

**Council Room Borough of Neptune City
April 13, 2020**

The Regular Virtual Council Meeting of the Mayor and Council was called to order by Mayor Wardell at 7:05p.m.

Borough Clerk Brown took roll call.

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

ABSENT:

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 everyone to stand for the Flag Salute

Mayor Wardell also advised on the procedure to be followed at this meeting because it is the first virtual Council Meeting we have held and wanted it to go smoothly.

APPROVAL OF MINUTES

January 27, 2020 and February 10, 2020

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

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

COMMUNICATIONS

NONE

BOARD OF EDUCATION REPORT: President Anthony Susino wanted to publicly thank the teachers for all that they are doing and having children continue as seamless as possible and it is appreciated. He also mentioned the parade was a big hit, and everyone enjoyed it. Mr. Susino announced there will be a virtual meeting held by the Board of Education on Thursday, April 16th that will not be open to the public, they will go into caucus immediately under personnel for interviews and hopefully will have a new CSA soon.

PRESENTATIONS – there were no presentations before Council.

IN MAYOR AND COUNCIL REPORTS

MAYORS REPORT-

Mayor Wardell reported he wanted to thank the first responders in town, especially the Chief and his department and also the First Aid for being on the forefront. He also thanked the DPW for the additional work they are doing to keep the town clean and to keep the Borough employees safe. Mayor Wardell also thanked the teachers, Board of Ed and Dr. Farry who he is in constant contact with, to make sure the kids have meals and stability in their lives. The parade was a very nice thing and his own children enjoyed it very much. He also thanked the Freeholder Board, especially Director Arnone and Deputy Director Kiley whom he speaks

with daily. Also, thank you to legislative team of Senator Gopal, Downey and Houghtaling for their donation of sanitizer of masks.

He mentioned the Borough Employees are doing a great job working from home and especially to Administrator Cherbini for the fantastic job he is doing. Thank you to all who go to work every day and they are the heroes of the day. Heartfelt thanks go out to all those in the grocery industry and that we have "one of our own" C/Pappas working hard every day and thank you for all you are doing and helping him out.

Mayor Wardell announced some steps we have taken to mitigate the spread of Covid 19. Some of these steps were taken before announcements were made by the Governors Office. We closed our playgrounds, and closed our offices to ensure the safety of all. He thanked the Council for all of their hard work. First responders are our first priority. The PD is cleaned twice daily. DPW is still picking up brush although clean up week is cancelled.

Mayor Wardell has announced the positive test numbers released from Monmouth County from a month ago and now. He stated we need to be diligent about protecting ourselves. We need to continue protecting ourselves and be safe. Social distancing seems to be working and looks positive going forward.

Mayor Wardell announced that as early tomorrow he has established the Mayor shop for seniors' campaign. An email address and hotline have been established to reach out. Volunteers will go out and shop for them, so they don't have to go out. If you would like to volunteer or know of someone who would be interested in volunteering, they can also email or call. Mayor Wardell mentioned how proud he is of the Borough of the work we have done and hopes to see everyone "physically" soon.

ADMINISTRATION & FINANCE- Brian Thomas

C/Thomas reported that they are keeping an eye on the financial state of the county and state. The Borough is financially good and were keeping an eye on how things will fluctuate and different programs that will be coming in on Federal, State and County level. He stated that they are trying to compile a list so everything can be located and found in one place. Some things change daily. He mentioned they are waiting see if any changes will be made regarding taxes. He also said thank you to everyone for doing a great job. He wanted to say special thanks on behalf of his God daughters to our Fire Department for the Easter Bunny tour.

PUBLIC WORKS- Brian Sullivan

C/Sullivan reported he will have more to report next meeting. Thanks to Gerrit and DPW for the phenomenal job they have done.

LAW & ORDINANCE – Dave Calhoun

C/Calhoun reported he had no committee report. He mentioned that the council have been in constant communication and working well together. Kayak racks should be on track to be completed by the time the weather is warm.

ADMINISTRATION & JUSTICE-Danielle Pappas

C/Pappas reported that the PD runs smoothly, and she is available for assistance any way she can. She is happy to have been able to assist them with shopping at Wegmans. Special hours are available for first responders. Reach out to her and she will set it up for them.

SPECIAL SERVICES-Pamela Renee

C/Renee reported she wanted to say thank you to the Mayor and Administrator for the job they are doing, she thanked first responders and the our Borough office staff for keeping things running smoothly. Thank you to the businesses in town especially to food services in town for doing a great job.

HUMAN SERVICES- Glen Kocsis

C/Kocsis reported Fire Department is taking precautionary measures. Four member per call, one member checks the scene, and everyone is wearing PPE. Thank you to Senator Gopal for his donation from his foundation to Police Department and First Aid. Thank you to everyone who participated in the Easter Bunny tour. Thank you to everyone who works in Borough Hall, everyone is holding up pretty well and the town is running well.

PUBLIC PARTICIPATION (FOR AGENDA ITEMS ONLY) -

Jen Coombs- regarding Ordinance 20-03 to explain what the amendment is. Mayor explained amendment. Administrator Cherbini explained further regarding the off-duty billing is the change. It removes the borough of the billing end of the process to be paid by contractors. Ms. Coombs further asked how it was no charge to the Borough. Mr. Cherbnini explained.

Member of the public asked a question regarding emergent sewer issue. Mr. Cherbini explained there is no emergent issue, it is an emergency budget put in place for the day to day operations.

NEW BUSINESS

Resolution 20-59 Payment of Bills

Borough Clerk Brown read the resolution into the record

C/Sullivan offered the following resolution and moved its adoption. Seconded by C/Calhoun

RESOLUTION 2020-59

Payment of 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 \$131,699.56

On Roll Call the following vote was recorded:

Aye: Councilmembers Calhoun, Kocsis, Pappas, Renee, Sullivan, Thomas

Absent:

Mayor Wardell declared the resolution adopted.

Resolution 2020-60 Emergency Appropriations Sewer Operating Account

Borough Clerk Brown read the resolution into the record.

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

RESOLUTION 2020-60
Emergency Appropriation Sewer Operating Fund

WHEREAS, an emergent condition has arisen in that the Borough is expected to enter contracts, commitments or payments prior to the 2020 budget and no adequate provision has been made in the 2020 temporary budget for the aforesaid purposes, and

WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purposes, and

WHEREAS, the total emergency appropriation resolutions adopted in the year 2020 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$382,000.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Neptune City, Monmouth County, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20 that emergency appropriations be and the same hereby made in the amount of \$382,000 as follows:

SEWER UTILITY OPERATING FUND

Salaries and Wages	\$ 60,000.00
Other Expenses	300,000.00
Public Employees Retirement System	18,000.00
Social Security	4,000.00
	\$ 382,000.00

Said emergency temporary appropriations will be provided for in the 2020 budget.

That one certified copy of this resolution be filed with the Director, Division of Local Government Services.

On Roll Call the following vote was recorded:

Aye: Councilmembers Calhoun, Kocsis, Pappas, Renee, Sullivan, Thomas

Absent:

Mayor Wardell declared the resolution adopted.

Resolution 20-61 Emergency Appropriations Current Operating Fund

Borough Clerk Brown read the resolution into the record.

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

RESOLUTION 2020-61
Emergency Appropriations Current Operating Fund

WHEREAS, an emergent condition has arisen in that the Borough is expected to enter contracts, commitments or payments prior to the 2020 budget and no adequate provision has been made in the 2020 temporary budget for the aforesaid purposes, and

WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purposes, and

WHEREAS, the total emergency appropriation resolutions adopted in the year 2020 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$2,324,996.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Neptune City, Monmouth County, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20 that emergency appropriations be and the same hereby made in the amount of \$2,324,996 as follows:

CURRENT FUND

Administrative and Executive	Salaries and Wages	\$	16,000.00
Administrative and Executive	Other Expenses		4,000.00
Mayor and Council	Salaries and Wages		10,000.00
Mayor and Council	Other Expenses		1,000.00
Municipal Clerk	Salaries and Wages		8,000.00
Municipal Clerk	Other Expenses		2,000.00
Central Postage	Other Expenses		2,000.00
Financial Administration	Salaries and Wages		7,000.00
Financial Administration	Other Expenses		3,000.00
Collection of Taxes	Salaries and Wages		7,000.00
Collection of Taxes	Other Expenses		2,000.00
Assessment of Taxes	Salaries and Wages		6,000.00
Legal Services	Other Expenses		12,000.00
Engineering Services	Other Expenses		2,000.00
Land Use Board	Salaries and Wages		4,000.00
Land Use Board	Other Expenses		2,000.00
Liability Insurance	Other Expenses		40,000.00
Workers' Compensation Insurance	Other Expenses		50,500.00
Group Insurance for Employees	Other Expenses		230,000.00
Police - Officers	Salaries and Wages		650,000.00
Police - Secretarial	Salaries and Wages		25,000.00
Police - Crossing Guards	Salaries and Wages		10,000.00
Police	Other Expenses		40,000.00
Fire Prevention Bureau	Salaries and Wages		3,000.00
Municipal Court	Salaries and Wages		40,000.00
Municipal Court	Other Expenses		2,000.00
Public Defender	Salaries and Wages		3,000.00
Municipal Prosecutor	Salaries and Wages		8,000.00
Streets and Roads	Salaries and Wages		150,000.00
Streets and Roads	Other Expenses		20,000.00
Buildings and Grounds	Salaries and Wages		6,000.00
Buildings and Grounds	Other Expenses		12,000.00
Traffic Lights	Other Expenses		2,000.00

Vehicle Maintenance	Other Expenses	12,000.00
Solid Waste Collection	Salaries and Wages	2,000.00
Solid Waste Collection	Other Expenses	100,000.00
Animal Control	Other Expenses	7,000.00
Community Center	Salaries and Wages	20,000.00
Community Center	Other Expenses	3,000.00
Library	Salaries and Wages	10,000.00
Construction Official	Salaries and Wages	8,000.00
Construction Official	Other Expenses	200.00
Building Subcode	Salaries and Wages	5,000.00
Plumbing Subcode	Salaries and Wages	4,000.00
Electrical Subcode	Salaries and Wages	4,000.00
Fire Subcode	Salaries and Wages	4,000.00
Code Enforcement	Salaries and Wages	7,000.00
Electricity	Other Expenses	5,000.00
Street Lighting	Other Expenses	5,000.00
Telephone	Other Expenses	7,000.00
Water	Other Expenses	1,000.00
Natural Gas	Other Expenses	5,000.00
Fire Hydrants	Other Expenses	7,000.00
Social Security	Other Expenses	40,000.00
Public Employees Retirement System	Other Expenses	137,139.00
Police and Firemen's Retirement System	Other Expenses	524,557.00
DCRP	Other Expenses	1,000.00
Shared Service - Bradley Beach Prisoner	Other Expenses	6,600.00
Chief Financial Officer - Borough of Bay Head	Other Expenses	20,000.00
	\$	2,324,996.00

Said emergency temporary appropriations will be provided for in the 2020 budget.

That one certified copy of this resolution be filed with the Director, Division of Local Government Services.

On Roll Call the following vote was recorded:

Aye: Councilmembers Calhoun, Kocsis, Pappas, Renee, Sullivan, Thomas

Absent:

Mayor Wardell declared the resolution adopted.

Resolution 20-62 Authorizing the Use of Storm Recovery Reserves

Borough Clerk Brown read the resolution into the record.

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

RESOLUTION NO. 2020-62

RESOLUTION OF THE BOROUGH OF NEPTUNE CITY, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AUTHORIZING THE USE OF STORM RECOVERY RESERVES

WHEREAS, on March 9, 2020, Governor Phil Murphy issued Executive Order 103 declaring a State of Emergency in response to the COVID-19 viral outbreak; and

WHEREAS, Executive Order 103 stated, "This Order shall take effect immediately and shall remain in effect until such time as it is determined by me that an emergency no longer exists" and the State of Emergency has not yet been lifted; and

WHEREAS, N.J.S.A. 40A-6.21 requires that the Borough by resolution, authorize the use of funds in the Storm Recovery Reserve for any purpose necessary to protect the safety, security, health, and welfare, of its citizens from the damage caused by the declared emergency.

THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Neptune City that the Storm Recovery Reserve may be utilized for any and all expenditures related to said emergency.

On Roll Call the following vote was recorded:

Aye: Councilmembers Calhoun, Kocsis, Pappas, Renee, Sullivan, Thomas

Absent:

Mayor Wardell declared the resolution adopted.

Resolution 20-63 Award of Contract for Steiner Avenue Sidewalk Improvements

Borough Clerk Brown read the resolution into the record.

C/Pappas offered the following resolution and moved its adoption. Seconded by C/Sullivan

RESOLUTION 20-63

AWARD OF CONTRACT FOR STEINER AVENUE SIDEWALK IMPROVEMENTS

WHEREAS, the Borough of Neptune City has been awarded a grant from the Monmouth County Community Block Grant Program for the amount up to \$171,296.00, and

WHEREAS, requests for bids were requested from three (3) contractors for additional curb and sidewalk improvements to Steiner Avenue, and

WHEREAS, Pioneer General Contracting Inc., Bradley Beach, is deemed to be the lowest, responsible bidder at in the amount of \$12,940.00 for the additional curb and sidewalk Improvements, and

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Neptune City hereby awards a contract to Pioneer General Construction, Inc. in the amount of \$12,940.00 for the additional sidewalk improvements to Steiner Avenue.

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BE IF FURTHER RESOLVED, that the Mayor and Borough Administrator be authorized to sign a contract for the above contract.

On Roll Call the following vote was recorded:

Aye: Councilmembers Calhoun, Kocsis, Pappas, Renee, Sullivan, Thomas

Absent:

Mayor Wardell declared the resolution adopted.

Resolution 20-64 Authorizing Payment no. 1 to the Contractor for Steiner Avenue Pedestrian and ADA Improvements

Borough Clerk Brown read the resolution into the record.

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

RESOLUTION 2020-64

RESOLUTION AUTHORIZING PAYMENT No. 1 TO THE CONTRACTOR FOR STEINER AVENUE PEDESTRIAN AND ADA IMPROVEMENTS

WHEREAS, the Borough of Neptune City received a grant in the amount of \$171,296.00 from Monmouth County Community Development Program for Steiner Avenue Pedestrian and ADA Improvements, and

WHEREAS, the contract, in the amount of \$136,040.00 was awarded to Pioneer General Contracting, Co. of Bradley Beach, NJ, and

WHEREAS, the contractor has completed a portion of the project and has requested payment no. 1 in the amount of \$71,716.40, and

WHEREAS, the Borough Engineer has reviewed the request and has certified that the work has been completed and request for funds is correct; and

WHEREAS, the Mayor and Council is required to pass a resolution authorizing payment to the contractor subject to receipt of payment from the County of Monmouth.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Neptune City hereby authorizes payment no. 1 to Pioneer General Contracting, Co. of Bradley Beach, NJ, in the amount of \$71,716.40 subject to receipt of payment from Monmouth County.

On Roll Call the following vote was recorded:

Aye: Councilmembers Calhoun, Kocsis, Pappas, Renee, Sullivan, Thomas

Absent:

Mayor Wardell declared the resolution adopted.

Resolution 20-65 Authorization for Change Order No. 1 for contract with Pioneer general Contracting for Pedestrian and ADA Improvements

Borough Clerk Brown read the resolution into the record.
C/Sullivan offered the following resolution and moved its adoption. Seconded by C/Renee

RESOLUTION 20-65

**AUTHORIZATION FOR CHANGE ORDER NO. 1
FOR CONTRACT WITH PIONEER GENERAL CONTRACTING CO. INC.
FOR STEINER AVENUE PEDESTRIAN AND ADA IMPROVEMENTS**

WHEREAS, the Borough of Neptune City received a grant in the amount of \$171,296.00 from the Monmouth County Community Development Program, and

WHEREAS, a contract for this project was awarded to Pioneer General Contracting Co. Inc. in the Amount of \$136,040.00, and

WHEREAS, during the course of this project it was determined that some additional funding is available in the exiting grant to extend the limits of the project, and

WHEREAS, it is the recommendation of the Borough Engineer to approve the change order No. 1 from the contracted amount of \$136,040.00 to the amount of \$163,100.00, and

WHEREAS, the change order conforms to the Local Public Contracts Law, and such provided in the Bond Ordinance for this project, and

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Neptune City hereby approve the change order which would modify the contract with Pioneer General Contracting Co. Inc from \$136,040.00 to the amount of \$163,100.00.

On Roll Call the following vote was recorded:

Aye: Councilmembers Calhoun, Kocsis, Pappas, Renee, Sullivan, Thomas

Absent:

Mayor Wardell declared the resolution adopted.

Resolution 20-66 Award of Contract for Joe Freda and First Responders Park

Borough Clerk Brown read the resolution into the record.
C/Pappas offered the following resolution and moved its adoption. Seconded by C/Calhoun

**RESOLUTION 2020-66
AWARD OF CONTRACT FOR JOE FREDA AND FIRST RESONDERS PARK**

WHEREAS, the Borough of Neptune City has been awarded a grant from the Monmouth County Community Block Grant Program for the amount up to \$175,000.00, and

WHEREAS, requests for bids were requested for improvements to Joe Freda and First Responders Parks and eight bids were received on February 26, 2020 as per attached Borough Engineer's February 26, 2020 award recommendations and bid tabulations, and

WHEREAS, Capela Construcion, Inc., Sicklerville NJ, is deemed to be the lowest, responsible bidder at in the amount of \$149,640.00 for the improvements to Joe Freda and First Responders Parks, and

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Neptune City hereby awards a contract to Capela Construcion, Inc. in the amount of \$149,640.00 for the improvements to Joe Freda and First Responders Parks.

BE IF FURTHER RESOLVED, that the Mayor and Borough Administrator be authorized to sign a contract for the above contract.

On Roll Call the following vote was recorded:

Aye: Councilmembers Calhoun, Kocsis, Pappas, Renee, Sullivan, Thomas

Absent:

Mayor Wardell declared the resolution adopted.

Resolution 20-67 Recognition of NJ Local Government Week

Borough Clerk Brown read the resolution into the record.

C/Calhoun offered the following resolution and moved its adoption. Seconded by C/Sullivan

RESOLUTION 20-67 IN RECOGNITION OF NJ LOCAL GOVERNMENT WEEK

WHEREAS, local government is the government closest to most citizens, and the one with the most direct daily impact upon its residents; and

WHEREAS, local government provides services and programs that enhance the quality of life for residents, making their municipality their home; and

WHEREAS, local government is administered for and by its citizens, and is dependent upon public commitment to and understanding of its many responsibilities; and

WHEREAS, local government officials and employees share the responsibility to pass along the understanding of public services and their benefits; and

WHEREAS, NJ Local Government Week offers an important opportunity for elected officials and local government staff to spread the word to all citizens of New Jersey that they can shape and influence this branch of government; and

WHEREAS, the NJ State League of Municipalities and its member municipalities have joined together to teach citizens about municipal government through a variety of activities.

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

Section 1. That the Borough of Neptune City encourages all citizens, local government officials, and employees to participate in events that recognize and celebrate NJ Local Government Week.

Section 2. That the Borough of Neptune City encourages educational partnerships between local government and schools, as well as civic groups and other organizations.

Section 3. That the Borough of Neptune City supports and encourages all New Jersey local governments to actively promote and sponsor NJ Local Government Week.

On Roll Call the following vote was recorded:

Aye: Councilmembers Calhoun, Kocsis, Pappas, Renee, Sullivan, Thomas

Absent:

Resolution 20-68 Autism Awareness Month April 2020

Borough Clerk Brown read the resolution into the record.

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

**RESOLUTION 20-68
Autism Awareness Month April 2020**

WHEREAS; autism is a pervasive developmental disorder affecting the social, learning, and behavioral skills of those affected by it and,

WHEREAS; autism was once thought to be a relatively rare disorder affecting only 1 in 1,000 people and,

WHEREAS; more and more health professionals become proficient in diagnosing autism, more children are being diagnosed on the autism spectrum, resulting in rates as high as 1 in 150 children nationally and 1 in 94 in New Jersey.

WHEREAS; while there is no cure for autism, it is well-documented that if individuals with autism receive treatment in their lives, it often is possible for those individuals to lead significantly improved lives.

NOW THEREFORE BE IT RESOLVED, the Mayor and Council of the Borough of Neptune City, do hereby proclaim April as **AUTISM AWARENESS MONTH.**

On Roll Call the following vote was recorded:

Aye: Councilmembers Calhoun, Kocsis, Pappas, Renee, Sullivan, Thomas

Absent:

Mayor Wardell declared the resolution adopted.

Resolution 20-69 Authorization to receive equipment

Borough Clerk Brown read the resolution into the record.

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

**RESOLUTION 2020-69
AUTHORIZATION TO RECEIVE EQUIPMENT**

WHEREAS, the Board of Fire Commissioners of Fire District No. 1 of the Township of Ocean were in the process of disposing of a Golf Cart and trailer, and

WHEREAS, The Board of Fire Commissioners of Fire District No. 1 of the Township of Ocean is the owner of the following equipment, which is no longer needed for public use and would like to donate it to the Neptune City Police Department, and

1. Golf Cart w/trailer VIN#1D920814015K0028348

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Neptune City hereby approve the above property as a donation to the Neptune City Police Department.

BE IT FURTHER RESOLVED, that the Municipal Administrator is authorized to sign and receive the above property on behalf of the Borough of Neptune City

On Roll Call the following vote was recorded:

Aye: Councilmembers Calhoun, Kocsis, Pappas, Renee, Sullivan, Thomas

Absent:

Mayor Wardell declared the resolution adopted.

Resolution 20-70 Awarding professional service contract to KDI Office Technology for Borough Printer and Copier Maintenance

Borough Clerk Brown read the resolution into the record.

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

**RESOLUTION 20-70
AWARDING PROFESSIONAL SERVICE CONTRACT TO KDI OFFICE TECHNOLOGY FOR
BOROUGH'S PRINTER AND COPIER MAINTENANCE**

WHEREAS, the Borough of Neptune City is in need of printer and copier services, and

WHEREAS, KDI possess the necessary skill and knowledge to perform these services; and

WHEREAS, the Borough has decided to acquire the services of KDI as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, KDI has completed and submitted Business Entity Disclosure Certifications which certify that said businesses have not made any contributions to a political or candidate committee in the Borough that would bar the award of this contract and that the contract will prohibit said businesses from making any contributions through the term of the contract; and

NOW, THEREFORE, BE IT RESOLVED the Mayor and Council of the Borough of Neptune City do award a professional service contract to KDI. This Contract is awarded without competitive bidding as a professional service in accordance with N.J.S.A. 40A:11-5(1)(a) of the New Jersey Local Public Contract 12

Law because KDI has professional knowledge which is particularly valuable to the Borough and this service is acquired as a non-fair and open contract pursuant to N.J.S.A. 19:44A-2.05.

Administrator Cherbini explained to Council and the public why we were awarding the bid and process of using a state contract.

On Roll Call the following vote was recorded:

Aye: Councilmembers Calhoun, Kocsis, Pappas, Renee, Sullivan, Thomas

Absent:

Mayor Wardell declared the resolution adopted.

Introduction of Ordinance 2020-03 An Ordinance Amending Chapter 24, Entitled “Police Department” of the “Revised General Ordinances of the Borough of Neptune City, New Jersey” Adding additional provisions concerning Special Duty Assignments for Police Officers

Borough Clerk Brown read the resolution into the record.

C/Pappas offered the following resolution and moved its adoption. Seconded by C/Thomas

BOROUGH OF NEPTUNE CITY ORDINANCE NO. 2020-03

AN ORDINANCE AMENDING CHAPTER 24, ENTITLED “POLICE DEPARTMENT” OF THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF NEPTUNE CITY, NEW JERSEY” ADDING ADDITIONAL PROVISIONS CONCERNING SPECIAL DUTY ASSIGNMENTS FOR POLICE OFFICERS

WHEREAS, Chapter 24, Article IV of the Code of the Borough of Neptune City, entitled “Special Duty Assignments for Police Officers” establishes the procedure for procurement and approval of and payment for special duty assignments for officers of the Borough of Neptune City Police Department; and

WHEREAS, Chapter 24, Article IV, Section 24-19 of the Code of the Borough of Neptune City, entitled “[c]onformance to police department regulations; billing[,]” addresses the performance of special duty assignments and how police officers are to be paid for said assignments; and

WHEREAS, Borough Council of the Borough of Neptune City desires to amend Chapter 24, Article IV, Section 24-19 to permit the Borough to utilize a third-party vendor to perform administrative duties related to special duty assignments for officers of the Borough of Neptune City Police Department; and

NOW, THEREFORE, BE IT ORDAINED by the Borough Council for the Borough of Neptune City, County of Monmouth, State of New Jersey as follows:

Section I.

Chapter 24, Article IV, Section 24-19 of the Revised General Ordinances of the Borough of Neptune City is hereby amended to read as follows:

ARTICLE IV - Neptune City Community Center and Recreational Facilities

§ 24-19. Conformance to Police Department regulations; billing.

Officers engaged in special duty assignments shall be deemed on-duty and shall conform to all Police Department rules, regulations and procedures. All such agreements for special duty assignments shall be in writing as evidenced by a form agreement available from the Police Department and kept on record. No work shall be performed in the Borough of Neptune City unless such a form agreement shall have first been signed by the contractor and the Police Department. All payments due under such agreement shall add a monthly administrative charge of fifty dollars (\$50.) on any amount billed for which payment has not been made within

thirty (30) days for such billing. Delinquent parties shall be further liable for all costs, fees, and attorney's fees associated with the collection of any amounts due.

The Borough may utilize a secondary service to perform the administrative duties related to the special service assignment process described in this Article, including but not limited to communicating and scheduling special duty assignments with third parties, scheduling officers for special duty assignments, invoicing, receiving escrow fees and in a manner set forth by the secondary service provider and collecting amounts due for special duty assignments. The secondary service provider may charge an additional fee for services provided to the Borough of Neptune City in addition to the fee structure set forth in this Article.

The secondary service provider shall remit funds received for special service assignments to the Borough of Neptune City in a timely manner and coinciding with payroll periods for the special service assignments that officers performed or were scheduled for in accordance with the Code of the Borough of Neptune City.

Section II.

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section III

If any section, subsection, clause or phrase of this ordinance is held to be invalid for any reason, such decision shall not affect the remaining portions of this ordinance which shall remain in effect.

Section IV.

This Ordinance shall take effect immediately upon final passage and publication according to law.

NOTICE OF PUBLIC HEARING

The Ordinance published herewith was introduced and approved at a meeting of the Borough of Neptune City, held on April 13, 2020. The Ordinance will be further considered for final passage after a public hearing thereon before the Borough Council of the Borough of Neptune City, during a meeting to be held on April 27, 2020 at the Municipal Complex, 106 West Sylvania Avenue, Neptune City, New Jersey at 7:00 p.m. or as soon thereafter as the matter may be reached, or at any meeting to which that meeting may be adjourned, at which time any and all persons who may be interested therein will be given an opportunity to be heard. The proposed Ordinance in its entirety is on file in the Municipal Clerk's office and copies may be obtained without charge between the hours 8:30 a.m. and 4:30 p.m. Monday through Friday.

On Roll Call the following vote was recorded:

Aye: Councilmembers Calhoun, Kocsis, Pappas, Renee, Sullivan, Thomas

Absent:

Mayor Wardell declared the resolution adopted.

Introduction of Ordinance 2020-04 An Ordinance Amending Chapter 62, Entitled "Fees" of the "Revised General Ordinances of the Borough of Neptune City, New Jersey" Adding new sections establishing certain recreation fees

Borough Clerk Brown read the resolution into the record.

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

Mr. Sullivan asked if there is any concern about insurance when the center is closed. Attorney Sena explained that the section he is asking about is existing. He explained what was changed and what was already existing.

BOROUGH OF NEPTUNE CITY ORDINANCE NO. 2020-04
AN ORDINANCE AMENDING CHAPTER 62, ENTITLED “FEES” OF THE “REVISED
GENERAL ORDINANCES OF THE BOROUGH OF NEPTUNE CITY, NEW JERSEY” ADDING
NEW SECTIONS ESTABLISHING CERTAIN RECREATION FEES

WHEREAS, Chapter 62, Article II of the Code of the Borough of Neptune City, which is currently entitled “Neptune City Community Center” establishes fees for use of the Neptune City Community Center by residents and nonresidents; and

WHEREAS, Borough Council of the Borough of Neptune City desires to establish a schedule of fees for use of Memorial Park and Adams Field and certain equipment which may be located thereon; and

NOW, THEREFORE, BE IT ORDAINED by the Borough Council for the Borough of Neptune City, County of Monmouth, State of New Jersey as follows:

Section I.

Chapter 62, Article II of the Revised General Ordinances of the Borough of Neptune City is hereby amended to read as follows:

ARTICLE II Neptune City Community Center and Recreational Facilities

§ 62-4. Registration and Rental Fees.

- A. An annual registration fee of ten dollars (\$10.) for adults (and children over age ten (10)) shall be paid to the Borough of Neptune City for the use of the Neptune City Community Center.
- B. An annual registration fee of five dollars (\$5.) for a child (age three (3) to ten (10) and under) shall be paid to the Borough of Neptune City for the use of the Neptune City Community Center.
- C. An annual registration fee of five dollars (\$5.) for seniors (age sixty (60) and over) shall be paid to the Borough of Neptune City for the use of the Neptune City Community Center.
- D. A fee of five dollars (\$5.) shall be paid to the Borough of Neptune City for the replacement of a lost registration card for the use of the Neptune City Community Center.
- E. A guest fee (one (1) guest per visit) of five dollars (\$5.) shall be paid to the Borough of Neptune City for the use of the Neptune City Community Center.
- F. A nonprofit, Neptune City based organization having resident members, shall be exempt from having to pay a rental fee for the use of the Neptune City Community Center. There shall be a maximum of twelve (12) exemptions per year per nonprofit organization.
- G. A rental fee of sixty dollars (\$60.) per hour for residents and one hundred dollars (\$100.) per hour for nonresidents shall be paid to the Borough of Neptune City for the use of the multi-purpose room of the Neptune City Community Center when the Center is open.
- H. A rental fee of sixty dollars (\$60.) per hour for residents and one hundred dollars (\$100.) per hour for nonresidents shall be paid to the Borough of Neptune City for the use of the gym of the Neptune City Community Center when the Center is open.
- I. A rental fee of one hundred dollars (\$100.) per hour for residents and one hundred fifty dollars (\$150.) per hour for nonresidents shall be paid to the Borough of Neptune City for the use of the multipurpose room of the Neptune City Community Center when the Center is closed.
- J. A rental fee of eighty dollars (\$80.) per hour for residents and one hundred twenty dollars (\$120.) per hour for nonresidents shall be paid to the Borough of Neptune City for the use of the gym of the Neptune City Community Center when the Center is closed.

- K. A rental fee of one hundred eighty dollars (\$180.) per hour for residents and two hundred fifty dollars (\$250.) an hour shall be paid to the Borough of Neptune City for the use of all of the above rooms of the Neptune City Community Center when the Center is closed.
- L. A security deposit of one hundred fifty dollars (\$150.) in addition to the above fees shall be paid to the Borough of Neptune City for the use of the Neptune City Community Center.
- M. A twenty-five percent (25%) discount shall apply for all rentals by an individual after that same individual has paid for six (6) rentals, in accordance with this Article, within a calendar year.
- N. An annual registration fee of twenty dollars (\$20.) shall be paid to the Borough of Neptune City for a nonresident adult who is sponsored by a Neptune City resident member for the use of the Neptune City Community Center.
- O. An annual registration fee of ten dollars (\$10.) shall be paid to the Borough of Neptune City for a nonresident senior citizen (age sixty (60) and over) who is sponsored by a Neptune City resident member for the use of the Neptune City Community Center.
- P. Each Program Instructor that charges a fee for their program, shall pay to the Borough of Neptune City twenty percent (20%) of their receipts for their program. In the event the program is free, there will be no fee to the Borough of Neptune City.
- Q. Rentals of Recreational Facilities –
 - (1) Memorial Park –
 - i) Borough residents shall pay a rental fee of one hundred dollars (\$100) for use of Memorial Park with a one hundred dollar (\$100) refundable deposit.
 - ii) Nonresidents of the Borough shall pay a rental fee of two hundred dollars (\$200) for use of Memorial Park with a one hundred dollar (\$100) refundable deposit.
 - (2) Memorial Park Kayak Racks –
 - i) Borough residents shall pay an annual rental fee of one hundred dollars (\$100) to rent a space on the kayak rack. Registration shall open to Borough residents immediately upon passage of this ordinance and thereafter shall open on March 1st of each year;
 - ii) Nonresidents of the Borough shall pay an annual rental fee of one hundred fifty dollars (\$150) to rent a space on the kayak rack. Registration shall open to nonresidents of the Borough forty-five calendar days following the passage of this ordinance and thereafter shall open on April 15th of each year;
 - (3) Adams Field –
 - i) A rental fee of fifty dollars (\$50) per game, per field shall be paid to the Borough of Neptune City;
 - ii) A rental fee of one hundred fifty dollars (\$150) shall be paid to the Borough of Neptune City to rent a ballfield for one day;
 - iii) A rental fee of seven hundred fifty dollars (\$750) shall be paid to the Borough of Neptune City to rent a ballfield for ten days, with a limit of two games per day being played on the field;
 - iv) A rental fee of fifteen percent (15%) of the gross registration fees collected by the hosting person or entity, or three hundred dollars (\$300), whichever is greater, shall be paid to the Borough of Neptune City to rent a ballfield for a tournament lasting two consecutive days.
 - (4) No fee shall be charged for use of any recreation facility or equipment for programs run by the Borough of Neptune City or the Neptune City Recreation Committee.

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section III

If any section, subsection, clause or phrase of this ordinance is held to be invalid for any reason, such decision shall not affect the remaining portions of this ordinance which shall remain in effect.

Section IV.

This Ordinance shall take effect immediately upon final passage and publication according to law.

NOTICE OF PUBLIC HEARING

The Ordinance published herewith was introduced and approved at a meeting of the Borough of Neptune City, held on April 13, 2020. The Ordinance will be further considered for final passage after a public hearing thereon before the Borough Council of the Borough of Neptune City, during a meeting to be held on April 27, 2020 at the Municipal Complex, 106 West Sylvania Avenue, Neptune City, New Jersey at 7:00 p.m. or as soon thereafter as the matter may be reached, or at any meeting to which that meeting may be adjourned, at which time any and all persons who may be interested therein will be given an opportunity to be heard. The proposed Ordinance in its entirety is on file in the Municipal Clerk's office and copies may be obtained without charge between the hours 8:30 a.m. and 4:30 p.m. Monday through Friday.

On Roll Call the following vote was recorded:

Aye: Councilmembers Calhoun, Kocsis, Pappas, Renee, Sullivan, Thomas

Absent:

Mayor Wardell declared the resolution adopted.

Resolution 20-73 Directing Tax Collector to waive interest accrued on past due sewer charges during specified time period.

Borough Clerk Brown read the resolution into the record.

Mayor Wardell explained the significance of the resolution regarding the resolution.

Attorney Sena clarified the specified time period that the resolution covers.

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

Ms. Renee thanked the Mayor for the consideration of this resolution.

RESOLUTION 20-73

DIRECTING TAX COLLECTOR TO WAIVE INTEREST ACCRUED ON PAST DUE SEWER CHARGES DURING SPECIFIED TIME PERIOD

WHEREAS, Section 107.1 of the Code of the Borough of Neptune City (the "Code") imposes "an annual sewer rental or charge for the use, operation, maintenance and construction of the sewers and sewerage system and disposal facilities in the Borough of Neptune City upon the owners of the properties served thereby" at certain rates; and

WHEREAS, Code Section 107.3(A) provides that "sewer rental shall be payable in the same manner as real estate taxes in quarterly installments on or before February 1, May 1, August 1 and November 1 of each year[;]" and

WHEREAS, Code Section 107.3(B) provides that "[i]f the sewer rental imposed hereby is not paid within ten (10) days from the date due, the same shall become delinquent and shall bear interest thereon at the same rate charged against delinquent taxes in the Borough of Neptune City and shall become a lien on said property and shall be collectible as in the case of other municipal taxes, charges or liens[;]" and

WHEREAS, Code Section 107.4 provides that “[t]he Borough Tax Collector or such other person duly appointed by resolution of the Borough Council of the Borough of Neptune City shall: (A) Have charge of all the books and records of the collection of sewer charges; (B) Bill and make collections of all sewer charges[;]” and

WHEREAS, on March 9, 2020, Governor Philip D. Murphy issued Executive Order No. 103 (2020) which declared both a Public Health Emergency and State of Emergency in the State of New Jersey as a result of the COVID-19 global pandemic; and

WHEREAS, on March 16, 2020, Governor Murphy issued Executive Order No. 104 (2020) which imposed aggressive social distancing measures and restrictions on the operations of businesses in the State of New Jersey, which included mandated closures of businesses deemed “non-essential[;]” and

WHEREAS, on March 16, 2020, the Borough of Neptune City issued a Proclamation of Local Disaster Emergency imposing social distancing measures and restrictions on businesses within the scope of Executive Order No. 104 (2020) [;] and

WHEREAS, on March 21, 2020, Governor Murphy issued Executive Order No. 107 (2020), which ordered all New Jersey residents to “shelter-in-place” except when performing essential activities outside of the home and ordered that all “non-essential” businesses close to the public indefinitely; and

WHEREAS, the Mayor and Council of the Borough of Neptune City take notice that the continuing economic fallout resulting from the restrictions on social gathering, travel and commerce imposed by the Executive Orders described above has placed financial strain on many employers in New Jersey, which has resulted in layoffs, furloughs and salary reductions from many employees; and

WHEREAS, in an effort to mitigate negative economic impact on the taxpayers of the Borough of Neptune City as a result of COVID-19, the Borough Council believes that it is the interest of the health, safety and welfare of the of said taxpayers to take action relative to the collection of interest on sewer payments due to the Borough and the collection of interest due thereon under the Code.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Neptune City hereby direct the Tax Collector of the Borough of Neptune City to waive any interest that has accrued on any past due sewer rents that came due and payable to the Borough under the Code during the time period of May 1, 2020 through August 1, 2020 where:

(1) the delinquency first arose between May 1, 2020 and August 1, 2020; and

(2) the entire outstanding principal balance has been received by the Tax Collector of the Borough of Neptune City by close of business on August 1, 2020.

On Roll Call the following vote was recorded:

Aye: Councilmembers Calhoun, Kocsis, Pappas, Renee, Sullivan, Thomas

Absent:

Mayor Wardell declared the resolution adopted.

PUBLIC PARTICIPATION -

Member of the Public asked in text form - who the attorney is and what were the Improvements. Mayor explained the attorney is Jason Sena and the Improvements were to Steiner Avenue.

Member of the public asked in text form- Has the Police issued any summons for social distancing or entering stores without masks? The Mayor asked Chief Quagliato to respond. He replied, no there have been no summons issued.

Pamela Renee- Thank you to DPW for the great job, those who are home are working in their yards and they are doing great.

Jen Coombs- Thank you for all the hard work you have been doing for the citizens of NC with the huge learning curve across the USA.

Jersey Watcher aka Cristo- voiced his concern about being banned from the meeting. Attorney addressed the challenges of this type of meeting. We ask that the public treat this meeting as if it was a regular meeting. Cristo also shared his concerns regarding business outside of Neptune City business. He also stated that if the police issue summons for social distancing or not wearing masks, he will file an internal affairs complaint.

In this Day and Age- voiced his concerns to Attorney Sena regarding the first amendment rights of citizens. Discussion continued. He also asked, have any of the employees of the Borough of Neptune City been diagnose with Covid 19 and who is the HELO officer for the Borough? Mayor stated that nobody has tested positive for Covid 19. Administrator Cherbini informed this gentleman that Detective James VanEtten is the HELO officer. For further information regarding certification and training he was advised to contact the NCPD.

A member of the public asked about large gatherings at Memorial Park. Mayor Wardell mentioned If you see it, you may contact the Police Department. Mr. Cherbini mentioned at the general number.

ADJOURN **8:20 p.m.**

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

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

Mayor Andrew Wardell

Tamara Brown, Municipal Clerk