

TOWNSHIP COMMITTEE WORKSHOP MEETING – January 8, 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:

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

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. Special Events Ordinance
2. Committee Calendars

TOWNSHIP COMMITTEE MEETING – January 8, 2024 – 7:00 P.M.

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

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

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).

APPROVAL OF MINUTES

Motion offered by _____, seconded by _____, to approve the minutes of meetings of December 21, 2023.

Motion offered by _____, seconded by _____, to approve the minutes of meetings of January 1, 2024.

COMMENTS FROM THE DAIS

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

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.

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.

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

There are no ordinances for Public Hearing scheduled for this meeting

ORDINANCES FOR FIRST READING

Ordinance 24-01 An Ordinance To Of The Township Of Neptune To Amend And Supplement Chapter 13 Streets And Sidewalks By Amending Section 1 "Excavation Of Streets And Sidewalks"

Explanatory Statement: This ordinance amends the application information, increases application fees, designates administrative responsibilities and powers to department representatives regarding the excavating and repaving of streets and sidewalks.

Offered by: _____ Seconded by: _____
Vote: Cafferty _____ Lane _____ McMillan _____ Williams _____ York _____

CONSENT AGENDA

- Res#24- 064** Place Lien On Various Properties
- Res#24- 065** Resolution Of The Township Committee Of The Township Of Neptune Authorizing Town Wide Garage Sale
- Res#24- 066** Establish Fee Schedule For Recreation Field Use
- Res#24- 067** Authorizing The Execution Of Contracts With Various Organizations To Provide Recreation Programs And Services

CONSENT AGENDA

Offered by: _____ Seconded by: _____
Vote: Cafferty _____ Lane _____ McMillan _____ Williams _____ York _____

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.

ADJOURNMENT

Offered by: _____ Seconded by: _____

Time adjourned: _____

**TOWNSHIP OF NEPTUNE
RESOLUTION 24-064**

PLACE LIEN ON VARIOUS PROPERTIES

WHEREAS, Ordinance #843 of the Township of Neptune states that where a violation or condition exists on any property in the Township of Neptune that is of such a nature as to constitute an immediate threat to life, health, safety and the well-being of residents in this township unless abated without delay, the Director of Code Enforcement may abate the violation or condition immediately or order the owner, operator or occupant to correct the violation or condition within a three-day period; and,

WHEREAS, the Director of Code Enforcement determined that the condition of the properties listed below constituted such a threat; and,

WHEREAS, the Director of Code Enforcement has notified the Township Committee of the Township of Neptune that the owners of said property have failed to correct the condition/violation as ordered; and,

WHEREAS, the Director of Code Enforcement has had the condition corrected in accordance with Article IV, Section 6.2 (a) of Ordinance #843 at a total cost as indicated below; and,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Tax Collector be and is hereby authorized to place the following costs as a lien against the following properties; and,

Block	Lot	Address	Amount
2705	4	303 Slocum Ave.	\$2,041.13

BE IT FURTHER RESOLVED, that a copy of this resolution along with the Code Enforcement Supervisor's report be forwarded to the Tax Collector.

TOWNSHIP OF NEPTUNE

RESOLUTION 24-065

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE
AUTHORIZING TOWN WIDE GARAGE SALE**

WHEREAS, The Township Committee has expressed interest in hosting a Township wide Garage Sale, and;

WHEREAS, the proposed dates for the 2024 Township Garage Sale will be coordinated using Public Works Zones and will be as follows:

- Zone A- June 1st and 2nd
- Zone OG- June 8th and 9th
- Zone B- June 8th and 9th
- Zone C- June 15th and 16th
- Zone D- June 22nd and 23rd

WHEREAS, Pursuant to Neptune Township Code §4-20, a permit (\$5.00) to participate in the Township Yard Sale is required, and;

WHEREAS, the Township will advertise for the Town Wide garage sale on the Township Website, social media and news media, and;

WHEREAS, a list of participants who procured will be made available in advance of the sale, and;

THEREFORE, BE IT RESOLVED, that the Mayor and Township Committee hereby authorize the Town Wide Garage sale and All Township officials, including, but not limited to, the Mayor, Business Administrator, Public Works Director, and Municipal Clerk are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.

**TOWNSHIP OF NEPTUNE
RESOLUTION 24-066**

ESTABLISH FEE SCHEDULE FOR RECREATION FIELD USE

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following fee schedule is hereby adopted for use of recreation fields for the year 2024; and,

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Recreation Director and Chief Financial Officer.

**2024 NEPTUNE TOWNSHIP
Field Use Fees
(Fees are charged per field)**

Facility	Tier 1	Tier 2	Tier 3
	Resident Schools, Resident Not for- Profits, Neptune Township Departments	Resident Travel Teams, Resident Businesses, Non-Resident Schools, Non-Resident Not-for- Profits	Non-Resident Businesses, For-Profit Organizations & Commercial Entities, Non-Resident Travel Teams
Soccer / Football Field	\$10 per hour	\$15 per hour	\$30 per hour
Beverly Way Softball Field	\$10 per hour	\$15 per hour	\$30 per hour
Bert Willis Softball Field	\$10 per hour	\$15 per hour	\$30 per hour
Jumping Brook Field	\$10 per hour	\$25 per hour	\$45 per hour
Field Lights (in addition to field reserve fee)	\$10 / hour per field	\$15 / hour per field	\$20/ hour per field
Online Reservation Fee	Applicable Fee	Applicable Fee	Applicable Fee

Residency is based on more than 50% of participants living in Neptune Twp.

Travel trumps not-for-profit status.

As per Township contracts, Neptune Soccer Association, Neptune Baseball, and Neptune Flyers Youth Football & Cheer are exempt from field use fees, and have reduced light use fees.

Online Reservation Fee currently not in use.

TOWNSHIP OF NEPTUNE

RESOLUTION 24-067

**AUTHORIZING THE EXECUTION OF CONTRACTS WITH VARIOUS ORGANIZATIONS
TO PROVIDE RECREATION PROGRAMS AND SERVICES**

WHEREAS, the Neptune Township Recreation Department has relationships with various organizations to organize and provide various recreational activities and programs in the Township of Neptune; and,

WHEREAS, in some instances, the Township of Neptune provides either sponsorship or funding to said organizations to provide these programs; and,

WHEREAS, it is the desire of the Township to renew the annual contracts with these organizations,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute contracts with various organizations and groups that are supported by the Township's Recreation Department and that provide recreational services and programs to Township residents for the year 2024; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Recreation Director, Chief Financial Officer, and Township Attorney.

**TOWNSHIP OF NEPTUNE
RESOLUTION 24-068**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE
AUTHORIZING CERTAIN PERSONNEL ACTIONS- RECLASSIFICATION**

WHEREAS, the following re-classifications have been reviewed by the Department Heads of the respective Departments; and,

WHEREAS, the Human Resources Director in consultation with the Township Administrator and the Department Heads involved have recommended the Reclassification of the following individuals; and,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Neptune that the following personnel actions be and are hereby authorized on the effective date included herein.

<u>NAME</u>	<u>DEPT</u>	<u>PREVIOUS POSITION</u>	<u>RECLASSIFICATION</u>	<u>SALARY</u>	<u>EFFECTIVE DATE</u>
Kaitlynn Basso	EMS	Per Diem Emergency Medical Technician	Full Time Emergency Medical Technician	\$60,000.00	1/3/2024

I, Gabriella Siboni, Clerk of the Township of Neptune hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee of the Township of Neptune, Monmouth County, State of New Jersey at a meeting held on January 8, 2024

Gabriella Siboni
Township Clerk

Certification of Funds

I, Michael Bascom, Chief Financial Officer of the Township of Neptune, do hereby certify to the Township Committee of the Township of Neptune that funds are available for the above noted personnel matter

Account Name
EMS Salary and Wages

-

Michael Bascom, Chief Financial Officer-

Date

**TOWNSHIP OF NEPTUNE
ORDINANCE NO. 24-01**

**AN ORDINANCE TO OF THE TOWNSHIP OF NEPTUNE TO AMEND AND SUPPLEMENT
CHAPTER 13 STREETS AND SIDEWALKS BY AMENDING SECTION 1 “EXCAVATION OF
STREETS AND SIDEWALKS”**

BE IT ORDAINED, by the Township Committee of the Township of Neptune that the Ordinance be and is hereby amended as follows:

SECTION 1.

§13-1 Excavation of Streets and Sidewalks

§13-1.1 Definition of Department of Engineering & Planning

Whenever in this section reference is made to the "Department of Engineering & Planning" or their designated representative," this shall also mean that in the event there is no Director of Engineering & Planning, this shall then refer to the Assistant Director of Engineering & Planning. Whenever in this section reference is made to the “Director of Public Works” or their “designated representative,” this shall also mean that in the event there is no Director of Public Works, this shall then refer to the Assistant Director of Public Works.

§13-1.3 Application Information and Fee

Application forms shall be obtained from the Director of Engineering & Planning, or their designated representative, and shall contain the name and address of the person, firm or corporation making the application, and signed by the applicant or a duly authorized agent, and shall set forth the location where work is to be performed, the character of the work, and the time within which it is to be completed, together with scaled drawings of the proposed work.

- a. For proposed openings less than ninety (90) square feet/ten (10) square yards a non-refundable application fee of ~~fifty (\$50.00)~~ **Two Hundred Fifty (\$250)** dollars payable to the Township of Neptune is required;
- b. For proposed openings greater than ninety (90) square feet/ten (10) square yards a non-refundable application fee of ~~twenty-five (\$25.00)~~ **One Thousand** dollars ~~per one hundred (100) square feet of proposed opening~~ is required.

§13-1.10 Backfilling; Restoration of Surface

The permittee shall assume all responsibility and hold the Township harmless for any property damage or bodily injury which may occur as a result of the work performed from the time the work commences until the permanent restoration has been made by the permittee. The permittee shall immediately backfill the opening with excavated material if such material is suitable, in layers not exceeding two (2') feet in thickness if heavy compacting equipment is used or in layers not exceeding one (1') foot in thickness if hard or light compacting is used. This fill shall be brought to an elevation of six (6") inches below the permanent surface. If the Director of Engineering & Planning, or their designated representative, determines that the excavated material is not suitable for backfilling as specified, then it shall be removed from the site and the opening backfilled as herein specified with suitable material, then six (6") inches of road gravel of a grade satisfactory to the Director of Engineering & Planning, or their designated representative, shall be applied and thoroughly compacted. This temporary restoration shall be checked for settling and all holes shall be filled evenly with the surface of the adjoining pavement.

Once the excavation work area has been properly saw cut, and the backfill tamped and compacted, the permittee shall install no less than six (6") inches of bituminous stabilized base course to the trench surface. If the distance from the edge of the excavation work area to the existing curb is less than two (2') feet, the permittee shall be required to excavate to the curb and evenly install six (6") inches of bituminous stabilized base course in the entire area.

The partially restored pavement shall be allowed to settle for no less than ninety (90) and no more than one hundred eighty (180) days. If at any time during the settlement period, the trench becomes unacceptable as determined by the Director of Engineering & Planning, the permittee shall be notified of the condition requiring repair, and such repair shall be performed within twenty-four (24) hours of such notification by the Director Engineering & Planning. If the repair is not made in the time specified, the Township may make the repair and any cost thereof will be charged against the permittee's cash repair deposit and/or maintenance bond. At the end of the period of time of settlement required by the Department of Engineering & Planning, an inspection shall be performed by the Department.

At this time, the permittee shall be required to mill the excavation work area surface to a width equal to one (1') foot wider on each side of the initial repair and install no less than two (2") inches of FABC surface course. The permittee shall also be required to provide a tack coat on all existing bituminous and concrete surfaces and a hot-poured, rubber asphalt joint sealer (per current DOT Standard Specifications for Roads and Bridges).

Unless authorized by the Department of Engineering & Planning, any excavation less than ninety (90) square feet/ten (10) square yards shall require milling and restoration of the excavation work area extending a minimum of one (1') foot beyond the edge of excavation to the nearest curb. Any excavation equal to or greater than ninety (90) square feet/ten (10) square yards shall require milling and restoration of the excavation work area extending from ~~the center line of road to the curb~~ **curb to curb (full width of road)** and extending a minimum of one (1') foot beyond the outer edges of the excavation. If the excavation work area will be within ~~two hundred (200')~~ **Seventy-five (75')** feet or less of previous excavations occurring within ~~one (1) year~~ **Two (2) Years** of the subject excavation (by same permittee along the same side of the road), the permittee shall be required to mill and restore the roadway between the outer most excavations. **The director of Public Works reserves the right to change the restoration of surface requirements at any time and to extend the restoration limits where feasible to allow for better transition of old asphalt roadways.**

The permittee shall be required to replace any facilities including, but not limited to, curb, pavement, sidewalk, line striping, etc., that is affected by the excavation and restoration work, at the permittee's expense. Such work shall be performed according to Township standards.

~~With Department of Engineering & Planning approval, center line of road milling and restoration may be offset by the distance necessary to avoid disturbing existing line striping or markers.~~

Work that is completed in the public right-of-way, but outside of the cartway, should be restored to existing conditions. If the work contains curb and sidewalk then the area shall be restored with curb and sidewalk in accordance with the Township Engineer's review and recommendations on specifications.

If the work was other than sidewalk, such as slate or pavers, then it shall be restored to slate or pavers or the material that existed prior to excavation.

§13-1.11 Engineering Inspection and Construction Administrative Escrow Fees

~~The permittee shall establish an engineering inspection escrow account with the Township Finance Officer unless specifically waived by the Township of Neptune, by and through the Department of Engineering & Planning, for any proposed permit for over ninety (90) square feet or ten (10) square yards. In the event of a multiple repairs/replacements on the same street or within three (3') feet the openings shall be cumulative and not submitted as separate permits in order to avoid the inspection fee. The account shall be for five (5%) percent of the estimated cost of the project, or five hundred (\$500.00) dollars, whichever is greater. The escrow shall be used by the Township for the reimbursement of engineering fees, inspection fees and other reasonable fees associated with the permittee's project. In the event that charges deplete the escrow account by more than fifty (50%) percent of the original submission, the permittee shall be notified and requested to submit additional escrow sums in sufficient amount to restore the escrow account to not less than seventy-five (75%) percent of the original escrow deposit.~~

Inspection fees for road openings shall be as follows:

- a. **For proposed openings equal to or less than nine (9) square feet/ One (1) square yard, a non-refundable fee of \$100.00 payable to the Township of Neptune is required.**
- b. **For proposed openings less than ninety (90) square feet/ Ten (10) square yards and under one hundred (100) linear feet, a non-refundable inspection fee of \$200.00 payable to the Township of Neptune is required**
- c. **For Proposed opening greater than ninety (90) square feet/ Ten (10) square yards and over one hundred (100) linear feet, a non-refundable inspection fee of \$200.00, plus \$100.00 per one hundred (100) linear feet thereafter payable to the Township of Neptune is required.**

§13-1.12 Emergency Permits

In case of emergency, an emergency permit may be issued by the ~~Police Department of the Township of Neptune,~~ **Director of Public Works or a designated representative** after which an application for a permit, as hereinbefore required, shall be made to the Director of Engineering & Planning, or their designated representative, within forty-eight (48) hours after the work has been commenced. **All emergency work must be approved by the Director of Public Works or a designated representative prior to the start of construction.**

§13-1.14 Excavation of Newly Paved Streets

No street opening permit shall be issued by the Director of Engineering & Planning to any person given notice under this section or their assignees or successors which would allow an excavation or opening in paved and improved street surface less than ~~three (3)~~ **Five (5)** years old unless the applicant can clearly demonstrate that public health or safety requires that the proposed work be permitted or unless an emergency condition exists.

If determined that the roadway needs to be opened in the event of an emergency the penalty shall apply.

The penalty charge shall be on a sliding scale determined as follows:

a.	Penalty assessment	= \$1,000- \$2,500.00
b.	Area of road cut in S.F. x \$5-\$7.00	= Varies
	Total a and b	= Varies

Penalty factor is three (3%) percent of the above total for each unelapsed month or fraction thereof of the three (3) year (36 months) restricted period. Maximum penalty shall be one hundred eight (108%) percent of above total and minimum penalty shall be five hundred (\$500.00) dollars. Inspection and permit fees are payable in addition to the penalty charges set forth herein pursuant to subsection **13-1.13**. No portion of the penalty charge shall be refundable and penalty charges do not relieve the permit holder from the required performance cash bond or the required insurance. Restoration of all road openings in "new street" pavement shall be to a "newly paved" condition. The restoration shall be according to subsection **13-1.10**.

SECTION 2.

All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

SECTION 3.

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 4.

This Ordinance shall take effect upon its passage and publication according to law.

Motion/ Second	Roll Call To Adopt On First Reading					Adopted on First Reading
		YAY	NAY	ABSTAIN	ABSENT	Dated:
	Keith Cafferty					
	Robert Lane, Jr.					
	Kevin McMillan					
	Nicholas Williams					_____
	Tassie D. York					Gabriella Siboni, RMC Township Clerk

Motion/ Second	Roll Call To Adopt On Second and Final Reading					Adopted on Second Reading
		YAY	NAY	ABSTAIN	ABSENT	Dated:
	Keith Cafferty					
	Robert Lane, Jr.					
	Kevin McMillan					
	Nicholas Williams					_____
	Tassie D. York					Gabriella Siboni, RMC Township Clerk

Gabriella Siboni
Township Clerk

Tassie D. York
Mayor