

TOWNSHIP COMMITTEE WORKSHOP MEETING – October 10, 2023 – 6:00 P.M.

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

Township Committee	Present/ Absent	Professionals	Present/ Absent
Dr. Michael Brantley	<u>Absent</u>	Gina LaPlaca, Business Administrator	<u>Present</u>
Robert Lane, Jr.	<u>Present</u>	Gabriella Siboni, Township Clerk	<u>Present</u>
Nicholas Williams	<u>Present</u>	Gene Anthony, Township Attorney	<u>Present</u>
Tassie D. York	<u>Present</u>		
Keith Cafferty	<u>Present</u>		

Mayor Cafferty announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on January 5, 2023, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda is posted on the Township web site (www.neptunetownship.org).

ITEMS FOR DISCUSSION IN OPEN SESSION

1. Appeal from Rent Leveling Board

a. Establish date for appeal of Rent Leveling Board Decision (Maria Kapetanovich v. McNeely Properties)

Mr. Anthony stated there is a rent control ordinance and board. The Board has the right to hear applications from tenants and landlords regarding lease increases, conditions, or capital improvement. There is an application for reduced services for tenants to state the landlord has not maintained the property in a habitable fashion. There was an application before the board that began in December 2022. The board concluded that there was reduced rental value of the property based on the testimony provided during the hearing. The appeals process is to go before the Township Committee. The landlord has paid for a transcript of the applicable meetings. The Township Committee is instructed to review the transcript and determine if the board was correct or if there should be a change to the decision of the Rent Leveling Board. Mr. Anthony stated the Township Committee could offer an option for the parties to speak before to the Township committee. Mr. Anthony suggested against this, as new testimony is not permissible. Ms. Siboni stated an appeal has been submitted to a decision of the Rent Leveling Board. The Township Committee will provide their availability for review of the transcripts to schedule hearing.

2. Ordinance Amending Revised General Ordinances Of The Township Of Neptune, Volume I, Chapter 1, Section 1-5.1, Entitled, “Maximum Penalty”

Mr. Anthony stated this is a general ordinance there is a penalty cause. The State Statute allows for local ordinances to have an associated penalty. Mr. Anthony suggested the change to the maximum fine allowed by State Law to \$2,000. Mr. Anthony stated he is intending to update the whole section of code to allow more allowance for the court for egregious issues.

3. Ordinance Amending Neptune Township Code Of Ordinances, Volume I, Chapter III, Entitled, “Police Regulations” To Add §3-8.1(B)(3)

Mr. Anthony stated this was the ordinance previously requested by Committeeman Lane and was presented at a previous workshop. This ordinance amends the ordinance to include the pedestrian bridges and sidewalks.

Mr. Williams asked about the bridges connecting to Asbury Park. Mr. Anthony stated we can only enforce on the Neptune Side.

4. Sign Location Lease

Mr. Anthony stated this was brought to his attention by CFO Mike Bascom. There was a lease entered into with CBS with the billboard. The Billboard was constructed by the company and the land is leased to the company. Mr. Anthony stated the law requires that leases are done at Market value. Mr. Anthony

Township Committee	Present/ Absent	Professionals	Present/ Absent
Dr. Michael Brantley	<u>Present</u>	Gina LaPlaca, Business Administrator	<u>Present</u>
Robert Lane, Jr.	<u>Present</u>	Gabriella Siboni, Township Clerk	<u>Present</u>
Nicholas Williams	<u>Present</u>	Gene Anthony, Township Attorney	<u>Present</u>
Tassie D. York	<u>Present</u>		
Keith Cafferty	<u>Present</u>		

MOMENT OF SILENCE AND FLAG SALUTE

Mayor Cafferty dedicated the moment of silence to those who have suffered unimaginable tragedy through the terrorist attacks aimed at Israel.

The Clerk states, "Fire exits are located in the rear of the room and to my right. In the event of a fire, you will be notified by fire alarm and/or public address system, then proceed to the nearest smoke-free exit."

Mayor Cafferty announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on January 5, 2023, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda is posted on the Township web site (www.neptunetownship.org).

APPROVAL OF MINUTES

Motion offered by Lane, seconded by, York, to approve the minutes of meetings of September 25, 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.

Mr. Williams stated the Library Halloween Party is Thursday October 12 from 3:45 to 5:00PM. The Library will be getting new lights. There have not been new lights in the library since the 1970's and they are so outdated, the lights can no longer be replaced. At the Marina, the season is started to wind down and boats will need to be out by the end of November.

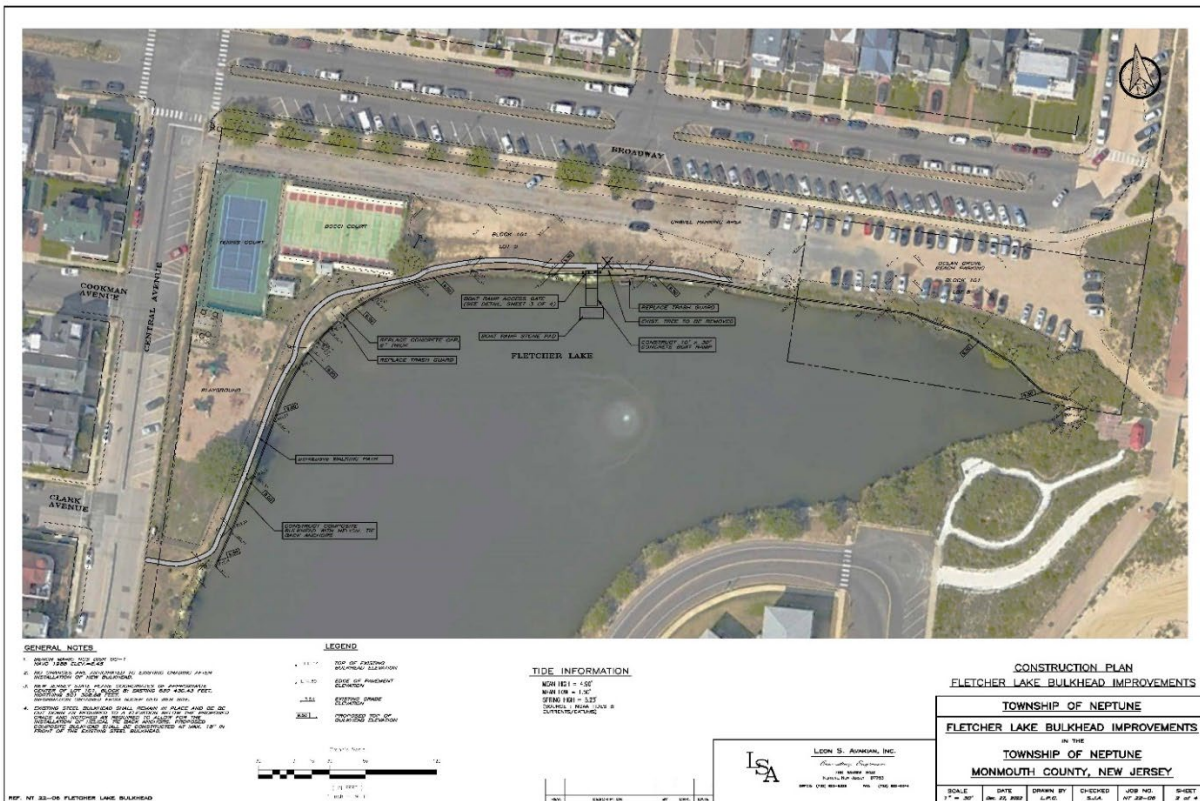
Mr. Lane stated there is a reminder that October 13 is the deadline for the banner program for Hometown Heroes. Mr. Lane thanked the department of public works and OEM for their tremendous work through the storms the past few weeks. Mr. Lane advised that leaf pick up is underway and asked residents for patience as the department makes their way through the pickup around town. Mr. Lane stated there are new programs being sought by new Chief Gualario including Ride Together, which is a pilot program where mental health specialists team up with officers to respond to calls dealing with Mental Health challenges. Chief Gualario is also seeking to reinstate the Police Chaplain program.

Mr. Lane provided an update on Fletcher Lake and showcased the below map.

Ms. York stated she has followed up on all her liaison positions. There is a breast cancer walk coming up this weekend as well that she will forward the information for.

Deputy Mayor York stated she had followed up with her liaison departments and all is well. Deputy Mayor York stated there is a breast cancer walk upcoming that she hopes to have on the website.

Mayor Cafferty also expressed gratitude to DPW and EMS on their work through the storms. Homecoming march and game is October 14. October 17 will be the disc golf showcase from 4-6. Mayor Cafferty stated there is a plan for a winter solstice bonfire to encourage community bonding and poetry reading.



REPORT OF THE BUSINESS ADMINISTRATOR

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

- Update on Homeless Encampment: Tomorrow October 11th the Monmouth County Continuum of Care will hold its monthly case conference regarding the encampment. I am hopeful that we will continue to receive positive updates on the 20 residents that were remaining as of the September Case Conference, and I look forward to providing additional information to the Committee after tomorrow’s meeting.
- Ocean Grove Pier Inquiry: As the Committee is aware, the Township received inquiries over the holiday weekend expressing concern about the structural integrity of the Ocean Grove pier, specifically that a piling appeared to be damaged or misplaced. Avakian Engineers, acting in their capacity as the consulting engineer for the pier project, which was *not* a Township project, went out on Sunday evening to take a look and observed that one pile had cracked about 5 feet below the sand elevation, and it appears that this cracking occurred during last weekend’s storm event. As a courtesy, Avakian provided an update to the Township yesterday and states that the pier is structurally stable and that a contractor is coming back to add supports to that particular piling. Their office will also continue to monitor the pier to ensure its integrity going forward.
- Voter Registration Deadline: Friendly reminder that one week from today, Tuesday October 17th is the deadline to register to vote in the November 7th General Election. Registration must be completed online via the State’s voter registration portal or by completing the State voter registration form and submitting it to the Monmouth County Superintendent/Registrar of Election or to your municipal clerk by October 17th.

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>
Jose Perez	Public Works	Laborer	\$32,500.00	10/11/2023

Public comments regarding resolutions presented on this agenda only.

The public comment portion of our meeting is to allow the public to bring to the Committee’s attention their concerns or comments. In accordance with N.J.S.A. 10: 4-12(a) and the Neptune Rules of Committee, the Committee asks the public to limit their comments to five minutes or less. The Committee will respect the public’s time by refraining any comment until the speaker has finished with their allotted time. It should be further noted that public comment portion of our meeting is not structured as a question-and-answer session. If a member of the public has questions, they seek answers to,

an appointment can be made with the appropriate office, Business Administrator or Township Committee Liaison during regular business hours. The Township Clerk will regulate the time during the comment portion of our meeting. The Committee reserves the right to respond to comments or questions at the conclusion of the speaker's time.

No Comments on Resolutions

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 23-33 An Ordinance To Amend Volume I, Chapter VII Of The Code Of The Township Of Neptune By Converting An Existing Handicapped Parking Zone To A Resident Only Handicapped Parking Zone On Clark Avenue, Removing A Handicapped Parking Zone On Main Ave. And Adding A Handicapped Parking Zone On Main Ave.

Explanatory Statement: This ordinance will convert a Handicap Parking Space on Clark Ave. to a Resident only Handicap space for 50 Clark Ave., remove a resident handicap space for 35 Main Ave. and add a resident handicap space for 89 Main Ave.

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

ORDINANCES FOR FIRST READING

Ordinance 23-34 Ordinance Amending Revised General Ordinances Of The Township Of Neptune, Volume I, Chapter 1, Section 1-5.1, Entitled, "Maximum Penalty"

Explanatory Statement: This ordinance will increase the maximum penalty from \$1,250.00 to \$2,000 under General Provisions.

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

Ordinance 23-35 Ordinance Amending Neptune Township Code Of Ordinances, Volume I, Chapter III, Entitled, "Police Regulations" To Add §3-8.1(B)(3)

Explanatory Statement: This ordinance amends the regulations on the Ocean Grove Boardwalk, any and all sidewalks, and pedestrian bridges to amend times of enforcement and restricted wheeled vehicle or equipment.

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

Ordinance 23-36 Bond Ordinance Providing For The Dredging Of The Shark River Municipal Marina Basin, By The Marina Utility Of The Township Of Neptune, In The County Of Monmouth, State Of New Jersey; Appropriating \$750,000 Therefor And Authorizing The Issuance Of \$712,500 Bonds Or Notes Of The Township To Finance Part Of The Cost Thereof

Explanatory Statement: The bond ordinance provides for the financing of the dredging of the Shark River Municipal Marina Basin by the Marina Utility. Appropriation: \$750,000, Bonds/Notes Authorized \$712,500. Grant: None, Down Payment: \$37,500.00 Section Costs: \$100,000, Useful Life: 15 Years.

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

CONSENT AGENDA

Res #23- 348 Authorizing The Execution Of Agreement With Mary's Place By The Sea Relating To Walkathon And 5k Event On October 14, 2023

Res #23- 349 A Resolution Of The Township Committee Of The Township Of Neptune Authorizing Certain Personnel Actions- Office Of Emergency Management

Res #23- 350 A Resolution Of The Township Committee Of The Township Of Neptune Accepting Resignations

Res #23- 351 A Resolution Of The Township Committee Of The Township Of Neptune Authorizing Submission Of A Grant Application And Execute A Grant Agreement New Jersey Department Of Community

- Res #23- 352** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing Certain Personnel Actions- Police Department
- Res#23- 353** Resolution Authorizing Agreement For Energy Efficient Lighting Upgrades At Library From Grainger Under New Jersey State Contract #19-Fleet-00677 In An Amount Not To Exceed \$85,000.00
- Res#23- 354** Resolution Authorizing The Professional Services Agreement With ARH Associates For Engineering Services Relating To 2023 Road Improvement Program Project In An Amount Not To Exceed \$106,013.00
- Res#23- 355** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing A Chapter 159 Budget Amendment To Insert Revenue Received For Patrick Leahy Bulletproof Vest Partnership (BVP)
- Res#23- 356** Support Solar Landscape Community Solar Project At 1001 Neptune Blvd. (Public Storage Location)
- Res#23- 357** A Resolution Supporting the Use of State and Federal Funds to Support the New Jersey Emergency Medical Service Task Force to Replace Aging Emergency Response Vehicles and Equipment and for an Annual State Appropriation to Sustain Their Operations to Assure the Long-term Viability of this Critical State Asset
- Res#23- 358** Authorizing The Payment Of Bills
- Res#23- 359** A Resolution Of The Township Committee Of The Township Of Neptune To Amend Professional Services Agreement To With Plosia Cohen For Legal Services

CONSENT AGENDA

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

SEPARATED RESOLUTION

- Res#23- 360** A Resolution Of The Township Committee Of The Township Of Neptune Authorizing Certain Personnel Actions- Public Works

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

Name and Address Comment

Aliza Greenblatt, Franklin Ave. Ms. Greenblatt thanked Mayor Cafferty for his sentiments for Israel. Ms. Greenblatt asked if the Township has ever inspected the pier during or after its construction. Ms. LaPlaca stated the Pier is not under the jurisdiction of the Township and therefore we do not inspect the pier. Ms. LaPlaca stated she will reach out to the engineer on the project to follow up on the process at the State. Mayor Cafferty checked in on Ms. Greenblatt to make sure she was ok after the storms and flooding.

Tamika Harris, Heck Ave. Ms. Harris stated the drains have never been cleaned out and there is no pickup on the property.

Joan Venezia, Mt. Hermon Ms. Venezia asked if the walkway was already placed at Fletcher lake because she was there today and could not find it. Mr. Lane confirmed that the walking path is there. Ms. Venezia asked if there will be landscaping on the property. Mr. Lane stated there is a replacement.

There is a light on New Jersey and Mt. Hermon Way has not been replaced. The court date for Ocean Grove North End was cancelled. Ms. Venezia asked for updates on redevelopment committee.

Mr. Williams stated the attorneys on redevelopment are working on a plan to be submitted to the Township. Ms. Venezia stated she is looking for an update on the lawsuit that was filed against the Township regarding OGNED. 63 Cookman is still a dangerous site and there are updates on the site and there is a 6-foot-high concrete porch and there is not a barrier, and the children may fall on the pavement. Mr. Anthony stated the property owner would need to get a permit from HPC.

Ms. Venezia asked for an update on CLG. Ms. LaPlaca stated the Mr. Haney stated the CLG is not applicable to the Township because the property is owned by Camp meeting.

59 Webb dangerous house

Ivy Jones, Princeton Ave.

Ms. Jones is speaking on a dead tree and has been calling for 3 years. There have been other trees that have been removed. There was a notation from a previous supervisor that stated the tree would be taken down. There was a request for the property survey by a Neptune Employee and Ms. Jones stated she does not have to provide the survey as it is in the woods. Ms. Jones indicated there was one tree that was an issue because it is dead, and the Township needs to remove it as it is a danger to the surrounding homes and local Montessori. There was a speed sign that was solar powered on Princeton Ave. that was removed.

Joyce Klein, Mt. Hermon Way

Ms. Klein thanked Mr. Lane for bringing up the issues regarding electric vehicles on the boardwalk, sidewalks, and pedestrian walkways. Ms. Klein asked the Township Committee to find a way to post signs on the boardwalk and sidewalks. Mayor Cafferty stated he would reach out to the Camp Meeting to see if signs can be posted.

Ms. Klein stated that her neighbor placed 3 cans of yard waste out this week and it was collected with the trash. Ms. Klein asked what the point of the process is if that is going to occur. Ms. Klein asked for the Township Committee to reconsider the current yard waste program. Mr. Lane stated the Committee will speak to the departments to discuss and consider.

Paul Martin, Franklin Ave.

Mr. Martin stated the Camp Meeting is planning to start selling beach badges in December. Mr. Martin asked the Township Committee to try to converse with the Camp Meeting to encourage an alternate beach badge that does not include religious symbolism. Mayor Cafferty indicated he had et with them earlier this year about this issue and did not have another badge offered.

Dianna Harris, Willow Dr.

Ms. Harris asked about a family-owned property 1210 Heck Ave. There was a large branch that was blown off and took out the electric. The tree at 1208 Heck Ave is broken and is still overlapping the wires. Is there anything the Township can do to encourage the property owner to cut the tree back or remove the tree. Mr. Anthony stated it is not subject to Shade Tree but may be subject to a property maintenance issue with Code Department.

Ms. Harris asked for an update on West Lake Ave. development. Mr. Williams stated there is progress on the plans, but it is not finalized or ready yet.

ADJOURNMENT

Offered by: Lane Seconded by: York

Time adjourned: 7:51PM

Respectfully Submitted,

Gabriella Siboni
Township Clerk