Borough of Neptune City
Regular Meeting of the Governing Body
• Borough Hall • 106 W. Sylvania Avenue •
Monday, October 28, 2024 *at* 7:00 pm

1. CALL TO ORDER
Mayor McGreevey called the meeting to order at 7:02 pm

2. OPEN PUBLIC MEETINGS ACT STATEMENT
Mayor McGreevy noted the requirements provided for in the Open Public Meetings Act have been satisfied.

3. ROLL CALL
PRESENT: Mayor Rachel McGreevy,
Councilmember Scott Dellett, Councilmember Dana Farley, Councilmember Glen Kocsis
Councilmember Pamela Renee, Councilmember Brian Thomas
ABSNET: Council President Danielle Pappas
ALSO PRESENT: Administrator Al Jardine, Attorney Howlett

4. FLAG SALUTE
Mayor McGreevy invited all to join in the Flag Salute.

5. CLOSED SESSION - None

6. RECEIPT OF MINUTES *(vv)*
A. Regular Meeting Minutes 10/15/2024

Motion to receive the aforementioned minutes by C/Kocsis; seconded by C/Thomas
Voice Vote: AYE: C/Dellett, C/Farley, C/Kocsis, C/Renee, C/Thomas
ABSENT: C/Pappas

7. RECEIPT OF COMMUNICATIONS *(vv)*
A. Neptune City Police Department - Monthly Report, September 2024
B. Monmouth County Board of Health - Key Activity Report – September 2024
C. Miller – Advocate for People with Disabilities, Letter

Motion to receive the aforementioned communications by C/Thomas; seconded by C/Renee
Voice Vote: AYE: C/Dellett, C/Farley, C/Kocsis, C/Renee, C/Thomas
ABSENT: C/Pappas

8. PRESENTATIONS
A. October 28 Agenda Overview
Administrator Jardine provided an overview of the agenda, detailing the ordinance adoption for the bond ordinance for equipment being purchased for the Fire Department. Administrator Jardine also provided details regarding the consent agenda resolution items, as well as details of the resolution for separate consideration.

Motion by C/Renee; seconded by C/ Kocsis to recess at 7:08 pm.
AYE: C/Dellett, C/Farley, C/Kocsis, C/Renee, C/Thomas
ABSENT: C/Pappas

Motion to resume the meeting by C/Renee; seconded by C/Thomas at 7:15 pm
AYE: C/Dellett, C/Farley, C/Kocsis, C/Renee, C/Thomas
ABSENT: C/Pappas

B. Best Practices, 2024
Administrator Jardine provided an overview of the Borough's score for Best Practices for 2024. The Borough is above the threshold to receive full state funding.

9. MAYOR'S REPORT - Mayor Rachel McGreevy
Mayor McGreevy reported today is National First Responders Day, thanking the Neptune City Police Department, Fire Department and First Aid. The Fire Department is hosting an open house from 6 – 8pm on Thursday, October 31. This year also marks United Fire Company #1's 125th Anniversary. There is a relaunch of Neighborhood Watch, the first meeting will be at the Community Center on 6pm on Wednesday, October 30. Mayor McGreevy provided updates on Adams Field, Ship Wreck'd and East Coast Ice. New Jersey American Water has advised that due to drought conditions water conservation is advised. Mayor McGreevy was a speaker at the Jersey Shore Chambers of Commerce Women's Conference, offering congratulations to the Jersey Shore Chamber. Mayor McGreevy provided an update on the Hometown Heroes flag program; more information will be forthcoming. Mayor McGreevy welcomed the new staff to Borough Hall and congratulated Sylvia Laughlin for her promotion as Office Manager.

10. COUNCIL REPORTS
A. COUNCIL PRESIDENT DANIELLE PAPPAS, ADMINISTRATION OF JUSTICE
Council President Pappas was absent.

B. COUNCILMEMBER SCOTT DELLETT, SPECIAL SERVICES
C/Dellett shared a reminder to contact him or C/Farley for volunteers or donations for Friendsgiving on November 23.

C. COUNCILMEMBER DANA FARLEY, COMMUNITY RELATIONS
C/Farley reiterated for people to please watch their speed when driving, and to be alert. The Neptune City Community Center will be hosting a beginner's ballroom Latin dancing class hosted by Miss Eileen on Wednesday from 7pm – 8pm for $15 per person.

D. COUNCILMEMBER GLEN KOCSIS, ADMINISTRATION AND FINANCE
C/Kocsis had no report.

E. COUNCILMEMBER PAMELA RENEE, BUILDINGS AND GROUNDS
C/Renee noted the street sweeper will be in Zone 1 on the 30th and in Zone 2 on the 31st. All park public restrooms will be closed on November 1.

F. COUNCILMEMBER BRIAN THOMAS, EMERGENCY SERVICES
C/Thomas thanked the Neptune City Police Department, Fire Department, First Aid and CERT. C/Thomas provided an update on activities by the Neptune City Fire Department. There will be an update on the new fire truck forthcoming. Donations of plywood are being sought by the Recreation Commission. The Ladies Auxiliary is hosting a photo session at Memorial Park on November 23 with Besty (the old Fire Truck).

Mayor McGreevy shared a reminder to buy coffee from the Wilson Boosters.

11. PUBLIC COMMENTS ON AGENDA ITEMS
The meeting was open to the public on agenda items. There were no comments from the public on agenda items.

12. OLD BUSINESS
A. Ordinance Adoption (rc)

1) **Ordinance 2024-12** - Bond Ordinance Providing for Acquisition of Fire Department Equipment, Appropriating $82,000 and Authorizing the Issuance of $77,900 Bonds or Notes of the Borough for Financing Part of the Cost Thereof (*Public Hearing / Adoption)*

Mayor McGreevy read the ordinance by title into the record.

Motion to open the meeting to the public regarding Ordinance 2024-12 by C/Farley; seconded by C/Kocsis
Voice Vote: AYE: C/Dellett, C/Farley, C/Kocsis, C/Renee, C/Thomas
ABSENT: C/Pappas

There were no comments from the public.

Motion to close the meeting to the public regarding Ordinance 2024-12 by C/Kocsis; seconded by C/Thomas
Voice Vote: AYE: C/Dellett, C/Farley, C/Kocsis, C/Renee, C/Thomas
ABSENT: C/Pappas

Motion to adopt Ordinance 2024-12 by C/Thomas; seconded by C/Kocsis
Roll Call: AYE: C/Dellett, C/Farley, C/Kocsis, C/Renee, C/Thomas
ABSENT: C/Pappas

BOND ORDINANCE 2024 - 12
BOROUGH OF NEPTUNE CITY, COUNTY OF MONMOUTH
BOROUGH OF NEPTUNE CITY
BOND ORDINANCE PROVIDING FOR ACQUISITION OF FIRE DEPARMENT EQUIPMENT, APPROPRIATING $82,000 AND AUTHORIZING THE ISSUANCE OF $77,900 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 capital improvement described in Section 3 of this Bond Ordinance is hereby authorized by the Borough of Neptune City, New Jersey. For the capital improvement described in Section 3, there is hereby appropriated the sum of $82,000, which includes $500 in costs as permitted by *N.J.S.A. 40A:2-20* and a $4,100 as the down payment for the said purpose as required by the Local Bond Law.

Section 2. In order to finance the cost of the Acquisition of Fire Department Equipment not covered by the aforementioned grant, negotiable bonds are hereby authorized to be issued in the principal amount of $77,900 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 Acquisition of Fire Department Equipment is hereby authorized and the purpose for which the bonds are to be issued. The minimum period of usefulness is ten years.

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 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 of the 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 purchase 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 $199,500, and the obligations authorized herein will be within all debt limitations prescribed by law.

(c) An aggregate amount not exceeding $500 for items of expense listed in and permitted under *N.J.S.A. 40A:2-20* may be included in the costs of the purchase 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 purchase 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. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

B. Tabled Resolutions (rc) – None

13. NEW BUSINESS

A. Ordinance Introduction (rc) – None

B. Consent Resolutions (rc) - *All matters listed hereunder are considered to be routine and will be enacted in one motion. Any member of the Governing Body may request an item be removed for separate consideration.*

1) **Resolution 2024-115** - Auth. Payment of the Bills
2) **Resolution 2024-116** - Auth. Appointment of Administrative Office Clerk (Martin)
3) **Resolution 2024-117** - Auth. Final Change Order and Supplemental Agreement No. 1 Pedestrian and ADA improvements, Phase 4 (Manny Concrete)
4) **Resolution 2024-118** - Auth. Appointment of Office Manager (Laughlin)
5) **Resolution 2024-119** - Auth. Appointment of Assistant Library Director (Baldwin)

Motion to approve items 1-5 (Resolutions 2024-115 through 2024-119) as a group by C/Dellett; seconded by C/Kocsis
Roll Call: AYE: C/Dellett, C/Farley, C/Kocsis, C/Renee, C/Thomas
ABSENT: C/Pappas

RESOLUTION 2024-115
BOROUGH OF NEPTUNE CITY
COUNTY OF MONMOUTH, STATE OF NEW JERSEY
AUTHORIZING PAYMENT OF THE BILLS

BE IT RESOLVED that the bills as presented, all have been certified and approved as complete as to form, goods having been delivered, and/or services performed and sufficient funds being available for payment for said bills, be paid in the amount of $127,975.54 .

Vendor Name	Description	Amount
ATLANTIC HEMATOLOGY ONCOLOGY	PARK RENTAL DEP: 9-29-2024	$ 100.00
NJ STATE ASSOC CHIEF OF POLICE	2024 ACCREDIDATION	$ 1,334.00
ELAN CITY	SPEED SIGN: NCPD	$ 7,699.00
ACTIVATE CANOPY	10X15 DIGITAL PRINT	$ 1,224.00
WITMER PUBLIC SAFETY GROUP	HELMET SHIELDS: NCFD	$ 390.00
AMAZON CAPITAL SERVICES	SUPPLIES: DPW	$ 188.07
AMAZON CAPITAL SERVICES	SUPPLIES-ADMIN OFFICE	$ 15.59
AMAZON CAPITAL SERVICES	SUPPLIES: DPW	$ 39.40
AMAZON CAPITAL SERVICES	SUPPLIES: DPW	$ 1,405.70
AMAZON CAPITAL SERVICES	SUPPLIES-LIBRARY	$ 75.99
AMAZON CAPITAL SERVICES	SUPPLIES: DPW	$ 54.99
AMAZON CAPITAL SERVICES	SUPPLIES: DPW	$ 1,891.78
NJ STATE LEAGUE MUNICIPALITIES	JOB POSTINGS: ADMIN-CLERK	$ 275.00
BRIAN RICHARDS ENTERTAINMENT	HALLOWEEN SHOW-LIBRARY	$ 375.00
AMAZON CAPITAL SERVICES	DPW-SUPPLIES	$ 450.62
AMAZON CAPITAL SERVICES	PLAQUES	$ 49.90
GENERAL CODE	CODE ANALYSIS/COMPOSITION	$ 980.00
MONMOUTH COUNTY TREASURER	TRAINING: 9-23-2024 NCPD	$ 100.00
COMMUNICATIONS SPECIALISTS	3501 ANTENNA REPAIR	$ 85.00
BURKE ENVIRONMENTAL, INC.	PALLET OF PUMPKINS	$ 125.00
CLEARY GIACOBBE ALFIERI JACOBS	PROF SERV: #139106 #139107	$ 68.00
CLEARY GIACOBBE ALFIERI JACOBS	PROF SERV: #139106 #139107	$ 68.00
VERIZON WIRELESS (CELL PHONES)	SERVICE: SEPT-OCT 2024	$ 662.84
CANO, HOOVER	CELL PHONE ALLOWANCE-2024	$ 100.00
VOLLBRECHT, MICHAEL	CELL PHONE ALLOWANCE-2024	$ 100.00
JARDINE, ALBERT	CELL PHONE ALLOWANCE-2024	$ 100.00
MCGREEVY, RACHEL	CELL PHONE ALLOWANCE-2024	$ 100.00
HARKER, DAN	CELL PHONE ALLOWANCE-2024	$ 100.00
LAUENSTEIN, ERIC	CELL PHONE ALLOWANCE-2024	$ 45.00
HELLWIG, KELLY	CELL PHONE ALLOWANCE-2024	$ 100.00
SHRED-IT USA,LLC	SERVICE: OCTOBER 2024	$ 180.33
VERIZON	NCFD: SEPT-OCT 2024	$ 110.08
CABLEVISION-MUNICIPAL	SERVICE: OCT-NOV 2024	$ 185.08
CABLEVISION-MUNICIPAL	SERVICE: OCT-NOV 2024	$ 192.21
AVAKIAN,LEON S INC.	GENERAL ENGINEERING: #27330	$ 1,645.00
AVAKIAN,LEON S INC.	2023 CDBG PH 4 #27328	$ 506.54
AVAKIAN,LEON S INC.	2023 CDBG PH 4 #27328	$ 7,579.71
AVAKIAN,LEON S INC.	NCPB: 123 HAWTHORNE #28640	$ 710.00
AVAKIAN,LEON S INC.	2022 TTF ROAD PROGRAM #28627	$ -
AVAKIAN,LEON S INC.	2022 TTF ROAD PROGRAM #28627	$ 6,562.50
AVAKIAN,LEON S INC.	NCPB: 50 FLEXCRAFT DR #28714	$ 2,387.50
PLANET SHRED RECORDS MNGT, LLC	SERVICE: 10-18-2024	$ 194.95
COWLEY'S TERMITE & PEST	SERVICE: #862136	$ 66.91
COWLEY'S TERMITE & PEST	SERVICE: #851363	$ 66.00

MILLENNIUM STRATEGIES	SUBSCRIPTION: JUNE 24-MAY 25	$ 4,800.00
DELISA DEMOLITION & DISPOSAL	SERVICE: OCTOBER-NOVEMBER 2024	$ 7,344.13
DELISA DEMOLITION & DISPOSAL	SERVICE: OCTOBER-NOVEMBER 2024	$ 23,050.00
JERSEY SHORE FLORIST	9/11 WREATH-2024	$ 275.00
THE NEW COASTER, LLC.	LEGAL AD: 10-17-2024 24-11/12	$ 20.18
THE NEW COASTER, LLC.	LEGAL AD: 10-17-2024 24-11/12	$ 58.28
EDMUNDS & ASSOCIATES, INC.	TAX BILLS	$ 113.00
EDMUNDS & ASSOCIATES, INC.	TAX BILLS	$ 484.59
ATLANTIC CONSULTING ENGINEERS	SERVICE: AUG-SEPT 2024 #7	$ 1,870.00
PRC MANAGEMENT COMPANY	2023 TRASH SERVICES	$ 51,270.67
	10/28/2024 Bill List Total:	**$ 127,975.54**

RESOLUTION 2024-116
BOROUGH OF NEPTUNE CITY
COUNTY OF MONMOUTH, STATE OF NEW JERSEY
AUTHORIZE APPOINTMENT OF ADMINISTRATIVE OFFICE CLERK

WHEREAS, there are clerical positions open within the Department of Administration; and

WHEREAS, it is the recommendation of the Borough Administrator to appoint Jacklyne Martin as a Part Time Administrative Office Clerk.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Neptune City that Jacklyne Martin is hereby appointed as Part Time Administrative Office Clerk for the Borough of Neptune City effective October 16, 2024, to be compensated at a salary of $20.00 per hour per the salary ordinance; and

WHEREAS, it is the further recommendation of the Borough Administrator to appoint Jacklyne Martin as a Full Time Administrative Office Clerk effective November 1, 2024; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Neptune City that Jacklyne Martin is hereby appointed as Full Time Administrative Office Clerk for the Borough of Neptune City effective November 1, 2024; and

BE IT FURTHER RESOLVED that Jacklyne Martin will be compensated at a salary of $38,000.00 per annum as per the salary ordinance.

RESOLUTION 2024-117
BOROUGH OF NEPTUNE CITY
COUNTY OF MONMOUTH, STATE OF NEW JERSEY
AUTHORIZATION FOR FINAL CHANGE ORDER NO. 1 AND SUPPLEMENTAL AGREEMENT NO. 1
FOR PEDESTRIAN AND ADA IMPROVEMENTS, PHASE 4

WHEREAS, the Borough of Neptune City has been awarded a grant from the Monmouth County Community Development Block Grant for the amount of $175,385.00; and

WHEREAS, the Borough entered into a contract with Manny Concrete, LLC in the original amount of $$223,764.00 for the project; and

WHEREAS, the project was amended as detailed on Final Change Order and Supplemental Agreement No. 1 certified by the Borough Engineer as on file in the Office of the Borough Clerk; and

WHEREAS, the changes have resulted in a net decrease in the amount of $21,257.90, and the contract amount is now amended to $202,506.10; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Neptune City that Final Change Order resulting in a decrease in the contract amount of $21,257.90, for a total project amount of $202,506.10 is hereby approved; and

BE IT FURTHER RESOLVED the Mayor and/or Borough Administrator are hereby authorized to execute said Change Order; and

BE IT FURTHER RESOLVED that a copy of this Resolution certified by the Borough Clerk to be a true copy be forwarded to each of the following: 1) Borough Engineer; 2) Manny Concrete, LLC; 3) Chief Financial Officer.

RESOLUTION 2024-118
BOROUGH OF NEPTUNE CITY
COUNTY OF MONMOUTH, STATE OF NEW JERSEY
AUTHORIZE APPOINTMENT OF OFFICE MANAGER

WHEREAS, the Borough of Neptune City Administrative Offices is in need of an Office Manager; and

WHEREAS, it is the recommendation of the Borough Administrator to appoint Sylvia Laughlin as Office Manager.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Neptune City that Sylvia Laughlin is hereby appointed as Office Manager for the Borough of Neptune City effective October 16, 2024; and

BE IT FURTHER RESOLVED that Sylvia Laughlin will be compensated at a salary of $5,000.00 per annum per the salary ordinance.

RESOLUTION 2024-119
BOROUGH OF NEPTUNE CITY
COUNTY OF MONMOUTH, STATE OF NEW JERSEY
AUTHORIZE APPOINTMENT OF ASSISTANT LIBRARY DIRECTOR

WHEREAS, there are open positions within the Department of the Library; and

WHEREAS, it is the recommendation of the Borough Administrator and Library Director to appoint Anita Baldwin as a Part Time Assistant Library Director.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Neptune City that Anita Baldwin is hereby appointed as Part Time Assistant Library Director for the Borough of Neptune City effective October 16, 2024; and

BE IT FURTHER RESOLVED that Anita Baldwin will be compensated at a salary of $21.00 per hour per the salary ordinance.

C. Resolutions for Separate Consdieration (rc)

1) Resolution 2024-120 – Consenting to Assignment and Transfer of Redevelopment Rights to New Ownership of 110 5th Avenue Development, LLC as the Designated Redeveloper of Block 1, Lot 1 within the 142 Steiner Avenue Redevelopment Area

Motion to approve Resolutions 2024-120 by C/Thomas; seconded by C/Dellett
Roll Call: AYE: C/Dellett, C/Farley, C/Kocsis, C/Renee, C/Thomas
ABSENT: C/Pappas

RESOLUTION 2024- 120
BOROUGH OF NEPTUNE CITY
COUNTY OF MONMOUTH, STATE OF NEW JERSEY
RESOLUTION CONSENTING TO ASSIGNMENT AND TRANSFER OF REDEVELOPMENT RIGHTS TO NEW OWNERSHIP OF 1100 5TH AVENUE DEVELOPMENT, LLC AS THE DESIGNATED REDEVELOPER OF BLOCK 1, LOT 1 WITHIN THE 142 STEINER AVENUE REDEVELOPMENT AREA

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. ("**LRHL**"), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment with a designated private redeveloper; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-4, the governing body of the Borough of Neptune City (the "**Borough**") serves as an instrumentality and agency of the Borough pursuant to the LRHL for the purpose of implementing redevelopment plans and carrying out redevelopment projects within the Borough ("**Redevelopment Entity**"); and

WHEREAS, N.J.S.A. 40A:12A-8 authorizes the Borough, acting as the Redevelopment Entity, to enter into contracts or agreements for the planning, construction or undertaking of any development project or redevelopment work in an area in need of redevelopment; and

WHEREAS, on August 24, 2015, pursuant to Resolutions No. 2015-96 and 2015-107, the governing body directed the Land Use Board to conduct a preliminary investigation ("**Redevelopment Study**") to determine whether an area including Block 1, Lot 1 on the tax map of the Borough of Neptune City (142 Steiner Avenue) ("**Project Site**" or "**Property**") is a Non-Condemnation Area in Need of Redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, on December 8, 2015, the Land Use Board accepted and adopted the recommendations and proposed findings of the Redevelopment Study and recommended that the Project Site be declared as a Non-Condemnation Area in Need of Redevelopment (the "**Redevelopment Area**"); and

WHEREAS, on February 8, 2016, pursuant to Resolution No. 2016-22, the governing body designated the Project Site as a Non-Condemnation Area in Need of Redevelopment, in accordance with the LRHL; and

WHEREAS, on February 27, 2017, pursuant to Ordinance No. 2017-01, the governing body adopted the 142 Steiner Avenue Redevelopment Plan setting forth inter alia, the plan for the redevelopment of the Redevelopment Area, prepared by Beacon Planning and Consulting Services, LLC ("**Beacon**") the Borough's professional redevelopment planner (the "**Original Redevelopment Plan**"); and

WHEREAS, on August 28, 2018, pursuant to Resolution No. 2018-115, the governing body a-to-be formed wholly owned affiliate of 1100 5th AVE, L.L.C., the owner of the Property, as the redeveloper for the Property ("**Redeveloper**"), and authorized the execution of a Redevelopment Agreement between the Borough and the Redeveloper; and

WHEREAS, the Borough and the Redeveloper entered into a Redevelopment Agreement, dated August 30, 2018 (the "**Original Redevelopment Agreement**") for the purpose of Redeveloper redeveloping the Property for and in accordance with the purposes specified in said Original Redevelopment Agreement, the LRHL and in accordance with the Original Redevelopment Plan; and

WHEREAS, Beacon subsequently prepared an amendment to the Redevelopment Plan, dated July 2021; and

WHEREAS, on June 6, 2022, pursuant to Ordinance No. 2022-09, the governing body adopted the amended 142 Steiner Avenue Redevelopment Plan, (the "**Redevelopment Plan**"); and

WHEREAS, the Original Redevelopment Agreement was subsequently amended and restated pursuant to the Amended and Restated Redevelopment Agreement, dated October 10, 2023, pursuant to Resolution No. 2023-102, in accordance with the Redevelopment Plan, as amended, setting forth the respective obligations of the parties with regard to proceeding with the redevelopment of the Property in the manner prescribed therein (hereinafter referred to as the "**Redevelopment Agreement**");

WHEREAS, pursuant to Article 13.1 of the Redevelopment Agreement, assignments and transfers of any controlling interest in the Redeveloper prior to the receipt of a certificate of completion are only permitted with the written consent of the Borough; and

WHEREAS, on September 20, 2024, as supplemented on October 8, 2024, the Borough received a written correspondence requesting the Borough to consent to the transfer of the redevelopment rights of the Redeveloper to 1100 5th Avenue Development, LLC, an entity wholly owned by Mark Coleman and William Shipers (collectively, the "**Assignee**"); and

WHEREAS, the City has reviewed the Assignee's application and determined that the Assignee meets the qualifications of a Qualified Entity as set forth in Section 2.6(B) of the Redevelopment Agreement and has the necessary financial resources and is qualified to complete the Project (as defined in the Redevelopment Agreement); and

WHEREAS, the Assignee acknowledges and accepts all terms and conditions of the Redevelopment Agreement, which shall remain in full force and effect unless otherwise duly amended; and

WHEREAS, subject to the transfer of the Property by the Redeveloper to the Assignee, the parties wish to enter into an Assignment and Assumption of the Redevelopment Agreement with the Consent of the Borough memorializing the transfer of the membership and management interest in the Redeveloper to Assignee as well as addressing a scriveners errors in the name of the Redeveloper set forth in the Redevelopment Agreement;

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

1. The foregoing recitals are hereby incorporated herein.
2. Contingent upon the Assignee taking title to the Property, the Mayor is hereby authorized and directed to execute the Borough's Consent to the Assignment and Assumption of the Redevelopment Agreement with the Consent of the Borough memorializing the transfer of the membership and management interest in the Redeveloper to Assignee in a form deemed acceptable by the Administrator and Attorney.
3. The Mayor is further authorized to take all actions necessary, and to prepare, negotiate and execute any other documents or agreements necessary or required, to effectuate the terms of this Resolution. The Mayor, acting Mayor and any other Borough officer, official or professional are each hereby authorized and directed to execute and deliver such documents as are necessary to effectuate the terms of this Resolution, and to take such actions or refrain from such actions as are necessary for same, in consultation with counsel, and all such actions or

inactions by the aforesaid Borough officers, officials and professionals heretofore are hereby ratified and confirmed, *nunc pro tunc*.

4. All prior resolutions, or parts thereof, that are inconsistent with this Resolution are repealed to the extent of such inconsistency.
5. This Resolution shall take effect immediately.

14. PUBLIC PARTICIPATION

The meeting was open to the public.

Mr. William Shipers, came to the floor. He introduced Mr. Mark Coleman. They invited all to a ground breaking ceremony. Mr. Shipers shared a rendering of the development plan which he presented to the Borough.

C/Renee reported that Administrator Jardine, Mayor McGreevy, Director Harker and Engineer Shafai attended the flood mitigation meeting, for which progress is being made. Mayor McGreevy provided an outline of the next steps.

C/Dellett shared the Wilson Boosters are hosting a fundraiser from Coffee Platoon, you can visit www.thecoffee platoonfundraising.com website and pick Woodrow Wilson school.

Mr. Anthony Susino shared the genesis of the name change question on the ballot for Woodrow Wilson School was from a request of a few people who wrote letters to the Board of Education. Mr. Susino further explained a new name has not been chosen because the Board of Education is unsure if a new name will be needed.

15. CLOSED SESSION (vv) – None

16. ADJOURN – 7:40 pm

Motion to adjourn the meeting by C/Renee; seconded by C/Thomas

Voice Vote - AYE: C/Dellett, C/Farley, C/Kocsis, C/Renee, C/Thomas
ABSENT: C/Pappas

By: C. DiCorcia Williams RMC,
Borough Clerk

Exhibits are on file in the Borough Clerk's Office, according to the NJ State Records Retention Schedule established by NJSA 47:3-15 *et seq* and approved by the SRC. Approval 11/12/2024