

**TOWNSHIP COMMITTEE WORKSHOP MEETING – September 9, 2024 – 6:00 P.M.**

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

<b>Township Committee</b>	Present/ Absent	<b>Professionals</b>	Present/ Absent
Keith Cafferty	<u>Absent</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>Present</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](http://www.neptunetownship.org)).

**ITEMS FOR DISCUSSION IN OPEN SESSION**

**1. Proposed Amendment to Donation Bin Ordinance**

Mayor York stated she was in communication with someone who is having an issue with the requirements of donation bins in Neptune Township. Mayor York would like to reduce the distance required from 300 feet to 100 feet. Mr. Anthony stated the Township had adopted the ordinance in 2009 and was in line with the legislation by the State. There are certain criteria that were added to the Neptune Township Ordinance, such as the 300 foot requirement from a residential property. The ordinance can be updated to reflect changes to distances of additional criteria that Neptune Township added to the ordinance. Mayor York expressed a desire to decrease the distance from 300 feet to 100 feet for proximity to a residential property.

Mr. McMillan asked why the Township went above and beyond the state statute. Mr. Anthony stated the statute was silent on the additional criteria and there was possibly a discussion to address other circumstances not included in the statute.

**2. Rethink Disposable Ordinance**

Mr. Lane stated it was discussed at the agenda meeting and Mr. Anthony was asked to review the ordinances. Mr. Anthony stated there was a State Statute that was adopted that a municipality may not adopt an ordinance to police or prohibit single use plastic bags. Mr. Anthony stated based on his reading, the State Statute expresses that the municipalities should not adopt additional legislation on the policy and prohibition of single use plastics.

Mr. Stroud asked if the Township could pursue a marketing campaign for more awareness if we are not able to adopt an ordinance.

**3. Committee Calendars**

Stroud	No report
Cafferty	No report
McMillan	No report
Lane	Neptune day is this weekend on September 14.
York	No report

**Res #24- 351 Authorize An Executive Session As Authorized By The Open Public Meetings Act.**

Mr. Anthony stated there would be an amendment to the executive session resolution to include discussion for Pending/ Anticipated Litigation related to the Milmo v. Neptune litigation. Mr. Anthony indicated that because Mr. Milmo is no longer an employee, a RICE notice is not needed.

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

**TOWNSHIP COMMITTEE MEETING – September 9, 2024 – 7:00 P.M.**

Mayor York calls the meeting to order at 7:10PM and asks the Clerk to call the roll:

<b>Township Committee</b>	Present/ Absent	<b>Professionals</b>	Present/ Absent
Keith Cafferty	<u>Absent</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>Present</u>		

Mr. Anthony indicated that he believed a resolution should be considered to accept the Leave of Absence from Committeeman Cafferty. Ms. Siboni questioned whether the action should be considered as the meeting has not been properly opening. Mr. Anthony moved forward and asked for public comment on the action before Township Committee action.

Name	Comment
Joyce Klein 105 Mt. Hermon Way	Ms. Klein stated she did not object to Mr. Cafferty being on leave. Ms. Klein stated the consideration by the Township Committee would be very vague and not defined as a duration and if necessary, there would be an extension. Mr. Anthony stated that there is a statute that explains how a position becomes vacant after 8 consecutive weeks unless it is an approved absence, a medical excuse must be accepted.
Barbara Burns 4 Ocean Ave.	Ms. Burns stated that there was a leave of absence by Dr. Brantley previously and asked how long the leave could occur. Mr. Anthony stated a medical excuse must be accepted and that was indicated by Dr. Brantley. Mr. Anthony stated that if there is an absence of more than 4 weeks. Ms. Burns asked if the intent was for the seat to be returned to.

**Res#24- 368 Resolution Excusing Committeeman Keith Cafferty For Leave Of Absence Of Four Weeks**

Motion to approve Leave of Absence by Committeeman Cafferty.

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

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](http://www.neptunetownship.org)).

**APPROVAL OF MINUTES**

Mr. Stroud asked if prior to approving the minutes, if the Township is able to vote to re-affirm resolution 24-350. Mr. Anthony stated it was up to the Township Committee. Mr. Stroud stated based on discussions in Executive Session, he would like to take action on that now. Mr. Anthony advised Mayor York she will need to recuse herself.

Mr. Anthony stated this is a motion that was approved at the last meeting terminating David Milmoie and Mr. Anthony confirmed that Mr. Stroud is seeking a new motion to reaffirm the vote. Mr. Anthony called for a motion and second before requesting a roll call vote. Ms. Siboni asked for clarification of what action was being

taken since the item up for action was the minutes of the August 12 meeting where the resolution was considered. Ms. Siboni sought to understand if the Township Committee was attempting to change the minutes from August 12 or was considering a resolution that was previously acted on by the Township Committee

**Mayor York exited at 7:17PM**

**Res#24- 350** Resolution Terminating Employment Of David Milmo

<u>Name and Address</u>	<u>Comment</u>
Ann Bishop Franklin Ave. Joan Venezia Mt. Hermon Way Gary Brown Cardinal Rd.	Ms. Bishop confirmed the Township Committee was reconsidering Resolution 24-350 which they had already voted on. The Committee confirmed this is their intent. Ms. Venezia asked if this vote would override the previous resolution. Mr. Anthony stated that would be determined by the vote of the Township Committee Mr. Brown asked if the reason for the new vote was because the Mayor had a yes vote at the previous meeting and was told the vote was going to be changed to abstention. Mr. Anthony stated, no, it is because of the discussions in Executive Session.

Offered by:                      Stroud    Seconded by:                      Lane  
*Vote:*      Cafferty    Absent    Lane    Yes    McMillan    No    Stroud    Yes    York    Recused

Mr. Anthony stated a majority of the quorum present confirmed the resolution and it therefore passes.

Mayor York Returned at 7:20PM

Motion offered by Committeeperson Stroud, seconded by, Committeeperson McMillan, to approve the minutes of meetings of August 12, 2024. All present were in favor.

**RESOLUTION TO PROMOTE EMS**

- Public comments regarding Resolution #24-352 only. The public will be permitted one visit to the microphone with a limit of five minutes.

<u>Name and Address</u>	<u>Comment</u>
No public comment	

**Res#24- 352** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing Certain Personnel Actions

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

Oaths of office will be administered by the Mayor.

**COMMENTS FROM THE DAIS**

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

Stroud	Mr. Stroud announced the little librarian. There is a need for teens to serve on the Library Advisory board. Congratulations to the promotions on EMS.
Cafferty	Absent
McMillan	Mr. McMillan attended the Ocean Grove networking event and learned about opinions on how to make Neptune more appealing to businesses and residents.
Lane	Mr. Lane attended the FOP golf fundraiser and the rescheduled National Night Out which had a great attendance. Mr. Lane attended the ribbon cutting ceremony of Hen Eatery. Mr. Lane stated the Golden Horn has also just opened. Mr. Lane stated Fletcher Lake meetings are the first Thursday of the month. Mr. Lane announced the

Pound the Pavement event. Mr. Lane stated that Wednesday is September 11 and wanted to pay tribute. Mr. Lane stated the VFW will be doing their annual service for 9/11 as well.

York

Mayor York encouraged that those interested in applying for jobs in public works, there are open positions. Ms. York stated it is working very smoothly currently in public works. September 14 is Neptune day.

**REPORT OF THE BUSINESS ADMINISTRATOR**

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

- **Homeless Encampment Updates:** At the August 14<sup>th</sup> Case Conference it was announced that five encampment residents had secured housing vouchers with the assistance of the County Division of Social Services, and that the Division was also able to make a housing unit available for one of the longer-term residents of the camp. The next Case Conference is this Wednesday September 11<sup>th</sup>, and I anticipate significant updates at that time.
- **9<sup>th</sup> Avenue Sewer Project:** The 9<sup>th</sup> Avenue Sewer Main Rehabilitation project is now underway. The first stage of the project will entail the lining of the sewer main, which is expected to take approximately two weeks. Following that, milling and paving work is estimated to start at the end of October. Residents in the affected area will be individually noticed throughout the project to limit their water use at certain times. The lining portion of the project will not impact emergency or school access.
- **Tax Office Renovations and Drive-Up Canopy:** Most of the interior work on the Tax Office has been completed, and construction on the new canopy and drive-up window is expected to start soon. It is anticipated that the exterior portion of the project will take four weeks at most.
- **Bert Willis Park Improvements:** Construction is currently underway on the new Pickleball courts at Bert Willis, with expected completion by the end of this month. In the meantime, work will also begin shortly on the installation of fencing for the planned Dog Park. At present, the Township is targeting late September or early October for full completion of the project.

**PUBLIC COMMENTS ON RESOLUTIONS**

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

**Resolution 24-366**

<u>NAME</u>	<u>DEPARTMENT</u>	<u>POSITION</u>	<u>SALARY</u>	<u>EFFECTIVE DATE</u>
Jayne Narciso	Code and Construction	Departmental Secretary	\$48,052.06	September 23, 2024
Jayne Narciso	Code and Construction	Technical Assistant to the Construction Official	\$6,770.00	September 23, 2024
Alexis Perez	Human Resources	Human Resources Specialist	\$68,500.00	September 16, 2024

Public comments regarding resolutions presented on this agenda only. The public will be permitted one visit to the microphone with a limit of five minutes.

**Name and Address**

Barbara Burns  
Ocean Ave.

**Comment**

Ms. Burns asked about resolution 24-367. Ms. Burns asked for clarification that the agreement has not been finalized due to a flow agreement. Mr. Anthony stated the representing attorney advised the settlement agreement was approved at the August meeting, but there are minor amendments to the agreement which is why the resolution is being considered.

Gary Brown  
Cardinal Road

Resolution 24-360 asked for clarification on the liens. Ms. Siboni indicated it was a lien on the property for maintenance.

**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**  
**ORDINANCES FOR FIRST READING**

**Ordinance 24-36** Bond Ordinance Providing For The Development Of, And Improvements To, The Welsh Farms Property, By And In The Township Of Neptune, In The County Of Monmouth, State Of New Jersey; Appropriating \$500,000 Therefor (Including A \$326,000 Grant Received Or Expected To Be Received From The Monmouth County Open Space Trust Fund) And Authorizing The Issuance Of \$165,300 Bonds Or Notes Of The Township To Finance Part Of The Cost Thereof

*Explanatory Statement: The bond ordinance provides for the financing of the development of, and improvements to, the Welsh Farms property located on Old Corlies Avenue in the Township, also known as Block 3001, Lot 14 on the official tax map of the Township, including, but not limited to, the acquisition, construction, and installation, as applicable, of walking paths, outdoor gaming areas, fitness areas, a picnic pavilion, benches, fencing, gardens and landscaping features, and other related improvements.*

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

**Ordinance 24-37** An Ordinance To Amend Volume I, Chapter Vii Of The Code Of The Township Of Neptune By Adding And Removing Resident Only Handicapped Parking Zones

*Explanatory Statement: This ordinance authorizes the installation of resident only handicapped parking stalls at 65 Abbott Ave and 135 Broadway Ave.*

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

**CONSENT AGENDA**

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

- Res#24- 353** Authorize The Cancellation Of Taxes
- Res#24- 354** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing The Cancellation And Refunds Of Certain Marina Fees Or Payments
- Res#24- 355** A Resolution Of The Township Committee Of The Township Of Neptune Accepting Resignations
- Res#24- 356** Correcting Resolution 24-330 To Authorize A Reduction In The Performance Guarantee Filed By M&M At Neptune, Llc For Site Improvements At Block 701 Lot 1
- Res#24- 357** A Resolution Authorizing The Cancellation Of Taxes
- Res#24- 358** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing Certain Personnel Actions
- Res#24- 359** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing A Person To Person Transfer Of Plenary Retail Consumption License 1334-33-021-005 To Shore Lanes Bar And Grill, Llc
- Res#24- 360** Place Lien On Various Properties
- Res#24- 361** Resolution Authorizing Developer’s Agreement With West Congregation Of Neptune Of Jehovah’s Witnesses, Inc., Block 2601, Lot33, 2900 West Bangs Avenue, Neptune Township New Jersey
- Res#24- 362** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing A Chapter 159 Budget Amendment To Insert Revenue Received For Fy 2024 Local Recreation

Improvement Grant

**Res#24- 363** Release A Performance Bond Filed By Ebenezer Church Of God Prophecy For Site Improvements At Block 713 Lots 2

**Res#24- 364** A Resolution Of The Township Committee Of The Township Of Neptune To Amend Professional Services Agreement To With Julian F. Gorelli, Esq. For Legal Services Related To Case Mon-L-868-24

**Res#24- 365** Authorizing Payment of Bills

**CONSENT AGENDA**

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

**SEPARATED RESOLUTIONS**

**Res#24- 366** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing Certain Personnel Actions

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

**Res#24- 367** Authorizing The Execution Of: (1) Revised Settlement Agreement By And Between Township Of Wall; Wall 34 Realty, Llc; Township Of Neptune; Township Of Neptune Sewerage Authority; And Ocean Grove Sewerage Authority; (2) Revised Interlocal Sewer Capacity Purchase Contract By And Between The Township Of Neptune; Ocean Grove Sewerage Authority; And Township Of Wall; And (3) The Interlocal Lease Amendment Between The Township Of Wall And Township Of Neptune

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

**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.

**Name and Address**

**Comment**

Joyce Klein  
Mt. Hermon Way

Ms. Klein thanked the committee for their discussion on environmental issues during the workshop. Ms. Klein stated the Ocean Grove Homeowners Association did a survey related to electric vehicles. Ms. Klein reviewed the results of the survey. Ms. Klein asked for an update on the electric vehicle chargers at the Jersey Shore Arts Center.

Marta Young  
Lincroft, Clean Water Action

Ms. Young thanked the Township Committee for considering the rethink disposable during the workshop meeting. Ms. Young stated there are a number of municipalities who have adopted a rethink disposable ordinance. Ms. Young encouraged the township to consider an ordinance to address single use plastics not included in the state legislation regarding plastic bags. Ms. Young stated the ordinance encourages good environmental practices as well as cost savings for local businesses. Ms. Young expressed concerns about the implications that plastic has had on the environment and health.

Richard Williams  
Abbott Ave.

Mr. Williams wants to address an issue with the Historic Preservation Commission. Mr. Williams stated the HPC is not given proper authority to

retain the historical properties in Ocean Grove. 25, 26, 27 Webb Ave. Are being developed without procuring proper permits and approvals through HPC. Mr. Williams stated he has concerns that HPC does not seem to have proper authority. Mr. Williams went to HPC to have consideration to make an alteration to his home for an essential alteration for his lifestyle and was denied. Mr. Williams expressed frustration that the HPC is not involved unless there is a resident complaint and wanted to formally make a complaint and expected an update from the Township Committee at the next meeting. Mr. Williams stated all the development will also exacerbate parking in Neptune.

Joan Venezia  
Mt. Hermon Way

Ms. Venezia stated there is construction at 25, 26 and 27 Webb without permits. Ms. Venezia stated in the past there have been Stop Orders when work is being done without permits, and Ms. Venezia asked for the same swift response. Ms. Venezia stated 63 Cookman has been unsafe for years and it needs to be addressed. Ms. Venezia asked for an update on the ordinances for public hearing. Ms. Venezia stated she sent an article for reduced taxes. Ms. Venezia wanted the Township Committee should seek opportunities to cut taxes with shared services with the Board of Education or regionalizes the school district.

Annette Harrell  
Asbury Park

Ms. Harrell spoke to the Township Committee regarding a situation she had with the Neptune Police as they responded to an incident at the nursing home. Ms. Harrell stated the report was not ready on Monday when it was originally said it would be. Ms. Harrell did receive the report and she believes the report was inaccurate. Ms. Harrell went to shift command to speak to speak to an officer to request the report being amended. Ms. Harrell stated the officer told her that the report could not be changed. Ms. Harrell asked the officers to turn his Body Worn Camera off and the officer did not turn off the camera. Ms. Harrell said she has received the report 3 times and the report is inaccurate. Ms. Harrell wanted to meet with the Chief of Police and has only been spoken to by Captains and Sergeants.

Ann Bishop  
Franklin Ave.  
Gary Brown  
Cardinal Rd.

Ms. Bishop wrote to the Township Committee Ms. Bishop asked when the meeting minutes would be posted

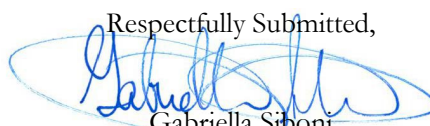
Mr. Brown thanked Gina and Gabriella for all their hard work. Mr. Brown wanted to wish Mr. Nicholas Williams well on procedures he may be undergoing in the near future. Mr. Brown asked if there could be a reduction in the fines assessed to the property. Mr. Brown summarized the timeline for the eviction notices, violations and court dates. Mr. Brown asked if the fines could be reduced if the work is completed in a timely manner.

Ivy Jones  
Princeton Ave.

Ms. Jones stated she has an issue with the woods behind her house. The limbs are hanging over the backyard very badly. Ms. Jones is the only yard that has overhang. Every time there is a storm, there are a number of sticks, leaves and debris. The woods are owned by Neptune Township. 29 Princeton Ave.

**ADJOURNMENT**

Offered by: McMillan      Seconded by: Stroud      Time Adjourned 8:29PM

Respectfully Submitted,  
  
Gabriella Siboni  
Township Clerk