 26, 2018

On Roll Call the following vote was recorded:

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

Mayor Brown declared the resolution adopted.

C/ Kocsis offered a motion to advertise the adoption of Ordinance 2018-2. Seconded by C/Pryor.

On voice vote the following vote was recorded:

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

Resolution 18-43– Public Hearing/Adoption of Ord 2018-3 – Zoning

Attorney Aikins read the resolution into the record by title, noting it was advertised and ready for public hearing.

C/Tallman offered to the open the meeting to the public. Seconded by C/Zajack. Carried.

Mayor Brown introduced Borough Planner Jennifer Beam and Engineer Shafai then invited the public to ask any questions.

Ms. Strazdas asked what is R1 vs R vs C. vs. RC. Planner Beam explained there are different zoning criteria throughout town (handouts of the zones throughout town were made available) speaking specifically about split zones on properties which are being addressed in the ordinance to make the properties one zone. The Ordinance also looked addressed zoning on the Route 35 corridor. Mayor Brown added that people looking to buy property in the Borough would always have to go before the Land Use Board because of the split zones on the property which discourages people. The rezoning will promote economic growth where it belongs. All existing uses will not be effected by the zone change. Discussion continued on the different zones and what is being done with the zoning types. Discussion continued regarding the zones and types of construction allowed and when Board approval would be needed for construction. "Discussion followed regarding the master plan, zoning, involvement of the Land Use Board and redevelopment". Planner Beam noted this ordinances intention is to clean up the zoning map in order to move forward as needed. Discussion followed on why mixed use on the Route 35 corridor is not advised. Discussion continued on specific properties.

C/Renee made a motion to close the meeting to public. Seconded by C/Tallman. Carried.

RESOLUTION 18-43

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

RESOLUTION 2018-43

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 FRTHER 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.

INTRODUCTION: March 12, 2018
 ADOPTION: March 26, 2018

On Roll Call the following vote was recorded:
 Aye: Councilmembers Pryor, Zajack, Renee, Tallman and Kocsis.
 Abstain: Councilmember Wardell.
 Mayor Brown declared the resolution adopted.

Mayor Brown thanked Planner Beam and Engineer Shafai for their work, noting the ordinance is to promote economic growth in Neptune City and to allow the properties to be used to their maximum ability. Mayor Brown noted the zoning has no bearing on taxes.

C/Renee offered a motion to advertise the adoption of Ordinance 2018-3. Seconded by C/Zajack
 On voice vote the following vote was recorded:
 Aye: Councilmembers Pryor, Zajack, Renee, Wardell, Tallman and Kocsis.

- NEW BUSINESS**
Resolution 18-44- Payment of Bills
Resolution 18-45– Budget Appropriation Transfer #4
Resolution 18-46 – Temporary Emergency Appropriations #2

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

**RESOLUTION 2018-44
 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 \$617,688.52 be paid as presented.

On Roll Call the following vote was recorded:
 Aye: Councilmembers Pryor, Zajack, Wardell, Tallman and Kocsis.
 Abstain: Councilmember Renee.

Mayor Brown declared the resolution adopted.

Borough Clerk Brown read the resolution into the record.

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

**RESOLUTION 2018-45
2017 BUDGET APPROPRIATION TRANSFER #4**

WHEREAS, 40A: 4-58 provides that a Municipality may transfer budget appropriations during the last two months of the fiscal year and the first three months of the subsequent year, and

WHEREAS, in order to meet the fiscal obligations of the Borough, the following attached transfers are necessary:

<u>Account Name</u>	<u>Amount</u>
<u>Current Fund - Transfers from</u>	
Employee Group Insurance	\$ 3,400
<u>TRANSFERS TO</u>	
<u>Current Fund – Transfers to</u>	
Engineering	\$ 3,400
	\$ 3,400

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Neptune City approve the attached list of budget transfers.

On Roll Call the following vote was recorded:

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

Mayor Brown declared the resolution adopted.

Borough Clerk Brown read the resolution into the record.

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

**RESOLUTION 2018-46
TEMPORARY EMERGENCY APPROPRIATIONS #2**

WHEREAS, N.J.S.A. 40A: 4-20 provides that an addition to temporary appropriations necessary for the period prior to the adoption of the budget and regular appropriations, the Governing Body may, by resolution adopted by 2/3 vote of the full membership thereof, make emergency temporary appropriations for any purpose for which the appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year.

WHEREAS, the total emergency temporary resolutions adopted in the year 2018 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A: 4-20) including this resolution total \$517,850 for the Current Fund and \$16,000 for the Sewer Utility Operating Fund.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Neptune City, that in accordance with the provisions of N.J.S.A. 40A: 4-20, the Chief Financial Officer be authorized to make the following emergency temporary budget appropriations per the attached sheets in the 2018 current fund temporary budget and that said amounts be included under the correct headings in the municipal budget as adopted.

BE IT FURTHER RESOLVED that one certified copy of this resolution be filed with the Director of the Division of Local Government Services and one certified copy with the Chief Financial Officer.

On Roll Call the following vote was recorded:

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

Mayor Brown declared the resolution adopted.

PUBLIC PARTICIPATION

Dick Connors, Hampshire Apartments, was in attendance to address the TFH issue then spoke about the nuisance documents which states property must be used in ways that don't cause harm to others, which is formulated in the Borough's zoning ordinance. Mr. Connors quoted specific paragraphs of the Borough's zoning ordinance and permitted and non-permitted uses and odor standards. Mr. Connors shared the opinion that the current operations of TFH effect all three standards of the Borough's ordinance and it is of particular concern to the elderly, pregnant women and young mothers. Mr. Connors reported the odor is widespread including complaints from Avon about the smell. Mr. Connors noted TFH had stated the issue can be remediated, then shared further research and information. Mayor Brown thanked Mr. Connors for his comments, noting TFH is aware of the issue; further explaining Neptune City is doing everything they can to have TFH comply. Mayor Brown stated he will not let TFH forget they need to fix it. Discussion continued on balancing both sides to keep everyone as happy as possible. Discussion continued on everyone's investment into Neptune City.

Erin Maciorowski 17 Tucker Dr., had a question about recycling being cancelled due to the storm. Recycling won't be rescheduled and should be held until next pick up. She also asked how people will be notified if the Easter Egg Hunt will be canceled. Mayor Brown noted all information would be on the Borough Facebook pages and if cancelled a reverse 911 call will be made.

Ms. Strazdas, commented on snow parking, noting when there were strict rules neighbors thought it was their job to call the police on people leaving their cars on the streets and requested whoever is in charge take all issues into consideration. Mayor Brown noted the intent is to get the streets clean, citing examples of issues with on street parking during snowstorms. Mayor Brown further noted cars can be parked at the Adams Field Municipal Lot during storms. Discussion continued on parking during storms. Director Kirschenbaum noted the Police Department is understanding and requests residents call and everything will be evaluated on a case by case basis.

Mayor Brown thanked everyone for attending.

ADJOURN 8:06 p.m.

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

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

Mayor Robert Brown

Tamara Brown, Municipal Clerk