TOWNSHIP COMMITTEE WORKSHOP MEETING - October 23, 2023 - 6:00 P.M.

Mayor Cafferty calls the workshop meeting to order at 6:00 p.m. and asks the Clerk to call the roll:

Township Committee	Present/ Absent	Professionals	Present/ Absent
Dr. Michael Brantley	Absent	Gina LaPlaca, Business Administrator	Present
Robert Lane, Jr.	Present	Gabriella Siboni, Township Clerk	Present
Nicholas Williams	Present	Gene Anthony, Township Attorney	Present
Tassie D. York	Present		
Keith Cafferty	Present		

Mayor Cafferty announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on January 5, 2023, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda is posted on the Township web site (www.neptunetownship.org).

ITEMS FOR DISCUSSION IN OPEN SESSION

1. Municipal Vehicles

Deputy Mayor York stated she spoke to surrounding towns about municipal vehicles. Ms. York stated there is an issue because the vehicles in Neptune do not have logos or GPS trackers. Ms. York stated she spoke to surrounding towns about their policy and found that other towns have logos and tracking in each vehicle.

Mayor Cafferty asked if there was any documentation or an ordinance that the Township can consider. Mayor Cafferty requested that Ms. York provide feedback and information for the Committee to consider. Mr. Williams stated if a system was put in place, there would have to be consideration related to monitoring, which would be an expense that the Township would incur. It would not make sense to invest in a process that is not properly monitored. Mr. Williams stated there will be further conversation before consideration can be made.

Mr. Anthony asked for clarification on whether the documentation would be provided first or if Mr. Anthony should be developing an ordinance. Mr. Williams stated he believes that the documentation should be brought forward and then the Committee can consider the development of an ordinance. Mr. Lane stated he would like to see the cost and reason before moving forward.

2. Job Coverage

Ms. York stated there are times when a single employee is responsible for certain job functions. The Township should be researching job coverage. Ms. York continued to bring up that a single employee was responsible for the applications for Hometown Hero.

3. Best Practices Inventory

Township Clerk stated sent the best practices to the Township Committee and indicated we scored a 41 out of possible 42 points. The score means the township is eligible for 100% of funding.

4. Committee Calendars

Lane	Mr. Lane stated that MURC is hosting a fundraiser at post 1333 and there are still tickets
	available.
York	Ms. York stated that Post 436 is hosting a veterans day memorial
Cafferty	Halloween Magic Show is this weekend at the Gables school

Res #23 - 361 Authorize An Executive Session As Authorized By The Open Public Meetings Act.

Offered by:		Lane				Seconded by:		Williams		
Vote:	Brantley	Absent	Lane	Yes	Williams	Yes	York	Yes	Cafferty	Yes

TOWNSHIP COMMITTEE MEETING - October 23, 2023 - 7:00 P.M.

Mayor Cafferty calls the meeting to order and asks the Clerk to call the roll:

Township Committee	Present/ Absent	Professionals	Present/ Absent
Dr. Michael Brantley	Absent	Gina LaPlaca, Business Administrator	Present
Robert Lane, Jr.	Present	Gabriella Siboni, Township Clerk	Present
Nicholas Williams	Present	Gene Anthony, Township Attorney	Present
Tassie D. York	Present		
Keith Cafferty	Present		

MOMENT OF SILENCE AND FLAG SALUTE

The Clerk states, "Fire exits are located in the rear of the room and to my right. In the event of a fire, you will be notified by fire alarm and/or public address system, then proceed to the nearest smoke-free exit."

Mayor Cafferty announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on January 5, 2023, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda is posted on the Township web site (<u>www.neptunetownship.org</u>).

APPROVAL OF MINUTES

Motion offered by Committeeman Lane, seconded by, Deputy Mayor York, to approve the minutes of meetings of October 10, 2023. All Present are in favor.

COMMENTS FROM THE DAIS

Comments from the Dais regarding business on this agenda or any reports on recent events in their respective departments.

the Library will be meeting tomorrow so there is no additional update. All boats need to be removed from the Marina by November 30. The dredging of the marina should occur after the boats are removed.
Mr. Lane stated there is a banner program for veterans. The Veterans Park Committee is having their ceremony at Veterans Memorial Park on November 11. Pound the Pavement is having its kickoff spaghetti dinner at Post 346, tickets are available. Mr. Lane stated the ribbon cutting for the Fletcher Lake Bulkhead over the weekend. Mr. Lane thanked the Township Committee, Avakian, Township Employees and Camp Meeting for their help in completing the project.
The Senior Center will be holding a COVID Vaccine and Flu Vaccine clinic at the Senior center. Insurance is accepted and assistance may be available for those who are uninsured.
Deputy Mayor York stated October 28 there is a Trunk or Treat on Main Ave. Deputy Mayor attended the 4 th graders art display for Hispanic Art. Deputy Mayor York also attended Midtown School for Latin Appreciation.
Mayor Cafferty stated the Fletcher Lake looks great. The Disc Golf showcase happened, and the weather was very good for the opening. There is a Halloween Magic show this weekend. Mayor Cafferty stated the high school has an excellent marching band.

PRESENTATIONS

Establishing Curfew for October 30 and October 31

WHEREAS, the Chief of Police of the Township of Neptune has recommended the establishment of extended curfew hours for minors for October 30th and October 31st; and,

WHEREAS, Chapter 3, Section 4.1b of the Township Code gives the Mayor of the Township of Neptune the

authority to issue a proclamation regulating the hours during which persons shall be prohibited from remaining upon the public streets, ways, and places in the Township of Neptune,

NOW THEREFORE, I, Keith Cafferty, Mayor of the Township of Neptune, do hereby proclaim a curfew prohibiting any persons under the age of 18 from remaining upon the public streets, ways, and places in the Township of Neptune on October 30, 2023, and October 31, 2023, from 9:00 P.M. to 4:00 A.M. unless accompanied by a parent.

REPORT OF THE BUSINESS ADMINISTRATOR

The Business Administrator will report on capital projects and matters of general interest.

- **Update on Homeless Encampment:** On October 11th the Monmouth County Continuum of Care held its monthly case conference regarding the encampment. Three more residents of the encampment have been placed in housing since our last update, while several others have applications pending for units throughout Monmouth County where the partner agencies have been able to find availability. As the weather begins to change there is obviously an increased sense of urgency to place the remaining encampment residents in appropriate housing. A primary challenge for placing the remaining residents is locating eligible units that will keep them close to their jobs. The next case conference is scheduled for Wednesday November 8th.
- **Spotted Lanternfly Spraying:** A second round of treatment for spotted lanternflies will take place this Wednesday October 25th at five locations across the Township Veterans Memorial Park, Sunshine Village Park, Beverly Way Park, Liberty Garden and Bert Willis Ballfields. Spraying will occur between 8am-5pm. Rain dates are October 26th and 27th. Treatment is applied directly to the affected trees where spotted lanternfly activity is identified or suspected. As before, the treatment will be conducted by Viking Pest Control.
- **Early Voting:** Early voting for the November 7th General Election will begin this Saturday October 28th and run through Sunday November 5th. As in previous years, the Neptune Township Senior Center will be open as an early voting location for all registered voters in Monmouth County. The hours of operation are 10:00am to 8:00pm Monday through Saturday, and 10:00am to 6:00pm on Sundays. Voting at the Senior Center will take place in the Fitness Center.

PUBLIC COMMENTS ON RESOLUTIONS

The Clerk will announce additional information regarding Separated Resolutions if necessary.

Public comments regarding resolutions presented on this agenda only.

The public comment portion of our meeting is to allow the public to bring to the Committee's attention their concerns or comments. In accordance with N.J.S.A. 10: 4-12(a) and the Neptune Rules of Committee, the Committee asks the public to limit their comments to five minutes or less. The Committee will respect the public's time by refraining any comment until the speaker has finished with their allotted time. It should be further noted that public comment portion of our meeting is not structured as a question-and-answer session. If a member of the public has questions, they seek answers to, an appointment can be made with the appropriate office, Business Administrator or Township Committee Liaison during regular business hours. The Township Clerk will regulate the time during the context portion of our meeting. The Committee reserves the right to respond to comments or questions at the conclusion of the speaker's time.

Name and Address	<u>Comment</u>
Cindy Nelson, 209	Ms. Nelson 23-365. Ms. Nelson stated she believes the ordinance for liens is used
Highland Ave.	discriminatorily.
_	Ms. Nelson asked who will be using the 2024 Ford Super Duty F350XL

	Ms. Nelson stated the marina dredging will cost more than the Marina makes to repay.
	Mayor Cafferty stated the 2024 Ford is needed in the sewer department and will be more fiscally responsible than repairing the 10-year-old vehicle that would need an engine.
	Mr. Williams stated the bonded for the dredging and the financing will be paid from the marina utility, it will not be billed to the taxpayers.
Nancy Clark,	Ms. Clark thanked the Township committee for 23-374 which is the allocation to
Embury Ave.	complete the pathway by Fletcher Lake. Ms. Clark stated Ocean Grove for the
2	bulkhead project being completed.
Rich Williams,	Mr. Williams asked about resolution 23-365, is there more than one property.
Abbott Ave.	Resolution 23-375 Mr. Williams asked when they were developed and who developed.
	Them.

ORDINANCES - For each ordinance with a public hearing, the public is permitted one visit to the microphone with a limit of five minutes.

PUBLIC HEARING AND FINAL ADOPTION ORDINANCES:

Ordinance 23-34 Ordinance Amending Revised General Ordinances Of The Township Of Neptune, Volume I, Chapter 1, Section 1-5.1, Entitled, "Maximum Penalty"

Explanatory Statement: This ordinance will increase the maximum penalty from \$1,250.00 to \$2,000 under General Provisions. <u>Name and Address</u> <u>Comment</u>

 Offered by:
 York
 Seconded by:
 Lane

 Vote:
 Brantley
 Absent
 Lane
 Yes
 Yes
 Yes
 Cafferty
 Yes

<u>Ordinance 23-35</u> Ordinance Amending Neptune Township Code Of Ordinances, Volume I, Chapter III, Entitled, "Police Regulations" To Add §3-8.1(B)(3)

Explanatory Statement: This ordinance amends the regulations on the Ocean Grove Boardwalk, any and all sidewalks, and pedestrian bridges to amend times of enforcement and restricted wheeled vehicle or equipment.

 Offered by:
 Lane
 Seconded by:
 York

 Vote:
 Brantley
 Absent
 Lane
 Yes
 Williams
 Yes
 York
 Yes
 Cafferty
 Yes

<u>Ordinance 23-36</u> Bond Ordinance Providing For The Dredging Of The Shark River Municipal Marina Basin, By The Marina Utility Of The Township Of Neptune, In The County Of Monmouth, State Of New Jersey; Appropriating \$750,000 Therefor And Authorizing The Issuance Of \$712,500 Bonds Or Notes Of The Township To Finance Part Of The Cost Thereof

Explanatory Statement: The bond ordinance provides for the financing of the dredging of the Shark River Municipal Marina Basin by the Marina Utility. Appropriation: \$750,000, Bonds/Notes Authorized \$712,500. Grant: None, Down Payment: \$37,500.00 Section Costs: \$100,000, Useful Life: 15 Years.

Name and Address Comment

 Offered by:
 Williams
 Seconded by:
 York

 Vote:
 Brantley
 Absent
 Lane
 Yes
 York
 Yes
 Cafferty
 Yes

 Township Committee Agenda 10-23-2023
 Page 4 of 9
 Page 4 of 9
 Page 4 of 9

ORDINANCES FOR FIRST READING

<u>Ordinance 23-37</u> Bond Ordinance Amending And Restating In Its Entirety Bond Ordinance Number 23-12 Finally Adopted By The Township Committee Of The Township Of Neptune, In The County Of Monmouth, State Of New Jersey On March 27, 2023 (Which Ordinance Amended And Restated Bond Ordinance Number 21-31 Finally Adopted By The Township Committee On June 28, 2021) To Increase The Total Appropriation Therein From \$2,500,000 To \$3,700,000, To Increase The Authorization Of Bonds Or Notes Of The Township From \$2,375,000 To \$3,515,000, And To Increase Section 20 Costs Therein

Offered by:		Lane				Seconded by:		York		
Vote:	Brantley	Absent	Lane	Yes	Williams	Yes	York	Yes	Cafferty	Yes

Ordinance 23-38 Bond Ordinance Amending And Restating In Its Entirety Bond Ordinance Number 23-14 Finally Adopted By The Township Committee Of The Township Of Neptune, In The County Of Monmouth, State Of New Jersey On March 27, 2023 (Which Amended And Restated Bond Ordinance Number 21-32 Finally Adopted By The Township Committee On June 28, 2021) To Increase The Total Appropriation Therein From \$900,000 To \$1,300,000, To Increase The Authorization Of Bonds Or Notes Of The Township From \$855,000 To \$1,235,000, And To Increase Section 20 Costs Therein

Offered by:		York				Second	ed by:	Lane		
Vote:	Brantley	Absent	Lane	Yes	Williams	Yes	York	Yes	Cafferty	Yes

CONSENT AGENDA

Res #23-		Authorize Execution Of A Site Access Agreement To 1607 Corlies Ave In Connection With Remediation Testing By The Neighboring Property Owner
Res #23-	363	A Resolution Of The Township Committee Of The Township Of Neptune Authorizing The Cancellation And Refunds Of Certain Code And Construction Fees Or Payments
Res #23-	364	Authorize Execution Of A Treatment Works Application For The Township Of Neptune Sewage Authority To Make Improvements At The Wastewater Treatment Facility
Res #23-	365	Place Lien On Various Properties
Res #23-	366	Approving Ocean-Monmouth Multi-Jurisdictional Program For Public Information
Res#23-	367	Resolution Acknowledging Discussion Of Best Practice Inventory And Authorizing Submission Of Public Meeting Certification
Res#23-	368	A Resolution Of The Township Committee Of The Township Of Neptune Authorizing A Chapter 159 Budget Amendment To Insert Revenue Received For The Justice Assistance Grant
Res#23-	369	Authorizing The Rejection Of Bids Of Bids Received For 9th Ave Sewer Main Replacement And Repaying Project
Res#23-	370	Resolution Authorizing The Agreement For 2024 Ford Super Duty F350 Xl 4wd With Duramag Aluminum Utility Body To National Auto Fleet Group Under National Joint Powers Alliance Purchasing Program, Sourcewell Contract #091521-Naf In An Amount Not To Exceed \$105,686.94
Res#23-	371	Authorize Payment of Bills
Res#23-	372	Resolution Authorizing Purchase Of OpenGov Asset Management Software From Insight Under New Jersey State Contract #20-Tele-01512 For \$33,073.90
Res#23-	373	Authorizing The Township Committee Of The Township Of Neptune To Execute Change Order #2 For \$-27,738.00 With Agate Construction Co. For "Fletcher Lake Bulkhead" For A New Contract Total Of \$1,002,975.06

Res#23-	374	Authorizing The Township Committee Of The Township Of Neptune To Execute Change Order #3 For \$20,000.00 With Agate Construction Co. For "Fletcher Lake Bulkhead" For A New Contract Total Of \$1,022,975.06
Res#23-	375	A Resolution Of The Township Committee Of The Township Of Neptune Adopting Countywide Coastal Evacuation Plan, Debris Management Plan, Coastal Re-Entry Plan, Short Term Recovery Plan And A Medical Needs Shelter Plan
Res#23-	376	Authorizing The Execution Of Agreement With Jersey Shore Rescue Mission Relating To

CONSENT AGENDA

Offered by:		Lane				Seconded by:			Williams		
Vote:	Brantley	Absent	Lane	Yes	Williams	Yes	York	Yes	Cafferty	Yes	

Jersey Shore Rescue Mission 5k Race And Family Walk On October 28, 2023

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Members of the public may address any concern relating to the Township.

The public comment portion of our meeting is to allow the public to bring to the Committee's attention their concerns or comments. In accordance with N.J.S.A. 10: 4-12(a) and the Neptune Rules of Committee, the Committee asks the public to limit their comments to five minutes or less. The Committee will respect the public's time by refraining any comment until the speaker has finished with their allotted time. It should be further noted that public comment portion of our meeting is not structured as a question-and-answer session. If a member of the public has questions, they seek answers to, an appointment can be made with the appropriate office, Business Administrator or Township Committee Liaison during regular business hours. The Township Clerk will regulate the time during the context portion of our meeting. The Committee reserves the right to respond to comments or questions at the conclusion of the speaker's time.

Name and Address	Comment
Rich Robertson,	Mr. Robertson stated there have been discussions regarding concerns about 401
Hillside Dr.	Overlook Dr. There have been numerous complaints to the Police department and
	there has been no summons issued. The property is being advertised as a special event
	venue. Mr. Robertson expressed concerns about the operations of the property being
	operated as a business. Mr. Robertson has other towns have ordinances that address
	longer required stays and restrictions on uses. Mr. Robertson suggested the Township
	review Asbury, Ship Bottom, Wall, and Brick for their ordinance. Mr. Robertson
	stated he believes the ordinance should be changed to reference the person is using
	the property as a primary residence. Mr. Robertson stated he is unhappy with the
	property being used as a business. Mr. Robertson asked if the Township Committee has plans to adopt an ordinance to address the issues.
	has plans to adopt an ordinance to address the issues.
	Mayor Cafferty stated he has looked at the complaints and the ordinances suggested.
	Mayor Cafferty stated the Township is researching and considering an option.
Steven Comatcho	Mr. Comatcho asked if the adoption of the bond ordinances will increase the taxes in
	the budget for next year. Mayor Cafferty stated the bond ordinance for Marina will be
	paid through the marina utility and will not impact taxes.
Joseph Sanfelice,	Mr. Sanfelice stated he had contacted Ms. LaPlaca regarding the paving of the road.
Stockton Ave.	The paving has covered portions of the sump pump. Mr. SanFelice stated he has not
	received a response. Mr. SanFelice stated the project was a joke because the no
	parking signs were on paper posted to the trees. Mr. Sanfelice was not even aware of the parking restriction. Mr. SanFelice asked about a previous meeting where a bond
	was on for \$4 million dollars for vehicles. Mr. SanFelice also stated he would be back
	during leaf pick up season to address issues in the leaf pick up.
	Mr. SanFeliece stated there are several streetlights out in the town and the Township
	should reach out to the Utility Company to fix the outages. Mr. SanFelice also stated

	there are many lights in Ocean Grove that have been out for a significant amount of time.
Kurt Cavanaugh Abbot Ave.	Mayor Cafferty stated the Township has been working with the Utility to have lights replaced, but we need to push because the response is too slow. Mayor Cafferty asked Mr. Lane to follow up regarding the paving and sump pump. Mr. Cavanaugh stated that his home and multiple other homes were flooded by the recent storm. The only remedy for the flooding is a pump in the lake to lower the levels of the lake in advance of large storms. Mr. Cavanaugh stated there was a significant damage to about 50 million dollars of property that were affected. Mr. Cavanaugh stated the cost may be high but would be a well-served project for what it would remedy.
	Mr. Cavanaugh supported the change for short term rentals to be increased to a week minimum. Mr. Cavanaugh stated the surrounding properties are now primarily rental properties. The people renting the properties are utilizing AirBNB for party homes. The bids on the properties are increasing so the property value is increasing as well.
	Mayor Cafferty stated the ordinance was adopted with the intent to revisit. Mr. Anthony stated there are numerous violations in court at this time.
	Mr. Lane stated the Fletcher Lake Commission spoke on this matter. The lake was lowered prior to the storm event. They are seeking options to evaluate the pump system.
Dan Muller, 236 Hillside	Mr. Muller stated he is here to speak on 401 Overlook Dr. The property is being used as a commercial property. Mr. Muller is so close to the property that his dishes rattle from the volume about the events. Mr. Muller is seeking a solution or resolution to what residents should be doing to manage the issues at this time.
	Mayor Cafferty stated that the Committee will be considering options to address this in the law, but in the meantime please contact the Police department.
	Mr. Anthony noted there was an ordinance being considered by the Police Committee as a nuisance ordinance. Mr. Muller asked if there is a requirement to prove the rental is for the minimum stay.
	Mr. Williams stated this is similar issue that was experienced during covid with establishments having outdoor music. The Police can issue multiple summons for the property in a night.
Barbara Burns Ocean Ave.	Ms. Burns stated that the short-term rental ordinance minimum stay is not enough. Ms. Burns asked for the Mayor to commit to extending the minimum stay to one week. Ms. Burns asked if the penalties could include rescinding of the mercantile license that will cease operations.
	Ms. Burns asked about the attendance of Dr. Brantley.
	Mayor Cafferty stated he will need to investigate the allowable penalties under offenses for mercantile registrations. Mayor Cafferty stated the Committee will be considering a change to the short-term rental ordinance.
Rich Williams, Abbott Ave	Mr. Anthony stated there is a vacancy law and there is a list to determine if a vacancy has occurred. Mr. Anthony stated medical issue is a cause that would not deem the position vacant. Mr. Anthony stated the determination of the vacancy is premature. Mr. Williams asked for clarification on the 8 weeks of absences. Mr. Williams asked if the absences are based on meetings or days. Mr. Anthony stated it does not

	differentiate. Mr. Williams is in support of extending the minimum stay required under short term rentals to one week. Mr. Williams stated the Fletcher Lake Bulkhead is a wonderful project. Mr. Williams stated he has concerns about the walking path having no barriers that delineate the parking lot to the path. Mr. Williams expressed concerns that cars will not be parked well and will block the pathway.
Nancy Clark Embury Ave.	Mr. Lane stated there are conversations already started with Camp Meeting to address some of the concerns that were raised Saturday Ms. Clark stated she would like to bring up Certified Local Government. The Township Committee approved an application for Certified Local Government. An application seems to be submitted in 2020. The state responded to the application in April 2021. There were 3 areas that required additional information to move the application forward. The e-mail was sent to Dr. Brantley. Ms. Clark has been in contact with Mr. Haney on this matter. Ms. Clark stated there is funding available for architectural surveys or a consultant to review historic preservation guidelines. Mr. Haney responded to Ms. Clark last week and stated Dr. Brantley and Mr. Williams decided that the application would not be submitted for Certified Local Government. Ms. Clark asked if the remaining committee members were aware of this and if this is a common practice. Ms. Clark stated she spoke to people at the State who stated Mr. Haney has not been in touch with the State on this matter.
Paul Martin Franklin Ave.	Mayor Cafferty stated he will investigate this matter. Mr. Martin asked if the Mayor was able to investigate the state inspections. Ms. LaPlaca stated the inspection occurred at the close out of the project. Mr. Martin asked if a request was made of Camp Meeting to offer alternative badges that do not include religious symbols. Mayor Cafferty stated the request was made, but the Camp Meeting will not be offering an alternate badge.
Gary Brown, Cardinal Rd.	Mr. Martin asked if the Township could pass a resolution or something to object to the iconography on the badge. Mr. Anthony stated in his letter to the NJDEP he included the beach access as well as the beach badges. Mr. Brown wished the best to Dr. Brantley as he is unable to attend the meeting. Mr. Brown thanked Gina for all her work on the homeless encampment. Mr. Brown stated the neighborhood watch has been extremely successful in the area. Mr. Brown inquired the plan for those who are using illegal drugs and do not want to be relocated. Mr. Brown stated there is blatant drug use. Mr. Brown asked if there is pressure on the property owner to clean up the area as the homeless are leaving.
Cindy Nelson Highland Dr.	 Ms. LaPlaca stated there have been summons issued to the property owners. Mr. Brown stated the Police have been outrageous in helping with the issues. Mr. Brown extended gratitude to the Neptune Police. Ms. Nelson stated there is soil retention fence that is down and in disrepair on West Lake Ave. Ms. Nelson asked what will be happening with the property. Ms. Nelson asked why resolution 23-365 is being used for Cindy lane but is not used for other properties.
Rich Robertson Hillside Dr.	Ms. LaPlaca stated the berm is part of the Phase II of Public Works. Mr. Robertson stated 401 Overlook took healthy trees down which has now caused flooding for the neighbors. Mr. Robertson asked if there is or was an ordinance about removing healthy trees. Mr. Robertson encouraged the Township to consider an ordinance that would restrict the removal of healthy trees.

ADJOURNMENT

Offered by: La

Lane

Seconded by: York

Time adjourned: 8:15PM

Respectfully Submitted,

Gabriella Siboni Township Clerk