

TOWNSHIP COMMITTEE WORKSHOP MEETING – May 8, 2023 – 6:00 P.M.
Meeting Location: Neptune Senior Center, 1607 Corlies Ave. Neptune, NJ 07753

Mayor Cafferty calls the workshop meeting to order at 6:04 p.m. and asks the Clerk to call the roll:

Roll Call	Present/ Absent
Dr. Michael Brantley	<u>Arrived at 6:06PM</u>
Robert Lane, Jr.	<u>Present</u>
Nicholas Williams	<u>Absent</u>
Tassie D. York	<u>Present</u>
Keith Cafferty	<u>Present</u>

Also present: Gina M. LaPlaca, Business Administrator; Gene Anthony, Township Attorney; Gabriella Siboni, Municipal Clerk.

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. The notice of meeting location was noticed to The Coaster and Asbury Park Pres on May 3, 2023. In addition, the meeting agenda is posted on the Township web site (www.neptunetownship.org).

ITEMS FOR DISCUSSION IN OPEN SESSION

1. Committee Calendars

Committeeman Lane stated that Cops vs. Kids at Neptune High School on May 16. Mr. Lane also stated anyone interested in the ad book for the memorial day parade is due soon.

Deputy Mayor York stated the Vintage Car Show is this weekend in Ocean Grove.

Res #23 - 193 Authorize An Executive Session As Authorized By The Open Public Meetings Act.

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

TOWNSHIP COMMITTEE MEETING – May 8, 2023 – 7:00 P.M.
Meeting Location: Neptune Senior Center, 1607 Corlies Ave. Neptune, NJ 07753

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

Roll Call	Present/ Absent
Dr. Michael Brantley	<u>Present</u>
Robert Lane, Jr.	<u>Present</u>
Nicholas Williams	<u>Absent</u>
Tassie D. York	<u>Present</u>
Keith Cafferty	<u>Present</u>

Also present: Gina M. LaPlaca, Business Administrator; Gene Anthony, Township Attorney; Gabriella Siboni, Municipal Clerk.

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. The notice of meeting location was noticed to The Coaster and Asbury Park Pres on May 3, 2023. In addition, the meeting agenda is posted on the Township web site (www.neptunetownship.org).

APPOINTMENT OF DEPUTY CHIEF OF POLICE

- Chief Fisher recommended and introduced candidate for Deputy Chief of Police

Welcome to Neptune!

Captain Gualario is a native of Neptune Township where he attended Neptune Public Schools graduating from Neptune High School in 1990.

He has volunteered his time in coaching youth sports such as Flag Football, Mighty Mites Tackle Football and Bidy Basketball.

Upon graduation high school he served our country in the United States Army completing his basic training at Fort McClellan, Alabama. He then was assigned to the 10th Mountain Division (light infantry), in Fort Drum New York. Immediately after Hurricane Andrew's devastation of South Florida in 1992, he was deployed along with 22,000 military personnel as part of "Joint Task Force Andrew," this was the largest relief operation in US history.

Shortly after, Captain Gualario was deployed once again to Somalia along with over 30,000 military personnel where he was engaged in ground operations in a chaotic African country with no functional government, starvation, disease and conflict, known as "Operation Restore Hope."

Captain Gualario was awarded New Jersey's highest military award for his service during Operation Restore Hope, the Distinguished Service Medal for operating in a combat theater. Captain Gualario is a proud life member of the (VFW) Veterans of Foreign Wars Post 1333 in Neptune and currently is serving his second term as Jr. Vice Commander.

Captain Anthony Gualario started his law enforcement career in 1995 in the Borough of Belmar where he spent two years as a Special Law Enforcement Officer. He was hired as a fulltime police officer with the Neptune Township Police Department in 1996. He is a graduate of the Monmouth County Police Academy's Basic

Police Officers 52nd class where he was awarded the merit award for “The most likely to advance and succeed.”

He was assigned to the patrol division until he was promoted to Sergeant in 2008 and assigned to the Traffic Safety Bureau. In 2012 he was promoted to Lieutenant and transferred to the patrol division where he served as a Shift Commander.

In 2013 he was transferred to the Professional Responsibility Division where he was responsible for Internal Affairs, Training, Grants, Forfeiture, Accreditation and Police Records. In 2016 he was promoted to Captain leading the Professional Responsibility Division as Division Commander overseeing the Detective Bureau, Identification Bureau, Accreditation, Training, Grants, Forfeiture and Administrative Duties.

Captain Gualario holds a Bachelor’s Degree in Arts and a Master’s Degree in Administrative Science from Fairleigh Dickinson University. He also holds a Post-Graduate Certificate in Law & Public Safety Administration from Fairleigh Dickinson University and an Undergraduate Certificate in Criminal Justice Education from the University of Virginia.

Captain Gualario attended the prestigious (FBI) National Academy for 11 weeks in Quantico, Virginia graduating as part of the 274th class. He also attended the NJ State Association of Chiefs of Police “West Point” Command & Leadership Academy, and the FBI leadership and supervision school. Captain Gualario also attended the Executive Leadership for Public Safety Personnel Course at Fairleigh Dickinson University, the NJ State Association of Chiefs of Police Contemporary Supervision Techniques Course and Penn State’s High Impact Supervision Course.

Captain Gualario is a twenty-seven year veteran of this Police Department who has demonstrated a commitment to building and maintaining strong relationships with our community leaders and residents. He leads by example, and has demonstrated accountability, consistency, and transparency. Captain Gualario is a progressive, forward thinker who maintains a great deal of pride in himself and this police department.

He has focused a great deal of his time on building a high level of professional accountability within the department and can be counted upon to continue to fulfill our focus on Nobility, Trust, Professionalism and Diversity.

So Now, it gives me great pleasure to introduce and recommend to you my friend Anthony Gualario to the position of Deputy Chief.

- **Mayor Cafferty will address process for consideration**

Mayor Cafferty stated there is a police committee comprised of Two committee members and 3 public members. There were three candidates for the position. It was a wonderful experience to have three great choices. The Police Committee recommended Captain Gualario for the promotion.

- **Township Committee will offer comments on the appointment.**

Dr. Brantley stated that Capt. Gualario will be a great choice, he is a military man and the way he holds and conducts himself is indicative of how well he will do in this position. Dr. Brantley is very happy with the recommendation and will nominate Capt. Gualario.

Committeeman Lane served as a member of the Police Committee and stated it was a hard decision with three great candidates. Mr. Lane stated Capt. Gualario’s willingness to serve from such a young age, really stood out.

Deputy Mayor York stated is an honor and privilege to witness Capt. Gualario sitting in the position for this promotion. Deputy Mayor York stated there are more than those in this room who are excited to see Captain Gualario serve in this new role.

Mayor Cafferty stated he is honored to be a part of this promotion and is excited to see this new

- **Mayor Cafferty will open Public Comments on Resolution 23-166 only. The public will be permitted one visit to the microphone with a limit of five minutes.**

Public Comment on Resolution 23-194

George Reed, VFW
Command Post1333

Mr. Reed stated he is privileged to attend. Mr. Reed offered congratulations from the entire VFW Post 33. Mr. Reed stated that 3 years ago, Mr. Reed was tasked with going to the police and Township to introduce VFW Post 33 to the community. At that time, Mr. Gualario introduced himself and stated he would be joining and attend the next meeting. Mr. Reed was impressed and knew they would gain a member who would truly be a part of their community. Mr. Gualario is a rising star and has benefited not only the VFW, but his community as well.

Assembly women
Marilyn Piperno and
Kim Eulner
Bryan Acciani and
Member of the Police
Committee

Assemblywomen Piperno and Eulner thanked the Township for the invitation to this auspicious event and congratulated Capt. Gualario. Capt. Gualario was presented with a citation from the Assembly.

Mr. Acciani stated as part of the Police Oversight Committee, the process began with several meetings to determine the promotion. There was oversight of personnel files, interviews with candidates and a recommendation of Police Chief. Mr. Acciani stated he was impressed with each candidate during their interviews with their knowledge and care of this community. The Police Oversight Committee met for discussions after the interviews to determine a recommendation. Ultimately, the Police Oversight Committee decided to recommend Capt. Gualario and they are proud of the recommendation.

Pastor Nancy Jackson
Johnson
Member of the Police
Committee

Pastor Johnson stated when she met Capt. Gualario, she knew he was an impressive person. Pastor Johnson met Capt. Gualario during Black Lives Matter protests surrounding Capt. Gualario. Pastor Johnson stated that Capt. Gualario changed her views and experience with the Police Department. Pastor Johnson stated Capt. Gualario is her vanilla brother.

Res # 194 Resolution Promoting Captain Anthony Gualario To Deputy Chief Of The Neptune Township Police Department And, Upon The Retirement Of Chief Larry B. Fisher, To The Position Of Chief Of The Neptune Township Police Department

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

Mayor Cafferty presented a citation from Senator Vin Gopal.

Mayor Cafferty swore in Deputy Chief Gualario.

Deputy Chief Gualario thanked the Township Committee and the Police Oversight committee for making this happen. Deputy Chief Gualario thanked his boss and friend, Chief Larry Fisher. Deputy Chief Gualario thanked his family for coming and their travels to support him. Deputy Chief Gualario thanked VFW Post 33 for their support and presence. Deputy Chief Gualario congratulated Michael McGhee on his promotion to Deputy Chief when he is chief.

APPROVAL OF MINUTES

Motion offered by Lane seconded by York to approve the minutes of meetings of April 24, 2023. All present were 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.

Dr. Brantley Dr. Brantley wanted to express his condolences to the family of Dorothy Argyros. Ms. Argyros was a staple at many committee meetings and she had a passion, conviction and knowledge on the matters she would bring to the Township Committee.
Dr. Brantley shared in a 99th Birthday event at the VFW.

Lane Committeeman Lane also shared condolences for Dorothy Argyros. Mr. Lane stated this summer there will be a celebration of life for Ms. Argyros. Mr. Lane stated that Public Works had the effective date of the garbage schedule change for zones C and D. Mr. Lane stated the memorial day parade will kick off at Town Hall. Mr. Lane stated on May 10, there is a night for working seniors at the Senior Center to showcase what the senior center has to offer. May is older Americans month and all this month there will be celebrations at the Senior Center.

York Deputy Mayor York stated Spring Fling happened over the weekend and it was a wonderful event. Mean Girls was a phenomenal hit that was the high school theater production. This weekend is the vintage car show in Ocean Grove.

Cafferty Mayor Cafferty stated his eldest child was in Mean Girls and is following in Mayor Cafferty's footsteps. Mayor Cafferty attended a Ribbon Cutting for a new furniture store in Ocean Grove. Mayor Cafferty was able to attend an Eagle Scout Ceremony and recognized how difficult it is to reach that achievement.

REPORT OF THE BUSINESS ADMINISTRATOR

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

- **Update on Homeless Encampment:** In addition to the clean-up efforts undertaken by Monmouth County Clean Communities and the NJ DEP Clean Shores program, Azarian Group (which owns/operates the ShopRite store) has informed the Township that they have secured a vendor to engage in a cleanup of their portion of the property – with a specific date for that cleanup to be provided to us hopefully soon. The Township has also requested that a temporary fence be erected once cleanup is complete to assist in preventing any further trash or debris from migrating into the woods and wetlands areas on the property.
- **Take Your Child to Work Day – April 27th:** The Township took part in “Take Your Child to Work Day” on Thursday April 27th and I would like to take this opportunity to express my appreciation to the employees who made it possible and thank everyone who brought their child to participate and experience a day in the life of Neptune Township. Kudos first and foremost go to **Stephanie Oppegaard** for pulling together a fantastic and comprehensive program, making sure the kids (and departments) stayed on schedule and that everyone truly had a valuable experience. Thank you also to **Ashleigh Curtis** and **April Perpignan** for their assistance and for taking some great pictures for everyone to enjoy and remember the day. Finally, thank you to **DPW, Police, OEM, EMS, Recreation, Library, and Neptune Fire District** for supplying vehicles, demonstrations, games, activities, tours, swag bags, and of course the celebratory pizza party to wrap up the day.

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 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.

PUBLIC HEARING AND FINAL ADOPTION ORDINANCES:

Ordinance 23-20 An Ordinance Of The Township Of Neptune To Amend And Supplement Chapter 13 Streets And Sidewalks By Amending Section 3 “Obstruction Of Streets Or Sidewalks”

Explanatory Statement: Statement: This ordinance amends Chapter 13 to reflect a change in issuing authority for Street Obstructions and includes requirements for the application.

No Public Comment

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

Ordinance 23-21 An Ordinance To Amend Volume I, Chapter VII Of The Code Of The Township Of Neptune By Adding A Resident Only Handicapped Parking Zone On Beach Ave. And Removing A Resident Only Handicapped Parking Zone On Lawrence Ave. And Mt. Hermon Way

Explanatory Statement: This ordinance authorizes a resident only handicapped parking zone in front of 16 Lake Ave. and removes resident only handicapped parking zones at 145 Main Avenue Apt. 7 and 136 Mount Hermon Way

No Public Comment

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

ORDINANCES FOR FIRST READING

There are no ordinances for first reading.

CONSENT AGENDA

- Res #23- 195** Resolution Authorizing The Mayor And Municipal Clerk To Execute The Fy2024- Fy2026 Revised Amendment Agreement With Monmouth County For Cooperative Participation In The Community Development Program Pursuant To The Interlocal Services Act
- Res #23- 196** Declare The Sunshine Village Pumptrack Improvement Project As Complete
- Res #23- 197** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing A Block Party On Atlantic Ave.
- Res #23- 198** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing A Block Party On Embury Ave.
- Res #23- 199** A Resolution Of The Township Committee Of The Township Of Neptune Participating In The Annual Fun Day At Shark River Elementary School
- Res#23- 200** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing The Cancellation Of Sewer Rent
- Res#23- 201** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing Certain Personnel Actions- Police Department
- Res#23- 202** Authorizing Certain Personnel Actions- Recreation
- Res#23- 203** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing The Cancellation And Refunds Of Certain Emergency Medical Services Fees Or Payments
- Res#23- 204** A Resolution Of The Township Committee Of The Township Of Neptune To Amend Professional Services Agreement To Provide Permitting Services For Maintenance Dredging At The Municipal Marina Awarded To Leon S. Avakian, Inc.
- Res#23- 205** Resolution Of The Township Committee Of The Township Of Neptune Authorizing The

Renewal Of Contract For Animal Control Services

- Res#23- 206** Authorize Shared Service Agreement With County Of Monmouth And The City Of Asbury Park Gunfire Detection Technology
- Res#23- 207** Authorize The Payment Of Bills
- Res#23- 208** Resolution Promoting Captain Michael McGhee To Deputy Chief, Effective Upon The Promotion Of Anthony Gualario To Chief Of The Neptune Township Police Department
- Res#23- 209** A Resolution Of The Township Committee Of The Township Of Neptune Accepting Resignations

CONSENT AGENDA

The consent agenda was considered with the exception of resolution 23-208; which was separated for consideration at the request of Deputy Mayor York.

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

Separated Resolution

Deputy Mayor York requested the separation of Resolution 23-208

- Res#23- 208** Resolution Promoting Captain Michael McGhee To Deputy Chief, Effective Upon The Promotion Of Anthony Gualario To Chief Of The Neptune Township Police Department

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

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.

- Ivy Jones, 29 Princeton Ave. Ms. Jones stated there is a bridge over Route 18 that you can walk over. There are steps on both ends, so it is not possible to bring the bike up the steps. Ms. Jones stated that Princeton Ave. is a racetrack and there is a need for speed bumps, street lines or other option to make the roads safer.
- Laura Checky, Chamber of Commerce President Ms. Checky stated the event was not as well attended because the shuttle was not available as it was available in the past. Ms. Checky stated she had phone calls to request shuttle access. Ms. Checky did express appreciation for the staff for tourism that is provided by the Township in the summer season.
- Joan Venezia, 107 Mt. Hermon Way. Ms. LaPlaca stated the request for the shuttle was brought to the department. At this time, we do not have the personnel to provide for this request. Ms. Venezia stated North End continues to be pushed every two weeks and request an update. Ms. Venezia stated there is a large hole about 4 foot by 4 foot by the shuffleboard court. Ms. Venezia stated she believes this is related to the water damage that was last year at the Tennis Courts. Ms. Venezia stated there

has not been a response to fix the shuffleboard despite multiple requests.

Mr. Anthony stated the case continues to be adjourned; Mr. Anthony is not representing the Township on this matter.

Ms. LaPlaca stated she has forwarded to the Public Works to ensure there is not a matter of municipal matters at the location. The Joint Insurance Fund has paid Camp Meeting Association to make the repairs to the court.

Richard Williams, 1 Abbott Ave.

Mr. Williams stated he was concerned that the duct in question with the Tennis Courts is diagonally across and requested the Township look into the matter.

Mr. Williams recommended the Township Committee considered adding electric bicycles restricting access on the boardwalk. Mr. Williams asked if there was an update regarding the electric vehicle charging and would there be codes adopted in this matter. Mr. Williams also asked for an update on the proposed electric vehicle charging station intended for installation at the Arts Center.

Barbara Burns, 4 Ocean Ave.

Ms. Burns stated Camp Meeting owns the beach and sells beach badges that include an image of the cross. Ms. Burns stated this is compelled speech for those who are not Christian. Ms. Burns stated she believes this is against the Public Trust Doctrine and Green Acres. Ms. Burns also noted that the Township forgoes over \$100,000 in tax revenue because the area is exempt under Green Acres.

Mayor Cafferty stated the Township had meetings with Camp Meeting. The Season Badges have religious iconography, which is the logo of camp meeting. The Season Badges are encouraged to only be shown and placed away. There are other variations of badges, whether hotel, daily, NJTransit, etc do not contain the iconography.

Ms. Burns stated the issue is also about being required to purchase.

Mr. Anthony stated there are issues about access on the Public Trust Doctrine because of the requirement for access to the high water line. Mr. Anthony stated that he does not believe the badges are against the Public Trust Doctrine. Mr. Anthony stated the organization must apply to the State of New Jersey to determine the exemption. The jurisdiction in that portion is with the New Jersey Department of Environmental Protection.

Shane Martins, 138 Mt. Hermon Way

Mr. Martins stated the beach did not receive an exemption until the 1990s. Mr. Martins stated it is contradicting the statute since Green Acres states the Municipal government is responsible for monitoring whether the property has been properly used.

Mr. Martins asked for an update on the CO for tents on cottages.

Mr. Anthony stated the ordinance was amended last August. The ordinance does not include specific language to address the tents and cottages. Mr. Anthony stated in the meantime a decision is needed to inspect the structures. Mr. Anthony stated the ordinance speaks to Occupancy. Mr. Anthony stated it was determined that based on that, the tents and cottages would be subject to short Term Rentals. Mr. Anthony stated the ordinance will need to be revisited. Mr. Brown thanked Ms. LaPlaca for her updates and requested a few minutes with Ms. LaPlaca to show a video regarding the area. Mr. Brown stated he must call the police department to address the issue because there is no other recourse.

Gary Brown, Cardinal Road

Mr. Brown looked into getting a Crime Watch sign in Neptune. Mr. Brown asked why the signs are not available anymore. Mr. Brown stated there has been

an increased traffic due to GPS systems navigating to the area wrongly. Mr. Brown gave credit to the Public Works for their quick response of updating signs.

Cindy Kleinbart,

Mr. Brown also requested “No Outlet” Signs to be posted. Mr. Brown asked about any additional signage to notify drivers of the locations.

Ms. Kleinbart asked for clarification on the COIs, will the fees need to be paid this year? Ms. Kleinbart asked why or how the regulations would be changed in the future.

Mayor Cafferty stated that is dependent on whether the committee decides to move forward. Normally, a discussion takes place in Workshop meeting. If the Committee wishes to move forward, an ordinance is drafted and has a first reading and then is advertised for a public hearing, where the Township Committee takes public comment. The Committee will then vote on the matter. The information is available on the website and advertised when they are coming to the meeting.

ADJOURNMENT

Offered by: Lane Seconded by: York

Time adjourned: 8:37PM

Respectfully Submitted,



Gabriella Siboni
Township Clerk