# TOWNSHIP COMMITTEE WORKSHOP MEETING - December 11, 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 Commit	ttee Present/ Absent	<b>Professionals</b> Gina LaPlaca, Business Administrator	Present/ Absent
Robert Lane, Jr.	Present	Gabriella Siboni, Township Clerk	
Nicholas Williams	Present	Gene Anthony, Township Attorney	
Tassie D. York	Present		
Keith Cafferty	Present		
required advertisement in Tin the Municipal Complex,	The Coaster and the Asbuand filing a copy of said	ents of R.S. 10:4-18 have been satisfied by ary Park Press on January 5, 2023, posting notice with the Municipal Clerk. In additi	the notice on the Board
is posted on the Township	web site (www.neptuneto	ownship.org).	
ITEMS FOR DISCUSSIO	N IN OPEN SESSION		
TILMS FOR DISCUSSIO	IN IIN OI LIN SESSIOIN		
complaints against 4. Mr. Anthony stated that Anthony stated that Mr. Williams stated williams stated he requirements on sl Mr. Cafferty asked Mr. Williams stated he would draft an	the property for not have atted the property is using at a copy of Asbury Park'd the issue of short-term believes the Township Chort term rentals because hif a committee person we did additional ordinances sloordinance for Neptune T	Il be up for sale shortly. Mr. Anthony stating a CI or mercantile license. They are to the property as short term rentals, but not sordinance on short term rental for the Trentals has been a continued issue since dommittee should consider options for mothis is a problem in other portions of tow ould present more stringent requirements hould be viewed and put up for considerationship.	be in court on January of as a residential use. MacTownship to consider. iscussions last year. Mr. ore stringent on.
2. Committee Calend	lars		
Williams	No report		
Lane		Wreaths Across America where the organ veterans.	ization will be placing
	No report		
Cafferty	December 21 is the Wint	er Bonfire is 5-7PM	

Authorize An Executive Session As Authorized By The Open Public Meetings Act.

Williams Seconded by:
Yes York

Williams

Cafferty

Yes

Torreshin	Committee	Mastina Minutas	12 11 2022
rownsnip	Committee	Meeting Minutes	12-11-2023

Res #23 -

Offered by:

Vote:

413

Lane

Lane

Yes

## TOWNSHIP COMMITTEE MEETING - December 11, 2023 - 7:00 P.M.

Mayor Cafferty calls the meeting to order 7:18PM and asks the Clerk to call the roll:

Township Committee	Present/ Absent	Professionals	Present/ 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 (<a href="www.neptunetownship.org">www.neptunetownship.org</a>).

#### **APPROVAL OF MINUTES**

Motion offered by Committeeman Lane, seconded by, Deputy Mayor York, to approve the minutes of meetings of November 27, 2023. All present were in favor.

## **PRESENTATIONS**

Recognition of the 10th Annual Pound the Pavement

Committeeman Lane presented to the proclamation.

Mr. Eric Houghtaling thanked the Township Committee for the recognition of the Pound the Pavement achievements and for their support and participation over the last 10 years. Mr. Houghtaling hoped that the awareness and funds raised will help find a cure for Pancreatic Cancer.

**WHEREAS,** in 2014, Pound the Pavement was established to raise awareness of and funds for pancreatic cancer research and annually a 5k run/2-mile walk that is held in the Fall, and;

**WHEREAS,** the 10<sup>th</sup> Annual Pound the Pavement was held on September 16, 2023, where the 5k run/ 2 mile walk begins in Neptune City and ends at the Headliner Night Club on Route 35 in Neptune Township, and;

**WHEREAS,** Pound the Pavement donates all funds raised to the Lustgarten Foundation; the largest private funder of Pancreatic Cancer Research, and;

**WHEREAS,** in 2023, Pound the Pavement raised a record breaking \$90,000.00 (ninety-thousand dollars) to be donated to the Lustgarten Foundation, and;

**NOW, THEREFORE, I,** Keith Cafferty, Mayor of the Township of Neptune, along with the entire Township Committee, do hereby recognize Pound the Pavement, with special recognition of the following individuals for their work and dedication to make the 10<sup>th</sup> Annual Pound the Pavement a successful event:

Thomas Arnone	Eríc Houghtaling	Robert Lane, Jr.
Míchele Narcíso	Jayme Leone	Lauren Brand
Fred Rummel	Gaíl Temple	Amanda Maraldo
Míke Zarro	Jím MacConchíe	

#### **COMMENTS FROM THE DAIS**

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

departments.

Williams Mr. Williams stat

Mr. Williams stated the Library is closed currently as they are replacing the new lights in the Library. The dredging has started at the marina and the project is on schedule and it is

necessary to be done. The slips were too shallow and the access was limited.

Lane Mr. Lane stated that he attended the breakfast with Santa that was hosted by Neptune

Recreation and had a great attendance. Wreaths Across America is December 16. There will be a service at Veterans Memorial

Park and the wreaths will be laid on veterans grave.

York Deputy Mayor York stated she attended the Breakfast with Santa, Live Nativity in Ocean

Grove and the tree lighting in Shark River Hills

Cafferty Mr. Cafferty stated the Winter Bonfire will be on December 21 from 5-7PM. Mayor

Cafferty encouraged attendance to foster community on the darkest night of the year.

### REPORT OF THE BUSINESS ADMINISTRATOR

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

- Recognition for Neptune EMS: At the annual EMS awards program held during the National Conference on EMS in Atlantic City last month, Neptune Township EMS was recognized as the "Prehospital Program of the Year" by the New Jersey Department of Health and the New Jersey EMS Council. This award is given to the prehospital program that has demonstrated exemplary achievement in the areas of patient care, public access to EMS, disaster preparedness, public education and training. Neptune EMS was recognized for maintaining a positive image in the community and for taking meaningful steps to assure the quality of patient and clinician safety. Congratulations to EMS Director Bil Rosen and all the members of his outstanding team.
- Homeless Encampment Issues: The Monmouth County Continuum of Care will hold their next case conference regarding the encampment this Wednesday December 13th; I along with a representative of the Neptune Police Department will be in attendance. Additionally, in response to resident concerns regarding trash and debris in and around the encampment, the property manager of the Shop Rite complex will be undertaking a clean-up effort this week to include their parking lot and a portion of the wooded areas adjacent to the lots.
- Citizen Leadership Applications: Final reminder for anyone interested in serving on one of Neptune's many volunteer boards -- Citizen Leadership Applications should be submitted by this Friday December 15<sup>th</sup> in order to be considered for appointment at the annual reorganization meeting on January 1<sup>st</sup>. The form can be found on the Township website or by coming to the Clerk's office during normal business hours to pick up a form in person.
- Vin Gopal Civic Association Toy Drive: The Neptune Municipal building is serving as a drop-off site for new, unwrapped toys as part of the Vin Gopal Civic Association Holiday Toy Distribution effort. Donations will be accepted through Monday December 18<sup>th</sup>.

#### **PUBLIC COMMENTS ON RESOLUTIONS**

The Clerk will announce additional information regarding Separated Resolutions if necessary. Resolution 23-430

<u>NAME</u>	<u>DEPARTMENT</u>	<u>POSITION</u>	<b>SALARY</b>	<u>EFFECTIVE</u> <u>DATE</u>
Thomas Alburtus	Public Works	Yard Attendant	\$17.48/hr.	12/12/2023
Resolution 23-431				
NAME	<u>DEPARTMENT</u>	<u>POSITION</u>	SALARY	EFFECTIVE DATE
Robert Purgatorio	Code	Code Supervisor	\$78,000.00	12/12/2023

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 comment portion of our meeting. The Committee reserves the right to respond to comments or questions at the conclusion of the speaker's time.

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

# Name and Address Comment

Barbara Burns, Ocean Ave.

Ms. Burns asked about resolution 23-427 regarding the waiving of ordinance of noise ordinance for work to be completed. Ms. LaPlaca stated this is the allowance for construction to occur on Sunday during a specified time.

## **PUBLIC HEARING AND FINAL ADOPTION ORDINANCES:**

<u>Ordinance 23-42</u> An Ordinance To Further Amend And Supplement Chapter 2 "Administration" Article Vii "Administrative Policies And Procedures" Of The Township Of Neptune By Defining And Regulating Cannabis Taxation And Collection.

Explanatory Statement: This Ordinance supplements Chapter 2 Article VII by including definitions for language that is used related to taxation and collection of all cannabis sales.

taxation and collection of a	ll cannabis	sales.	1					3	
Name and Address No Comment	<u>Com</u>	<u>ment</u>							
Offered by:	William	ıs			Second	led by:	Lane		
Vote:		Lane	Yes	Williams	Yes	York	Yes	Cafferty	Yes
Ordinance 23-44 Bond For The Township Of Therefor And Authoriz Cost Thereof  Explanatory Statement: Tollimited to, the replacement of municipal court. Appropria Block Grant), Down Paym	Neptune, sing The l the bond ore of an eleval ation: \$450	, In The Co Issuance O dinance prove tor, improven 0,000.00, B	ounty Of N f \$270,000 ides for varia eents to bath onds/Notes	Monmouth, S D Bonds Or I  ous ADA implorooms, and the Authorized: §	State Of I Notes Of provements installati \$270,000.	New Jersey The Town to the munici on of ADA 00, Grant \$	; Appropri iship To F ipal complex accessible ap 165,731 (C	ating \$450,0 inance Part (  in including, but  in purtenances in	00 Of The of not and for the
Name and Address No public comment	<u>Com</u>	<u>ment</u>							
Offered by:	York				Second	led by:	Lane		
Vote:		Lane	Yes	Williams	Yes	York	Yes	Cafferty	Yes
Ordinance 23-45 Ordi	nance Ar	nending N	eptune To	ownship Cod	e Chapte	er 2 Entitled	l "Adminis	stration", Sec	ction 10

<u>Ordinance 23-45</u> Ordinance Amending Neptune Township Code Chapter 2 Entitled "Administration", Section 10 "Police Department"

Explanatory Statement: This ordinance supplements chapter 2 with section 10-11 Police Chaplain to establish the position of Police Chaplain and the duties, responsibilities, term, appointment and rank for the position.

Offered by	y:	Lane				Second	ded by:	Willian	ns	
Vote:			<del></del>	Zes	Williams	Yes	York	Yes	Cafferty	Yes
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CONSEN'			1 OCT	т.	r m	2022	2024 I			
Res #23-		Authorize Ren	-							
Res #23-	415	Establish Ann	•							
Res #23-	416	Establish Ann	ual Compens	ation	For Fire Con	nmission	ers District	#2		
Res #23-	417	Resolution Au Agreement Wi Not To Excee	th Plosia Col							
Res #23-	418	Resolution Au Medical Under Exceed \$35,41	r Savvik Buyir						•	•
Res#23-	419	Resolution Au Partners Public						ment With	Safeware Un	der Omnia
Res#23-	420	Resolution Au Installation An #89980 For \$2	nd 5 Year Wa			•			` '	
Res#23-	421	Resolution Au Systems, Inc U \$42,500.00							•	
Res#23-	422	Resolution Au PBA	thorizing Exe	ecutio	on Of The Sid	e Bar Ag	greement W	/ith Neptu	ne Township	FOP And
Res#23-	423	Authorize The School Distric						ith The No	eptune Town	iship
Res#23-	424	Authorize Join And Trust Agr		en Sta	ate Municipal	Joint Ins	surance Fu	nd And Ex	ecution Of I	ndemnity
Res#23-	425	Authorizing T #2 And Final : Sewer Main Re	For A Decrea	ise O	f \$104 <b>,</b> 397.99	With Lu	icas Brothe	ers Inc. Fo	The Sixth A	
Res#23-	426	A Resolution O Ave. Sewer Ma		•		_			rothers Inc F	For Sixth
Res#23-	427	A Resolution Of Township River Municip	Code § 3-2.6							
Res#23-	428	A Resolution O Personnel Act				of The To	ownship O	f Neptune	Authorizing	Certain
Res #23-	429	Authorizing Pa	ayment of Bil	ls						
Motion to '	Takla	Resolution 23	<i>1</i> 15							
Offered by		Williams				Secono	ded by:	York		

V ote:		Lane	Yes	_ Williams	Yes	York	Yes	_ Catterty	Yes
CONSENT AGI	ENDA								
Offered by:	York				Secono	ded by:	Lane		
Vote:		Lane	Yes	Williams	Yes	_ York	Yes	Cafferty	Yes
SEPARATED R	ESOLUTIO	N							
Res#23- 430	A Resolutio	on Of The	Township	Committee	Of The '	Township C	)f Neptune	e Authorizing	g Certain
	Personnel A	Actions- Pu	ıblic Work	ζS					
Offered by:	Lane				Secono	ded by:	York		
Vote:		Lane	Yes	Williams	Yes	_ York	Yes	Cafferty	Yes
Res#23- 431	A Resolutio	on Of The	Township	Committee	Of The '	Lownship (	)f Neptune	- Authorizin	r Certain
KCS#25- 451	Personnel A				Of The	rownship C	лтершк	c Munorizing	g Certain
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Offered by:	York				Secon	ded by:	Lane		
Vote:	-	Lane	Vec	Williams	Vec	Vork	Vec	Cafferty	Vec

## 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 comment 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 asked if there have been any action regardless short-term rentals, specifically 401 Overlook Dr. Mr. Robertson asked if the Township Committee would be Hillside Dr. changing the ordinance regarding an ordinance to request saving trees. Mayor Cafferty stated there was an ordinance that was considered in 2008, he believes. He will need to look further into this matter and will provide an update. Mr. Cafferty indicated a discussion occurred in Workshop on this matter and would begin the process to consider an amendment to the ordinance. Richard Williams, Mr. Williams spoke on Ocean Grove North End Development. Mr. Williams stated that Abbot Ave. the poll taking by the Homeowners Association indicated the residents wanted a COA requirement from HPC. Mr. Williams stated the documents for consideration of the amendment to the redevelopment was not made public until November 10. In the past, a resident continually asked for an update on the litigation matter regarding OGNED and the answer from the committee was that they did not know. Mr. Williams stated that he

the litigation matter and who do they report to.

didn't believe the redevelopment was involved in the OGNED application. Mr. Williams stated the proper protocol to appeal a decision of the HPC to the zoning board of adjustment. Mr. Williams stated the litigation was a way around HPC Consideration and requirement for COA. Mr. Williams asked who was the representing of the Township in

Mr. Anthony stated the Joanne Vos and Ron Cucchiaro represented Neptune Township. Mr. Williams stated the firm is Maraziti Falcon.

Mr. Anthony stated Maraziti Falcon reported to the Redevelopment Committee.

Joan Venezia, Mt Hermon Way

Ms. Venezia stated she has comments on the documents released regarding OGNED that she will supply in writing. Ms. Venezia requested clarification on who Ms. Vos was reporting to through the settlement process. Ms. Venezia stated she does not agree with some of the language included in the documents including that the rooftop deck was originally included, that the previous hotel had rooftop access, and fire safety issues. Ms. Venezia stated the HPC critiques that include options that would cost too much to the development. Ms. Venezia stated the document includes a notation for the height of the building that is not included.

Mayor Cafferty stated there will be an additional presentation on OGNED at a future meeting.

Barbara Burns, Ocean Ave.

Ms. Burns wanted to confirm the representation of the attorneys and Mr. Williams stated the Joanne Vos is the redevelopment attorney. Ms. Burns asked if Ms. Vos provided updates to the redevelopment committee on the OGNED matter. Ms. Burns asked who received the progress reports from Ms. Vos. Mr. Williams stated that Mr. Haney, professionals and attorneys would be present for progress reports.

Ms. Burns encouraged the committee to review the development plans for access of fire trucks. Specially Figure 3.

Eileen Michaels, Seaview Ave.

Ms. Burns stated the redevelopment plan was approved in 2008. The stormwater management plan is outdated and there will be more larger scale weather events. Ms. Michaels thanked Mr. Williams for his efforts. Ms. Michaels asked why the Township Committee was sued and not the Historic Preservation Commission in regard to the OGNED matter.

Ms. Michaels contacted the Police Department to confirm that the resident only handicapped space at La Pierre would be changed. Ms. Michaels stated she believes this is an issue for the ingress/egress of the property with the location of the resident handicapped spaces.

Ms. Michaels expressed disappointment in the legal representation of the Township for OGNED. Ms. Michaels does not believe the information was properly or easily relayed to the Township. Ms. Michaels asked the Township Committee to honor that the residents do not trust the developers of OGNED

Dan Muller, 236 Hillside

Mr. Muller appreciated the Township is considering changes to address issues with shirt term rentals.

Nancy Clarke, Embury Ave.

Ms. Clarke stated the Township received documents and asked when they would available. Ms. Siboni indicated the link was already updated with the documents. Ms. Clarke asked who made the decision to make a presentation to the Township Committee. Mr. Cafferty stated it was brought to the Township Committee to review, hear and consider. Ms. Clarke asked why the matter was not included in a workshop. Mr. Cafferty stated the intent was to allow for public comment and public comment is not included in the regular meeting. Mr. Cafferty stated that the intent was to listen to residents and have an opportunity to answer with the professionals.

Robert Ingato, Seaview Ave.

Mr. Ingato wanted to confirm that the new document does not include substantive changes. Mr. Cafferty stated the document is a change in formatting to see the changes more clearly. Mr. Ingato asked if there could be a summary or more clear change to the plan. Mr. Ingato asked who he would be able to direct questions to and Ms. Siboni stated questions can be sent to her to relay to the professional who would be best to provide a response. Mr. Ingato stated he would encourage a professional who is well versed with historically architecture to address concerns.

Mr. Ingato stated there are about 15 spaces that are included that go to the lake. Mr. Ingato asked if the 15 spaces will be accommodated in the plan.

Joyce Klein, Mt Hermon Way

Ms. Klein invited the Township Committee to the Ocean Grove Homeowners association holiday party.

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Ms. Klein agreed with many of the questions raised about OGNED by her neighbors. Ms. Klein stated she reviewed the ordinance for Asbury Park. Ms. Klein stated the Asbury Park Ordinance states that a rental may only have 1 car per 2 people, which may be something to consider in the Neptune Amendments. Ms. Klein highlighted the enforcement for parking issues lead to removal of access to be a Short-Term rental. The Asbury Park Ordinance has some strong rules, but Ms. Klein encouraged the Township to consider a minimum stay of one week.

Frank Gashafama, Spray Ave.

Mr. Gashafama stated the work on the project at Ocean Grove North End Development would be allowed to work for 6 days on construction and asked the Township Committee to limit it to 5 days of work. Mr. Gashfama also asked that the Township Committee require the construction of the 10 single family homes prior to the rest of the construction to allow for buffer. Mr. Gashafama requested to the Township Committee put in writing coverage that the allowance of a higher building by the Township.

Paul Kaplan, Mt. Zion

Mr. Kaplan asked who on the committee authorized the settlement. Mr. Cafferty stated it was presented and there was an agreement that was negotiated, and it would allow an opportunity to discuss it by the Township Committee and gather public input

Gary Brown, Cardinal Rd.

opportunity to discuss it by the Township Committee and gather public input. Mr. Brown thanked Ms. LaPlaca for her efforts in abating the issues with the homeless encampment. Mr. Brown asked for clarification of where the 25 feet in from the curb line would begin. Ms. LaPlaca stated she would gain clarity and follow up with Mr. Brown. Mr. Brown asked for the potential number of violations amount to and are they being paid? Mr. Brown expressed continued concern about the use of drugs, use of propane tanks and open flames that are posing a significant risk to the residents. Mr. Brown stated there have been warrants for arrest and a neighborhood burglary.

Mr. Anthony stated there are summons out to the property owner, but they have not yet been in court.

Mr. Brown expressed his biggest concern is the propane tanks and open flames.

Offered by: Lane	Seconded by: York	
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Time adjourned: 8:27PM

Respectfully Submitted,

Gabriella Siboni Township Clerk