

TOWNSHIP COMMITTEE WORKSHOP MEETING – May 20, 2024 – 6:00 P.M.

Deputy Mayor Lane 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
Keith Cafferty	<u>Present</u>	Gina LaPlaca, Business Administrator	<u>Present</u>
Robert Lane, Jr.	<u>Present</u>	Gabriella Siboni, Township Clerk	<u>Present</u>
Kevin McMillan	<u>Present</u>	Gene Anthony, Township Attorney	<u>Present</u>
Derel Stroud	<u>Present</u>		
Tassie D. York	<u>Arrived at 6:17PM</u>		

Mayor York 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, 2024, 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. Short Term Rental Ordinance

Mr. Anthony stated he sent a third version to the Township Committee of the Short-Term Rental Ordinance. Mr. Anthony stated he took information and suggestions from the Township Committee and Department Heads for their input as well, which he stated was considered when he drafted the ordinance. Mr. Anthony stated that he would suggest maybe a change to the definition of short-term rental to less than 364 days, where it currently states 30 days.

Mr. Cafferty expressed concern about discussing such an important ordinance when the Mayor was not present at the meeting.

Mr. Cafferty stated he worked with the departments on the original ordinance. Mr. Cafferty posed various questions to Mr. Anthony regarding the ordinance:

When would the ordinance be effective? Mr. Anthony said the effective date would not change the current short-term rentals. In a Two-Unit Dwelling Unit does the owner need to occupy one dwelling? Mr. Anthony stated no

Mr. Cafferty asked about the parking requirements and why that was included as it was not discussed with the Township Committee Mr. Anthony stated it was always in the proposed ordinance, but the Township Committee did not discuss the item. Mr. Cafferty addressed the system that monitors online advertisements because the Township already enlists those services, so there are requirements that are not necessary.

Mr. Cafferty addressed the age requirement for rental properties.

Mr. Cafferty addressed the inclusion.

Mr. Cafferty had suggested an ordinance to address the animal house ordinance. Mr. Cafferty stated he would prefer to move forward with the ordinance prepared by the department heads as it addresses definitions, municipal charges, increase of minimum stay.

Mr. Stroud stated he had a number of concerns with the ordinance and stated enforcement of the ordinance as it stands should be done rather than adding new stipulations that are not being enforced. Mr. Stroud felt for the neighborhoods that are being disturbed with the issues posed by Short Term Rentals but felt many things could be alleviated with enforcement of the existing regulations. Mr. Stroud did not believe items such as parking would be enforceable. Mr. Stroud asked for clarification on a matter in the ordinance about the code enforcement officer to waive irregularities.

Ms. York stated Mr. Anthony and Ms. York met with Chief Gualario regarding the short-term rental ordinance. Ms. York stated there is not a requirement to have a person registered who is responsible for the property. Ms. York stated that not all sections of Neptune are tourist attractions, and the ordinance will be enforced by the Police Department.

Mr. Anthony stated this is a policy decision. Mr. Anthony stated that code department suggested not changing

the ordinance because it is working, but there are other towns that are passing stricter regulations on short term rentals.

Mr. McMillan agreed with Mr. Cafferty that Animal House ordinance should be a stand-alone ordinance. Mr. McMillan stated he received multiple e-mails opposing this ordinance and because of that he is against this ordinance.

Mr. Anthony asked if the Committee liked any portion of the ordinance. Mr. Stroud stated he believes three committee members are in favor of a standalone animal house ordinance, but he is not in favor of the rest of the ordinance as he doesn't believe it is necessary.

2. Committee Calendars

Mr. Stroud did not have a report.

Mr. Cafferty stated that Hooked on Fishing is on June 1.

Mr. McMillan did not have a report.

Mr. Lane stated the memorial day parade is upcoming.

Mayor York did not have a report.

Res #24 - 247 Authorize An Executive Session As Authorized By The Open Public Meetings Act.

Offered by:	<u>Cafferty</u>	Seconded by:	<u>McMillan</u>
<i>Vote:</i>	Cafferty <u>Yes</u> Lane <u>Yes</u> McMillan <u>Yes</u> Stroud <u>Yes</u> York <u>Yes</u>		

TOWNSHIP COMMITTEE MEETING – May 20, 2024 – 7:00 P.M.

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

Township Committee	Present/ Absent	Professionals	Present/ Absent
Keith Cafferty	<u>Present</u>	Gina LaPlaca, Business Administrator	<u>Present</u>
Robert Lane, Jr.	<u>Present</u>	Gabriella Siboni, Township Clerk	<u>Present</u>
Kevin McMillan	<u>Present</u>	Gene Anthony, Township Attorney	<u>Present</u>
Derel Stroud	<u>Present</u>		
Tassie D. York	<u>Absent</u>		

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."

Deputy Mayor Lane 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, 2024, 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).

APPROVAL OF MINUTES

Motion offered by Committeeman Cafferty, seconded by, Committeeman Stroud to approve the minutes of meetings of May 13, 2024. All present in favor.

PROCLAMATION

Remembering Harry Lynch

COMMENTS FROM THE DAIS

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

Mr. Stroud wanted to recognize EMS week and the EMS department of Neptune Township for their exceptional work. Mr. Stroud stated there are 2 slips that were made available to 2 people who were on the list at the marina. Mr. Cafferty stated the emergency services camp will be occurring this year again and was a wonderful program. May 31 is the annual pride flag raising event.

Mr. McMillan recognized EMS during EMS week for their excellent work. Mr. McMillan attended the EMS dinner where our local EMS were recognized. Mr. McMillan presented a proclamation for Rev. Bradley on Saturday.

Mr. Lane stated the Neptune First Aid Squad was recognized by Senator Vin Gopal and received an award. New Jersey Sharing Network 5k was over the weekend and Mr. Lane was proud to participate. Mr. Lane stated that his brother had passed and was an organ donor, so this program is near and dear to his heart. Mr. Lane stated that May 27 is Memorial Day and asked all to remember why we celebrate this holiday. Mr. Lane stated there are 2 parades for Memorial Day.

REPORT OF THE BUSINESS ADMINISTRATOR

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

PUBLIC COMMENTS ON RESOLUTIONS

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

<u>NAME</u>	<u>DEPARTMENT</u>	<u>POSITION</u>	<u>SALARY</u>	<u>EFFECTIVE DATE</u>
Sonja Mack	Senior Center	Bus Driver	\$33,583.88	5-28-2024

Offered by: Motion to Defeat by Cafferty Seconded by: Stroud
Vote: Cafferty Yes Lane Yes McMillan Yes Stroud Yes York Absent

Mr. Stroud noted that the committee is in favor of considering the animal house ordinance at a later date.

CONSENT AGENDA

Mayor asks if the Committee would like to pull any resolution from the consent agenda for separate consideration.

- Res#24- 248** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing The Cancellation And Refunds Of Certain Marina Fees Or Payments
- Res#24- 249** Place Lien On Various Properties
- Res#24- 250** A Resolution Of The Township Committee Of The Township Of Neptune Accepting Resignations
- Res#24- 251** Resolution Authorizing Developer’s Agreement With Surfside Crossing, Llc (An Affiliate Of Ster Developers, Llc) Block 405, Lots 5, 6 & 7, Located At 1102 9th Avenue, Memorial Drive And 1105 8th Avenue, Neptune Township, New Jersey
- Res#24- 252** A Resolution Of The Township Committee Of The Township Of Neptune Co-Sponsoring The Memorial Day Parade Committee
- Res#24- 253** A Resolution Of The Township Committee Of The Township Of Neptune Co-Sponsoring The Memorial Day Parade In Shark River Hills
- Res#24- 254** A Resolution Of The Township Committee Of The Township Of Neptune Appointing Members To The Wesley Lake Commission
- Res#24- 255** A Resolution Of The Township Committee Of The Township Of Neptune Acknowledging Mayoral Appointments To The Historic Preservation Commission
- Res#24- 256** A Resolution Of The Township Committee Of The Township Of Neptune Appointing Members To The Zoning Board Of Adjustment
- Res#24- 257** A Resolution Of The Township Committee Of The Township Of Neptune Appointing Members To The Fletcher Lake Commission
- Res#24- 258** Authorizing Payment Of Bills

CONSENT AGENDA

Offered by: Stroud Seconded by: McMillan
Vote: Cafferty Yes Lane Yes McMillan Yes Stroud Yes York Absent

SEPARATED RESOLUTIONS

- Res#24- 259** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing Certain Personnel Actions

Offered by: Cafferty Seconded by: Stroud
Vote: Cafferty Yes Lane Yes McMillan Yes Stroud Yes York Absent

PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS

Members of the public may address any concern relating to the Township. The public will be permitted one visit to the microphone with a limit of five minutes.

Rich Robinson
 Hillside

Mr. Robinson congratulated the committee on the new Neptune sign in the committee room.

Mr. Robinson disagreed with Mr. Cafferty about the removal of the age requirement. Mr. Robinson asked

what the process is now.

Mr. Cafferty stated the committee wish to pursue an animal house ordinance.

Mr. Robinson was frustrated with the delay in considering the ordinance and that it was struck down. He believes the committee is kicking the can on this issue.

Mr. Robinson was frustrated that in an attempt to make everyone happy, the ordinance was defeated which hurts Shark River Hills.

Mr. Bernstein thanked the committee and Mr. Cafferty for the announcement of the pride flag raising and asked if a proclamation would be at the next meeting. Mr. Lane stated it would be, Mr. Kaplan stated that all rules do not apply to all areas and there are multiple sections in Neptune Township. Mr. Kaplan stated he performed some research on short term rentals and stated that California is providing the most democratic view of the regulations. In California, each neighborhood can petition for the rights to host short term rentals. Mr. Kaplan stated that in Ocean Grove is not affected, but there may be a petition from Shark River Hills that would address the issues. This was from Long Beach City in California and Mr. Kaplan asked the Township Committee to consider this method.

Mr. Deacon Tremont (SP??) Dr. And Jumping Brook Dr. Mr. Deacon stated this easement is forgotten and has not been maintained. Mr. Deacon asked if the Township could reclaim the easement between the two properties because the area is overgrown, a decaying stump and the route has narrowed.

Mr. Anthony stated the easement may be created during a subdivision and may be the responsibility of the adjacent property owners.

Mr. Deacon stated they are between 7 and 9 Trumond Drive.

Ms. Orourke stated she does not believe the Township should be overly restrictive with Short Term Rentals. Ms. Orourke stated there does need to be something done about problem houses. Ms. Orourke stated a tenant from a short-term rental approached the door and tried to open the door and were wandering the yard. Ms. Orourke understood they did not mean her family harm, but it was a frightening situation.

Ms. Michaels read in the coaster that Mr. Cafferty and Mr. Lane are on committees to address flooding issues. Ms. Michaels stated there was no one addressing flood issues when the Ocean Grove North End Development was being considered. Ms.

Harriet Bernstein
Broadway

Paul Kaplan
Mt. Zion Way

Brian Deacon

Sarah Orourke
Overlook Dr.

Eileen Michaels
Seaview Dr.

Michaels asked that the Township Committee consider addressing developer issues at OGNED in relation to flooding.

Mr. Lane stated that all contractors will be held accountable.

Mr. Michaels stated she appreciates that the Police try to manage things, but the police are too easy on disturbance issues. Ms. Michaels lives across from a halfway house and the noise and disturbance continues even if the police do come to address the issues.

Ms. Michaels stated there are issues with public urination and the police have advised to “take a picture”. Ms. Michaels is asking for assistance to address some issues at the halfway house.

Mr. Lane stated that the Bike Patrol will begin Memorial Day Weekend.

Ms. Michaels reiterated that the police are great, but just too gentle.

Kara Sicarella
Cottage Ave.

Ms. Sicarella stated her rental was decreased by 53 days and tent rentals have decreased by 8 days. Ms. Sicarella stated the limits on the rental season has an impact on the local community to less volunteers, those not being able to frequent businesses. Ms. Sicarella asked why the summer rental begins May 23. Ms. Sicarella

Mr. Cafferty stated that the cottages can have a winter rental, it is up to the landlord to determine the term of the lease. Ms. Sicarella suggested a change to the season dates that Summer would be May 1 to September 30 and Winter would be October 1 to April 30.

Nancy Clarke
Embury Ave.

Ms. Clarke thanked Mr. Anthony for his hard work to bring this forward and to the Township Committee for their diligent discussions.

Ms. Clarke wanted to urge the committee to increase the minimum stay to 3 nights for short term rentals. Ms. Clarke believed this would change the types of people who want to enjoy the community and area rather than utilize it for louder visits. Ms. Clarke asked if the ordinance would clarify that the requirement should be three consecutive days.

Ms. Clarke asked why the short-term rentals are being split between the seasons. Ms. Clarke confirmed a landlord would require additional processes.

Margarita Long
Franklin Ave.

Ms. Clarke was in favor of including an age requirement.

Ms. Long thanked the Township Committee for listening to the residents on the matter and for making a sound decision to defeat the ordinance tonight. Ms. Long stated she has rentals of varying lengths and there is no difference of the people who rent 2 or 3 nights or longer stays. Ms. Long stated there are limitations on visitors' availability to stay longer than the 2 nights. Ms. Long stated the rentals are beneficial for the local economy. Ms. Long stated landlords are paying mercantile, winter season, summer season and change of occupancy. Ms. Long asked for an explanation for the charges.

Mr. Cafferty stated the fees are set because they were meant to cover the cost of the software and inspections. Mr. Cafferty stated that the intent of the ordinance was to consider smaller changes over time, so the Township can review the fees.

Barbara Burns
Ocean Ave.

Ms. Burns stated the Short-Term rental ordinance is far more complicated than it needs to be. Ms. Burns stated she believes that only one inspection is needed. Mr. Cafferty explained the software that was purchased and is being utilized in the Township for Short Term Rental monitoring.

Neil Hartman
Embury Ave.

Mr. Hartman is opposed to the short-term rental ordinance that was presented tonight and would like the Township Committee to not increase the minimum night stay. Mr. Hartman stated he believes the issue is an enforcement issue on the bad actors, rather than an overhaul of the regulations. Mr. Hartman stated there are more hoops every year that landlords are required to address. Mr. Hartman stated he has issues with the online programs and has not had success with speaking to employees. Mr. Hartman asked that the Township get the matters on the books perfected in town before attempting to add more regulations.

Laura Dugan

Ms. Dugan stated she bought a property in 2016. The property is used as a rental, and she stays in the other unit. Ms. Dugan stated she has a personal rule and age requirement and has repetitive renters. Ms. Dugan stated she does not want the night minimum to increase. Ms. Dugan thinks the fees for short term rentals are too high.

Amy Heller
Mt. Tabor Way

Ms. Heller thanked the Committee for defeating the ordinance. Ms. Heller stated she would like the fees in the ordinance to be reexamined and the police to be involved to ensure there is not bad behavior by renters.

Anne Bishop
Franklin Ave.

Ms. Bishop stated she is not a landlord or host, but she wanted to be. Ms. Bishop stated she is frustrated that the language to remove the owner occupation

Linda Costa
Seaview Ave.

option from the short-term rental ordinance. Ms. Bishop provided a history on property rentals and the decreasing number of available units. Ms. Costa spoke highly of her encounters with the employees of the code enforcement office.

Ms. Costa stated the halfway house on Seaview has loud noise through the night and she does not believe the owner lives there to monitor the activities. Ms. Costa stated the owner has been contacted, but it does return.

Susan Petrese
Webb Ave.
Carolyn Pickman
Pilgrim Pathway

Ms. Costa stated that the leases that are booked on the website. Only the first week can be noted as one week. The system does not allow the landlord to have occupants enter the same day they depart. Ms. Petrese stated she believed the law about occupancy does not work as it is common practice Ms. Pickman thanked the Committee for not allowing the attorney “bullying” them into consideration of the ordinance. Ms. Pickman wants the Township to correct the issue of occupants arriving and departing the same day. Ms. Pickman expressed empathy for those dealing with issues in Shark River Hills and encouraged enforcement and regulations to help animal houses or bad renters.

Fred Carl
Embury

Ms. Pickman stated she opposed the summer or winter season and expressed that she would prefer to have one season. Mr. Carl spoke on the joy of hosting and sharing Ocean Grove with visitors and Short-Term Renters. Mr. Carl encouraged the Township Committee to encourage the ability to have short term renters and visitors in the area.

Richard Williams
Abbott Ave.

Mr. Williams stated he does not believe the ordinance should be dropped and should be reconsidered with other stipulations.

Dan Muller
Hillside Dr.

Mr. Muller asked for the Animal House regulations to be brought back to the Township Committee to be considered. Mr. Muller stated there should be consequences for bad renters and landlords.

Lark Tyler
Embury Ave.

Ms. Tyler stated she discusses with the tenants the rules and regulations including an age-restriction. Ms. Tyler stated that should be a personal decision for landlords rather than an ordinance. Ms. Tyler was not in favor of the proposed bond requirement for short term rentals. Ms. Tyler believed that tenants should face the penalties of the bad behavior, not the landlord. Ms. Tyler would like the Township to reconsider the fees for inspection and the short-term season. Ms. Tyler asked where the costs are associated with the short-term rentals to justify the cost of the permit. Ms. Tyler was frustrated that the change of occupancy is a fee of \$100 and it does not require any

work for township employees. Ms. Tyler was also frustrated with the fees for the mercantile and short-term rentals. Ms. Tyler does not want the Township to include a minimum stay.


ADJOURNMENT

Offered by: McMillan

Seconded by: Cafferty

Time adjourned: 8:29PM

Respectfully Submitted,



Gabriella Siboni
Township Clerk