



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

AGENDA • FEBRUARY 21, 2019

Regular Meeting

Maple Place School

7:00 PM

2 Maple Place, Oceanport, NJ 07757

1. **Call to Order**
2. **Statement of Compliance with Open Public Meetings Act:** *This meeting complies with the Open Public Meetings Act by notification on January 9, 2019 of this location, date and time to the Asbury Park Press and the LINK News and by the posting of same on the municipal bulletin board and Borough Web Site.*
3. **Flag Salute**
4. **Invocation**
5. **Roll Call**
6. **Presentation - Recycling Project, Maple Place School Students**
7. **Administrators Report**
 1. Monmouth Park Heliport
8. **Clerk's Report**

1. **Consent Agenda**

- | | | |
|----------|-----|---|
| #2019-53 | 1. | Resolution authorizing payment of BILL LIST 02-21-2019 |
| #2019-54 | 2. | Resolution appointing a Recycling Coordinator |
| #2019-55 | 3. | Resolution appointing a Conflict Professional Planner |
| #2019-56 | 4. | Resolution cancelling Tax Lien Certificate #17-00012 |
| #2019-57 | 5. | Resolution authorizing Tax Sale Redemption #18-00002 |
| #2019-58 | 6. | Resolution authorizing refund for overpayment and tax court judgment |
| #2019-59 | 7. | Resolution authorizing 2017 Road Program Change Order #3 |
| #2019-60 | 8. | Resolution authorizing dedication by Rider, Historical Trust for Centennial |
| #2019-61 | 9. | Resolution appointments to Boards & Committees |
| #2019-62 | 10. | Resolution authorizing agreement with NJHMFA Housing Affordability Services |
| #2019-63 | 11. | Resolution appointing Acacia Financial Group as Financial Advisor |
| | 12. | Approval of Membership for Fire Dept., Thomas Porowski |
| | 13. | Approval of Membership for Fire Dept., John Donohoe |
| | 14. | Approval of Membership for First Aid., Michael Cooper |
| | 15. | Approval of Membership for First Aid, Patricia Cooper |
| | 16. | Approval of Membership for First Aid, Genna Laurino |

2. **Minutes**

1. Approval of Regular Minutes, January 17, 2019
2. Approval of Executive Session Minutes, January 17, 2019

3. Resolutions

- #2019-64** Resolution appointing Class II SLEO to the Police Department
- #2019-65** Resolution appointing Catherine D. LaPorta as Qualified Purchasing Agent
- #2019-66** Resolution approving a Shared Services Agreement for Use of Shrewsbury's Courtroom
- #2019-67** Resolution adopting the Borough's By Laws for CY2019
- #2019-68** Resolution authorizing Change Order #1 to Goldstein Partnership Contract
- #2019-69** Resolution concerning Fort Monmouth Reuse Plan Amendment #13

9. First Reading Ordinances

- Introduction of Amendments to Property Maintenance Ordinance
- Introduction of An Ordinance for the Maintenance of the Borough's Right of Ways
- Introduction of An Ordinance to Dissolve the Environmental Commission and Create an Environmental Advisory Committee

10. Second Reading & Public Hearing Ordinances

- #995 2nd Reading and PUBLIC HEARING of An Ordinance to Authorize a Financial Agreement in lieu of taxes for 274-278 E. Main St

11. Committee Reports

- 1. Councilman Deerin, Parks and Recreation Liaison
- 2. Councilman Gallo, Public Works and Engineering Liaison
- 3. Councilman Itrace, Finance and Administration Liaison
- 4. Councilman O'Brien, Health and Human Services Liaison
- 5. Councilman Proto, Planning and Development Liaison
- 6. Council President Solan, Public Safety Liaison

12. Mayor Coffey's Report

- 1. Appointment of OEM Director Mauro Baldanza, 3 yr Term expiring 02/21/22

Mayor Coffey makes the following appointment to the Office of Emergency Management pursuant with N.J.S.A. Appendix A:9-33 et seq.

Mauro Baldanza Director 3yr Term expiring 02/21/22

13. Petitions from the public**14. Adjournment**



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

MINUTES • FEBRUARY 21, 2019

Regular Meeting

Maple Place School

7:00 PM

2 Maple Place, Oceanport, NJ 07757

1. **Call to Order:** Mayor Coffey called the meeting to order at 7:01 p.m.
2. **Statement of Compliance with Open Public Meetings Act:** Mayor Coffey stated "Adequate notice of this meeting has been provided by notice to the Asbury Park Press and The Link News on January 9, 2019, and by the posting of same on the municipal bulletin board and Borough Web Site."
3. **Flag Salute:** Mayor Coffey led the audience and members of the Council in the flag salute.
4. **Invocation:** Borough Chaplain Stacy Deerin gave the invocation.

5. **Roll Call:**

Attendee Name	Title	Status	Arrived
Jay Coffey	Mayor	Present	
William Deerin	Councilman	Present	
Richard Gallo	Councilman	Present	
Joseph A. Irace	Councilman	Present	
Michael O'Brien	Councilman	Present	7:13 PM
Robert Proto	Councilman	Present	
Stephen Solan	Council President	Present	
Donna M. Phelps	Borough Administrator	Present	
Jeanne Smith	Borough Clerk	Present	
Scott Arnette	Board Attorney	Present	

6. **Presentation - Recycling Project, Maple Place School Students:** Mayor Coffey invited the students up to make their presentation. Students Matthew Conte, Mateo Molino and Marco Molino presented their project to collect plastic film for a Trex challenge, which will help reduce plastics in the ocean and other natural environments. Permission was given to place a container in the Borough Hall as a collection site.
7. **Administrators Report:** Ms. Phelps reported on topics including JCP&L inspection of transmission lines by helicopter, Monmouth Park request for endorsement of their heliport at a limit of 10 flights, current status of recycling market and programs and the importance of education; attendance at Community Block Grant Program; updating of the Borough's Safety Manual and distribution to departments as well as notification of required trainings. Ms. Phelps also requested that the Clerk prepare a resolution for the next meeting designating her as the Safety Coordinator.

Mr. Arnette next advised the Council of the status of procuring vendors that can conduct appraisals/assessments of the pending liquor licenses for the Fort parcels.

8. **Clerk's Report:**

1. **Consent Agenda:**

- | | | |
|----------|----|--|
| #2019-53 | 1. | Resolution authorizing payment of BILL LIST 02-21-2019 |
| #2019-54 | 2. | Resolution appointing a Recycling Coordinator |
| #2019-55 | 3. | Resolution appointing a Conflict Professional Planner |
| #2019-56 | 4. | Resolution cancelling Tax Lien Certificate #17-00012 |
| #2019-57 | 5. | Resolution authorizing Tax Sale Redemption #18-00002 |

- | | | |
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| #2019-58 | 6. | Resolution authorizing refund for overpayment and tax court judgment |
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| #2019-63 | 11. | Resolution appointing Acacia Financial Group as Financial Advisor |
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| | 13. | Approval of Membership for Fire Dept., John Donohoe |
| | 14. | Approval of Membership for First Aid., Michael Cooper |
| | 15. | Approval of Membership for First Aid, Patricia Cooper |
| | 16. | Approval of Membership for First Aid, Genna Laurino |

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joseph A. Irace, Councilman
SECONDER:	William Deerin, Councilman
AYES:	Deerin, Gallo, Irace, O'Brien, Proto, Solan

2. Minutes:

1. Approval of Regular Minutes, January 17, 2019

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robert Proto, Councilman
SECONDER:	Stephen Solan, Council President
AYES:	Deerin, Gallo, Irace, O'Brien, Proto, Solan

2. Approval of Executive Session Minutes, January 17, 2019

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robert Proto, Councilman
SECONDER:	Stephen Solan, Council President
AYES:	Deerin, Gallo, Irace, O'Brien, Proto, Solan

3. Resolutions:

- #2019-64 Resolution appointing Class II SLEO to the Police Department

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	William Deerin, Councilman
SECONDER:	Stephen Solan, Council President
AYES:	Deerin, Gallo, Irace, O'Brien, Proto, Solan

- #2019-65 Resolution appointing Catherine D. LaPorta as Qualified Purchasing Agent

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joseph A. Irace, Councilman
SECONDER:	Richard Gallo, Councilman
AYES:	Deerin, Gallo, Irace, O'Brien, Proto, Solan

#2019-66 Resolution approving a Shared Services Agreement for Use of Shrewsbury's Courtroom

RESULT: ADOPTED [UNANIMOUS]
MOVER: Joseph A. Irace, Councilman
SECONDER: William Deerin, Councilman
AYES: Deerin, Gallo, Irace, O'Brien, Proto, Solan

#2019-67 Resolution adopting the Borough's By Laws for CY2019

RESULT: ADOPTED [UNANIMOUS]
MOVER: Joseph A. Irace, Councilman
SECONDER: Robert Proto, Councilman
AYES: Deerin, Gallo, Irace, O'Brien, Proto, Solan

#2019-68 Resolution authorizing Change Order #1 to Goldstein Partnership Contract

Councilman Proto asked for discussion on the motion with no objections. Councilman Proto explained the reason for the additional fees in the architect's contract, negotiations with some reduction and the reason it was being authorized was because they could no longer afford to delay this project. His affirmative vote is with reluctance but is necessary in order to proceed.

Councilman Irace agreed with Councilman Proto, it was a direct correlation with the lack of information provided to the Council from the previous administrator and is money that did not have to be spent by the taxpayers. He stressed the importance of receiving information so that the Council could make informed decisions.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Stephen Solan, Council President
SECONDER: Robert Proto, Councilman
AYES: Deerin, Gallo, Irace, O'Brien, Proto, Solan

#2019-69 Resolution concerning Fort Monmouth Reuse Plan Amendment #13

Ms. Smith advised that since the Agenda had been distributed initially, additional comments had come in from the public and at the request of Councilman Irace were included with the attached comments with no objections.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robert Proto, Councilman
SECONDER: Joseph A. Irace, Councilman
AYES: Deerin, Gallo, Irace, O'Brien, Proto, Solan

9. First Reading Ordinances:

Introduction of Amendments to Property Maintenance Ordinance

Councilman Proto called for the introduction of "AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING CHAPTER 295 OF THE CODE OF THE BOROUGH OF OCEANPORT ENTITLED "PROPERTY MAINTENANCE" PASSED AND APPROVED ON OCTOBER 3, 2013, AS LAST REVISED AND PASSED ON AUGUST 20, 2015" and then asked the Clerk to read the proposed ordinance by title only, after which Councilman Proto moved to approve the Ordinance upon first reading and to hold

the public hearing on the proposed ordinance at the Council meeting of March 21, 2019 and to advertise same in accordance with the law, which was seconded by Councilman Irace.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robert Proto, Councilman
SECONDER:	Joseph A. Irace, Councilman
AYES:	Deerin, Gallo, Irace, O'Brien, Proto, Solan

Introduction of An Ordinance for the Maintenance of the Borough's Right of Ways

Councilman Proto called for the introduction of **"AN ORDINANCE AMENDING CHAPTER 331 "STREETS & SIDEWALKS" AND CHAPTER 371 "TREES" OF THE CODE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY FOR THE MAINTENANCE OF RIGHT OF WAYS "** and then asked the Clerk to read the proposed ordinance by title only, after which Councilman Proto moved to approve the Ordinance upon first reading and to hold the public hearing on the proposed ordinance at the Council meeting of March 21, 2019 and to advertise same in accordance with the law, which was seconded by Councilman Irace.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robert Proto, Councilman
SECONDER:	Joseph A. Irace, Councilman
AYES:	Deerin, Gallo, Irace, O'Brien, Proto, Solan

Introduction of An Ordinance establishing the Environmental Advisory Committee

Councilman Proto called for the introduction of **"AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING §29, ARTICLE IV AND REPEALING §250-13 OF THE CODE OF THE BOROUGH OF OCEANPORT DISSOLVING THE BOROUGH OF OCEANPORT ENVIRONMENTAL COMMISSION AND CREATING AN ENVIRONMENTAL ADVISORY COMMITTEE OF THE BOROUGH OF OCEANPORT"** and then asked the Clerk to read the proposed ordinance by title only, after which Councilman Proto moved to approve the Ordinance upon first reading and to hold the public hearing on the proposed ordinance at the Council meeting of March 21, 2019 and to advertise same in accordance with the law, which was seconded by Councilman Irace.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robert Proto, Councilman
SECONDER:	Joseph A. Irace, Councilman
AYES:	Deerin, Gallo, Irace, O'Brien, Proto, Solan

10. Second Reading & Public Hearing Ordinances:

#995 An Ordinance to Authorize a Financial Agreement in lieu of taxes for 274-278 E. Main St

Councilman Proto called for the 2nd reading and Public Hearing for an ordinance for the Oceanport Gardens PILOT agreement and asked the Clerk to read the affidavit of publication of the proposed ordinance by title only. **"ORDINANCE OF THE BOROUGH OF OCEANPORT TO APPROVE THE TAX EXEMPTION AND AUTHORIZE THE EXEMPTION AND AUTHORIZE THE EXECUTION OF A FINANCIAL AGREEMENT BETWEEN THE BOROUGH OF OCEANPORT AND OCEANPORT URBAN RENEWAL PRESERVATION, L.P. "**

PUBLIC HEARING:

Mayor Coffey opened the meeting for public comment for this ordinance. As no one from the public wished to be heard, Mayor Coffey closed the public hearing on a motion by Councilman Irace, which was seconded by Councilman Proto.

Councilman Proto made a motion to adopt the ordinance and advertise in accordance with law, which was seconded by Councilman Irace.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robert Proto, Councilman
SECONDER:	Joseph A. Irace, Councilman
AYES:	Deerin, Gallo, Irace, O'Brien, Proto, Solan

11. Committee Reports:

1. Councilman Deerin, Parks and Recreation Liaison

Councilman Deerin reported that Borough Engineer William White is putting out bids for Evergreen Park basketball courts and stanchions. Ms. Phelps attended the last Recreation Committee meeting. Councilman Deering relayed that Committee members feel strongly about the Oceanport pool and wants the RFP to be issued so interest can be reviewed. Ms. Phelps reported that the recommendation was to issue the RFP for operations of the 2019, which is separate from the repairs issue. Councilman Deerin reported on tennis and basketball repairs at Community Center Park and fencing at Evergreen Park.

2. Councilman Gallo, Public Works and Engineering Liaison

Councilman Gallo reported that the Road Committee met with Ms. Phelps and Mr. White regarding the 2019 road program and the budget for 2020.

3. Councilman Irace, Finance and Administration Liaison

Councilman Irace reported that FMERA published a newsletter last week, which he compared to "Pravda", a one-sided propaganda machine during the Cold War. He read part of the newsletter into the record, which claimed increased tax revenue to the Borough and claimed that these windfall revenues would fund any increases in Borough costs for streets, police department and school age children. Councilman Irace expressed speculation regarding these estimates. He asked the CFO, tax assessor and tax collector for verification of any of the projections, which could not be verified. He outlined the current number of residences and mandatory 720 units on the former Fort Monmouth property, the impact of an estimated 33% growth, including hiring additional police officers and DPW employees, complete with pension and benefits. There will be increases in fees for garbage, recycling and tipping. Increased need for fire, first aid and OEM. Councilman Irace stated there would be an increased need for road and vehicle maintenance and administrative functions. He also noted that FMERA's estimates do not include impacts on schools and discussed per pupil costs at Borough schools and Shore Regional. He reminded residents that FMERA and its Chairman Bruce Steadman are encouraging PILOTs for development.

4. Councilman O'Brien, Health and Human Services Liaison

Councilman O'Brien had no report.

5. Councilman Proto, Planning and Development Liaison

Councilman Proto provided an in-depth report regarding FMERA's Reuse Plan Amendment #13 and advised that the Governing Body will be discussing FMERA's Amendment #14 at the next meeting. His full report is attached.

6. Council President Solan, Public Safety Liaison

Council President Solan thanked the Borough's first responders for their input and response to FMERA's Reuse Amendment #13. He stated that during the meeting with the university, it was confirmed that the university has its own security firm, rather than a police department. There are

no EMS or fire services, but there is a "nurse's office", which would again lay the burden on the Borough. Council President Solan discussed a police issue regarding the new housing, garages and parking at the former Fort on an unnamed street. The concern is there is no access for emergency vehicles. Chief Kelly is planning to meet with RPM Developers regarding designated parking areas and areas of maneuverability. Council President Solan thanked the fire department and first aid squad for their response to a major structure fire in Sea Bright and another structure fire on Main St. in Oceanport. He reported that no one was injured and expressed his gratitude for the volunteers and police department.

Mayor Coffey provided additional information regarding the parking issue at the RPM development. There are 2 issues: there are public streets fronting the properties and an alleyway in the back. Those alleyways will be private and the property owner is entitled to post signs that prohibit parking on one side.

12. Mayor Coffey's Report:

1. Appointment of OEM Director

Mayor Coffey made the following appointment to the Office of Emergency Management pursuant with N.J.S.A. Appendix A:9-33 et seq.:

Mauro Baldanza Director 3yr Term expiring 02/21/22

Mayor Coffey apologized to Ryan Chiavo, the 2nd place winner in the poster contest for the Borough's calendar, whose name was misspelled on the published calendar.

Mayor Coffey announced that FMERA will host another bus tour in March to allow individuals to view new developments and proposals.

The Mayor stated that the FMERA process worked regarding the Plan Amendment #13. The Planning Board, emergency services and Borough planner all prepared responses to what was perceived as problems with the Amendment. As it stands now, there is a dialog between the Borough, the university and developer regarding its proposal. The Borough will have the same opportunity to provide comments for Amendment #14.

13. Added Resolutions:

#2019-70 Resolution authorizing letter to NJDOT for Monmouth Park heliport

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joseph A. Irace, Councilman
SECONDER:	Robert Proto, Councilman
AYES:	Deerin, Gallo, Irace, O'Brien, Proto, Solan

#2019-71 Resolution authorizing competitive contracting for Oceanport Pool & Concession operator

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	William Deerin, Councilman
SECONDER:	Michael O'Brien, Councilman
AYES:	Deerin, Gallo, Irace, O'Brien, Proto, Solan

14. Petitions from the public: Mayor Coffey opened the meeting to petitions from the public:

Tom Cox, 18 Hunters Run, member of the Environmental Commission and Water Watch Committee, didn't see a big deal between a commission and a committee, but agreed "the devil is in the details" and asked for a copy of the proposed ordinance. He stated he was willing to personally

advertise notices to comply with the Sunshine Law.

Beth Watkins, 42 Elizabeth Dr., member of the Parks and Recreation Committee, has been working to get the Committee to approve running programs out of Blackberry Bay Pavilion. She noted that there was a proposed ordinance prohibiting the use of the building for any profit. She requested the Borough not pass that resolution and allow programs to be conducted there. Her preference is to begin with a club for children that are not eligible for clubs that begin at the 2nd grade level. Mayor Coffey stated there shouldn't be a problem as long as the program is run by the Recreation Committee rather than for profit entities. Ms. Watkins volunteered to take the lead. Ms. Smith advised there is a process for special events.

Hugh Sharkey, Oceanport, asked if the additional \$87,000 for architectural costs were paid/incurred in 2018 or if it was for future work. He was advised it was for both. Mr. Sharkey asked if it was appropriate to be putting 2018 dollars into the 2019 year. Ms. Smith advised it was Bond Ordinance 970, which was adopted in 2017 and that it was capital, not general funds. Mr. Sharkey also asked how the Borough wasn't aware of the additional charges and the approval process. Mayor Coffey replied that the dispute was with what work was done as opposed to what was proposed. Mr. Sharkey asked further questions regarding the approval process. Mayor Coffey advised that Council has the right to review the invoices. Mr. Sharkey asked which committee oversees the architect's invoices. Councilman Irace stated the bills did not include detailed information in the past, but will include more detail going forward. Mayor Coffey explained there were changes to the original plan. Mr. Sharkey asked who oversees the process of the architect's work product. Mayor Coffey replied that through October of 2018, the Borough Administrator was the main overseer of the project. Mr. Sharkey suggested there should be a check and balance in place, with the Finance Committee, CFO and Clerk. Councilman Irace explained that there were requests from the former BA to the architect that the Governing Body was unaware of. Mr. Sharkey suggested documenting or memorializing the oversight of projects. Mr. Sharkey asked about the flow of information, whether it was mailed or emailed, who would receive it and who was responsible for collection and control of documents in the Borough. Mayor Coffey replied that if an item comes in that needs to be disseminated to the Governing Body, the Clerk would email the Governing Body and also advise to not "reply all" because then there would be a potential violation of the Open Public Meetings Act. Mr. Sharkey expressed concern regarding sharing of information with Council.

Mark Patterson, 40 Itaska Pl., asked for a status update on grant for the purchase of recycling cans in light of the closing of the recycling center. Ms. Phelps will follow up, but advised that the cans are more expensive than believed. Ms. Smith advised that the grant is in holding, and the recycling trust has approximately \$50,000. Councilman Irace added that he had been in touch with Monmouth County to determine if there was grant money available. Mr. Patterson asked Councilman Proto about 2 affordable units being built by Martelli on the old borough hall site. Councilman Proto advised that there will be 4 affordable units. Three units are a result of the development at the old borough hall. Councilman Proto outlined the plans that were received for the location on E. Main St., and explained the plans will be presented to the Planning Board. Mr. Patterson also reminded residents that the Fire Explorer Breakfast will be held Sunday, March 3rd from 8 am to 11:30 am and urged everyone to attend. Mr. Patterson noted that Council members have changed seats and asked why. Council President Solan answered that everyone seemed to be more comfortable in the places they were before. Mr. Patterson expressed concern about Councilman Proto's stating that he didn't care about the sensitivity of the residents. Councilman Proto countered stating he didn't care about offending the sensitivities of some if they were upset by what they saw.

Gary LaBruno, 50 Wyandotte Ave., asked if there was any movement on a PEG channel for those who do not have FIOS. Mayor Coffey said things may change when the new municipal complex is complete. Council President Solan explained the agreement between the Borough and FIOS and the agreement between the Fort and FIOS so the new building will have FIOS. Mr. LaBruno asked

how many RFPs were received for the pool the first time - was told none, went out again and received 1. Mr. LaBruno asked about the appointment of the financial advisor and the resolution states it won't exceed \$17,500 and asked how that read with the attached proposal. Councilman Irace said it would cover it like it has the last couple years. Ms. Smith clarified that the \$17,500 was a statute number and was not related to her proposal, and that the Borough does not use all the services indicated in the proposal. Mr. LaBruno asked about the By-Laws and the limiting of the public's time to speak. Mr. LaBruno asked about the budget which Councilman Irace advised was with the auditor.

Matt Simowitz, 1215 Turf Drive, commented he read through the comments for FMERA Amendment #13, it appeared very thorough, and offered 2 topics that weren't covered - first being noise abatement and its impact on bordering borough Shrewsbury and the notifications. Councilman Irace advised that Mr. Baricelli had brought it to his attention and he had forwarded it to Shrewsbury and they were looking at it. His second item is the job replacement - there's some classrooms and a few adjunct professors that won't replace the lost jobs; also concerned that the "shopping" of the McAfee building by a hi-tech company and has the college across the street may make it harder to sell. He also mentioned FMERA's voting process and asked if anyone was approaching the Legislature at the State level to get the charter changed to help the municipalities.

Joan Cox, 18 Hunters Run, commented on their concern for the noise issue but hadn't been concerned about the track's music issues last year.

- 15. Adjournment:** As there was no further business, the meeting was adjourned at 10:33 PM on a motion by Councilman Gallo, seconded by Councilman Solan and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING PAYMENT OF BILL LIST FOR FEBRUARY 21, 2019**

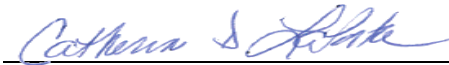
**Resolution #2019-53
02/21/19**

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of February 21, 2019.

BE IT RESOLVED, by the Mayor and Council that the bills be paid as on the attached bill list dated February 21, 2019 totaling \$294,467.89.

CERTIFICATION OF FUNDS

I, Catherine D. LaPorta, Chief Financial Officer, of the Borough of Oceanport, do hereby certify that funds are available for the purpose stated herein.



Catherine D. LaPorta, CFO

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Joseph A. Irace, Councilman
SECONDER:	William Deerin, Councilman
AYES:	Deerin, Gallo, Irace, O'Brien, Proto, Solan

I certify that the foregoing Resolution #2019-53 was adopted by the Oceanport Governing Body at the Regular Meeting held February 21, 2019



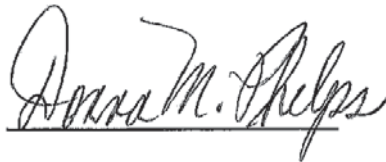
JEANNE SMITH, RMC
BOROUGH CLERK

**BOROUGH OF OCEANPORT
BILL LIST**

21-Feb-19

PAYEE	AMOUNT
PAYROLL ACCOUNT	\$111,262.74 3rd Pay \$190.91 DCRP
GRANT FUND	\$300.00
CAPITAL TRUST TOTAL	\$84,171.30
DOG REGISTRY TOTAL	\$214.80
OPEN SPACE TRUST TOTAL	\$948.40
SUI	\$0.00
UCC TRUST	\$1,884.00
TRUST OTHER TOTAL	\$4,489.50
ESCROW TRUST TOTAL	\$435.00
2018 VOUCHERS PAID THIS MEETING	\$17,914.39
2019 VOUCHERS PAID THIS MEETING	\$72,656.85
TOTAL	\$294,467.89

I CERTIFY THAT THE ABOVE ITEMS ARE TRUE AND CORRECT AS PRESENTED
TO THE MAYOR AND COUNCIL FOR PAYMENT


Donna M. Phelps

List of Bills - (All Funds)

Vendor	Description	Payment	Check	Total
Current Fund				
1004 - ACME LOCKSMITH SERVICE	PO 2737 KEYS	6.00		6.00
1017 - AMERICAN WEAR, INC	PO 2773 JANUARY UNIFORM RENTAL - 2019	287.00		287.00
1040 - BROWN'S HEATING & COOLING INC	PO 2768 PAP FIRE HOUSE - FURNACE PROBLEM	99.95		
	PO 2758 2019 HVAC SERVICE - BLACKBERRY	499.16		
	PO 2757 2019 HVAC SERVICE - MUNICIPAL BLDG	499.20		
	PO 2788 2019 HVAC SERVICE - COMMUNITY CTR &	499.16		
	PO 2756 2019 HVAC SERVICE - PAP FIREHOUSE	499.16		
	PO 2755 2019 HVAC SERVICE - POLICE HQ	499.16		2,595.79
1043 - CANON SOLUTIONS AMERICA	PO 2751 COPIER MAINTENANCE - POLICE 01/2019	57.00		57.00
1045 - CATHERINE LAPORTA	PO 2774 QPA CERTIFICATION	577.00		577.00
1054 - CITY OF LONG BRANCH	PO 2661 GASOLINE & OIL - DEC 2018	4,009.39		
	PO 2703 2019 purchasing assessment-Central	1,000.00		5,009.39
1058 - COMCAST * DPW	PO 2840 DPW INTERNET/PHONE 2/8/19 - 3/7/19	137.43		137.43
1069 - CRYSTAL SPRINGS	PO 2822 WATER SERVICE - 01/04/19	169.92		169.92
1446 - DIRECT ENERGY BUSINES	PO 2837 900 MURPHY & 282 HILDRETH 11/15-12/	1,314.25		
	PO 2836 900 MURPHY & 282 HILDRETH 12/18-01/	1,233.13		
	PO 2835 2 PEMBERTON 12/15-01/16	396.26		
	PO 2834 433 MYRTLE - 12/15-01/16	338.07		3,281.71
1081 - DRAGER SAFETY DIAGNOSTICS INC	PO 1729 Annual Calibration of Alcotest equi	272.00		272.00
1563 - EXCEL CONTRACTING, INC.	PO 2491 PAP FIREHOUSE ROOF INSPECTION	1,750.00		1,750.00
1109 - FMERA	PO 2817 STREET LIGHTS ROUTE 537 - 01/19	273.26		
	PO 2816 282 HILDRETH WATER & ELECTRIC 02/19	969.98		
	PO 2815 BLD 900 WATER & ELECTRIC- 02/19	608.03		1,851.27
1122 - GENERAL CODE PUBLISHERS, INC	PO 2842 Annual Maintenance, 2019	695.00		695.00
1124 - GEORGE WALL	PO 2712 FA CAPTAIN - TIRE REPAIR	301.11		301.11
1132 - GRAMCO BUSINESS COMMUNICATIONS	PO 2789 BOSCH CONF. SYS - 02/28/2019 - 01/2	625.00		625.00
1153 - JERSEY CENTRAL POWER & LIGHT	PO 2812 JCPL #007 - 12/12/18 - 1/18/19	3,974.05		3,974.05
1158 - JOHN'S AUTO & TRUCK REPAIR LLC	PO 2733 REPAIR OF DPW TRUCK 124	219.65		219.65
1499 - KEVIN E KENNEDY, ESQ	PO 2854 KELLY/BUCKLEY vs OCEANPORT UNITED P	45.00		
	PO 2826 2018 PB LEGAL SERVICES - MEETING FI	500.00		545.00
1181 - LANIGAN ASSOCIATES, INC	PO 2664 Frangible Ammo for indoor range	600.00		600.00
1184 - LAW OFFICE OF ROBERT J. HOLDEN	PO 2747 PUBLIC DEFENDER 09/18 -12/12/18	3,000.00		3,000.00
1189 - LIFESAVERS, INC	PO 2624 DEFIBTECH AED PADS AND PACK	490.08		490.08
1557 - MICHAEL P BOLAN PP/AICP	PO 2748 COAH PLANNING SERVICES	75.00		75.00
1442 - MOCIB	PO 2787 Monmouth Ocean counties Intelligenc	50.00		50.00
1220 - MONMOUTH COUNTY PUBLIC WORKS	PO 2651 BRINE	126.00		
	PO 2669 SALT 01/15/19	476.62		
	PO 2679 SALT FOR 2 TRUCKS - 01/17/2019	953.24		
	PO 2771 SALT FOR 4 TRUCKS - 01/18/2019	1,691.67		3,247.53
1220 - MONMOUTH COUNTY PUBLIC WORKS	PO 2770 VEHICLE MAINTENANCE 38-90	316.02		316.02
1231 - MONMOUTH HOSE & HYDRAULICS	PO 2650 HOSE ASSEMBLY	114.86		114.86
1480 - MONMOUTH TRUCK EQUIPMENT	PO 2666 PLOW HARNESS REPAIR	24.99		24.99
1427 - MUNICIPAL SOFTWARE, INC	PO 2620 SOFTWARE SUPPORT FOR 2019	4,788.00		4,788.00
1241 - NAPA AUTO PARTS (#15456)	PO 2319 New headlight bulbs for Police Vehi	39.96		39.96
1253 - NJ STATE ASSOC CHIEFS - POLICE	PO 2745 2019 annual dues-state chiefs of Po	275.00		275.00
1279 - PL CUSTOM BODY & EQUIPMENT INC	PO 2690 UNIT 3856 - REPAIR & MAINTENANCE	998.26		998.26
1282 - POSTMASTER	PO 2804 POSTAGE FOR MARCH/APRIL 2019 BULLET	500.00		500.00
1420 - POSTMASTER * BMEU	PO 2872 Postage for 2019 Calendar	300.00		300.00
1292 - R & J CONTROL INC.	PO 2736 MAINTENANCE AT 433 MYRTLE	324.00		324.00
1295 - R.N. DEMAIO	PO 2685 BATHROOM SUPPLIES	826.97		826.97
1302 - REPORTING SYSTEMS, INC	PO 2705 YEARLY FIRE PACKAGE & CAD MAINTENAN	1,520.00		1,520.00
1314 - SEABOARD FIRE & SAFETY	PO 1791 New Class D Fire Extinguisher	549.95		549.95
1319 - SHEILA HARRIGAN	PO 2148 DECORATIONS FOR HALLOWEEN PARTY	57.14		57.14
1337 - SUBURBAN DISPOSAL	PO 2839 DISPOSAL FEE & RECYCLING & CONTAIN	18,913.78		
	PO 2863 SOLID WASTE & RECYCLING - FEB 2019	17,400.00		36,313.78
1341 - TARGETED TECHNOLOGIES LLC	PO 2814 MONITOR INSTALLED	125.00		125.00
1346 - THE ARNETTE LAW FIRM LLC	PO 2841 BOROUGH ATTORNEY FEES - DEC 2018	3,681.25		3,681.25
1372 - TRYSTONE CAPITAL ASSETS	PO 2509 LIEN 18-00015; B138, L14 & LIEN 16	4,188.55		4,188.55
1373 - TWO RIVER WATER RECLAMATION	PO 2810 BLACKBERRY BAY -2/19	90.00		
	PO 2809 PAP FIRE HOUSE - 2/19	90.00		
	PO 2808 SENIOR CTR - 2/19	90.00		
	PO 2807 COMMUNITY CTR - 2/19	90.00		360.00
1380 - US BANK OPERATIONS CENTER	PO 2824 MONMOUTH COUNTY IMPROVEMENT AUTHORI	4,505.19		4,505.19
1387 - VERIZON	PO 2831 OEM (732-389-9801) 1/23/19 -2/22/19	228.70		
	PO 2862 LIBRARY TELEPHONE 2/7/19 - 3/6/19	241.07		469.77
1388 - VERIZON WIRELESS	PO 2813 POLICE AIR CARDS - 1/27/19 - 2/26/1	366.27		366.27
1559 - Verizon Wireless	PO 2870 TABLETS FOR BLDG 2/2/19 - 3/1/19	171.35		171.35
1389 - VERIZON WIRELESS (OEM)	PO 2860 OEM AIR CARD - 02/02 - 03/01/19	38.00		38.00
1571 - William White	PO 2823 PUBLIC WORKS MANAGER SERVICE	200.00		200.00

List of Bills - (All Funds)

Vendor	Description	Payment	Check	Total
Capital Fund				
1565 - ALBERT MARINE CONSTRUCTION	PO 2861 DEAL AVE BULKHEAD CERT thru 2/7/19	54,119.70		54,119.70
1157 - JOHNNY ON THE SPOT INC	PO 2762 PORTA WATER - 12/27/2018 - 01/23/2	199.50		
	PO 2738 PORTA WATER - 01/24/2019 - 02/20/2	199.50		
	PO 2786 PORTA WATER 2019 - PUBLIC WORKS 01/	180.00		579.00
1195 - MASER CONSULTING, P.A.	PO 2830 AERIAL PHOTOGRAPHY AND PHOTOMMETRIC	23,375.00		23,375.00
1466 - MOTT MACDONALD	PO 2668 ACM REVIEW FORT MONMOUTH	6,097.60		6,097.60
DOG TRUST FUND				
1367 - TREASURER:STATE OF NJ HEALTH	PO 2820 State Dog Report - January 2019	214.80		214.80
OPEN SPACE TRUST				
1032 - BOB JENSEN PLUMBING, INC	PO 2352 TURN OFF WATER AT PARKS	100.00		
	PO 2717 WINTERIZE THE LIONS POOL CLUB	266.00		366.00
1157 - JOHNNY ON THE SPOT INC	PO 2767 MARIA GATTA PARK - RESTROOMS - 12/	291.20		
	PO 2735 MARIA GATTA PARK - RESTROOMS - 01/	291.20		582.40
UCC Trust				
1064 - CONTROL PERSONS ASSOCIATION	PO 2765 MEMBERSHIP DUES - 2019 Herchakowski	30.00		30.00
1528 - RUTGERS, THE STATE UNIVERSITY OF NE	PO 2754 3 COURSE FOR BLDG & ZONING OFFICER	1,854.00		1,854.00
OTHER TRUST				
1184 - LAW OFFICE OF ROBERT J. HOLDEN	PO 2764 PUBIC DEFENDER 03/28-05/23/18	600.00		
	PO 2763 PUBLIC DEFENDER 01/09/19	600.00		
	PO 2747 PUBLIC DEFENDER 09/18 -12/12/18	400.00		1,600.00
1420 - POSTMASTER * BMEU	PO 2872 Postage for 2019 Calendar	300.00		300.00
1300 - RED BANK RECYCLING	PO 2649 TIRE/PROPANE TANK DISPOSAL	75.00		75.00
1394 - WASTE MANAGEMENT OF NJ, INC	PO 2680 COMMINGLE ACCT 33000 DEC 2019	338.00		
	PO 2683 RECYCLING CENTER - ACCT 33004 DEC 2	980.00		
	PO 2682 RECYCLING MIXED PAPER DEC 2018	1,196.50		2,514.50
DEVELOPERS ESCROW TRUST				
1499 - KEVIN E KENNEDY, ESQ	PO 2829 1262 TURF DRIVE	375.00		
	PO 2828 NEW JERSEY CITY UNIVERSITY	60.00		435.00
TOTAL			-----	183,014.24

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-101-01-000-011	CASH OPERATING			0.00	90,571.24
01-113-04-000-026	TAX SALE PREMIUMS			2,300.00	
01-201-20-100-200	ADMINISTRATIVE & EXECUTIVE OE	2,114.92			
01-201-20-130-200	FINANCIAL ADMINISTRATION OE	5,365.00			
01-201-25-240-200	POLICE OE	1,748.27			
01-201-25-252-200	EMERGENCY MANAGEMENT OE	38.00			
01-201-25-260-200	FIRST AID ORGANIZATION OE	1,695.63			
01-201-25-265-200	FIRE DEPARTMENT OE	1,520.00			
01-201-26-300-271	REPAIRS	219.65			
01-201-26-300-273	SUPPLIES	139.85			
01-201-26-300-281	UNIFORM RENTAL	287.00			
01-201-26-300-282	SALT & SAND	3,247.53			
01-201-26-305-200	SANITATION-TRASH REMOVAL OE	14,566.67			
01-201-26-306-200	RECYCLING OE	2,833.33			
01-201-26-310-200	PUBLIC BUILDINGS & GROUNDS OE	832.97			
01-201-26-310-252	REPAIRS & EQUIPMENT	3,309.92			
01-201-31-430-201	ELECTRICITY	1,280.08			
01-201-31-430-203	TELEPHONE/INTERNET	607.20			
01-201-31-430-204	WATER/SEWER	657.93			
01-201-31-430-205	NATURAL GAS	338.07			
01-201-31-430-207	STREET LIGHTING	4,247.31			
01-201-31-465-200	SANITATION DUMPING FEES	18,913.78			
01-201-45-920-200	DEBT SERVICE OE	4,505.19			
01-203-20-155-200	(2018) LEGAL SERVICES OE		3,801.25		
01-203-21-180-200	(2018) PLANNING BOARD OE		500.00		
01-203-22-195-200	(2018) CONSTRUCTION CODE OE		171.35		
01-203-25-240-200	(2018) POLICE OE		911.96		
01-203-25-265-200	(2018) FIRE DEPARTMENT OE		549.95		
01-203-25-265-209	(2018) REPAIRS & MAINTENANCE		316.02		

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-203-26-300-200	(2018) STREETS & ROADS OTHER EXPENSES		200.00		
01-203-26-310-200	(2018) PUBLIC BUILDINGS & GROUNDS OE		99.95		
01-203-26-310-252	(2018) REPAIRS & EQUIPMENT		1,750.00		
01-203-28-371-200	(2018) PARKS AND PLAYGROUNDS OE		57.14		
01-203-31-430-205	(2018) NATURAL GAS		2,547.38		
01-203-31-430-207	(2018) STREET LIGHTING		4,009.39		
01-203-43-495-200	(2018) PUBLIC DEFENDER-OTHER EXPENSE		3,000.00		
01-214-55-000-003	DUE 3RD PARTY LIEN HOLDERS			1,888.55	
TOTALS FOR	Current Fund	68,468.30	17,914.39	4,188.55	90,571.24
02-160-05-000-001	DUE TO/FROM CURRENT FUND			0.00	300.00
02-213-40-700-025	CLEAN COMMUNITIES			300.00	
TOTALS FOR	FEDERAL AND STATE GRANTS	0.00	0.00	300.00	300.00
04-101-01-100-011	CAPITAL CASH - TD			0.00	84,171.30
04-215-55-474-000	MUNICIPAL COMPLEX ORD #970			6,676.60	
04-215-55-988-A00	ROADS, DRAINAGE, TRAFFIC SIGNAL, BULKHEA			77,494.70	
TOTALS FOR	Capital Fund	0.00	0.00	84,171.30	84,171.30
05-101-00-100-011	CASH - TD			0.00	214.80
05-161-00-500-040	DUE TO STATE OF NJ			214.80	
TOTALS FOR	DOG TRUST FUND	0.00	0.00	214.80	214.80
06-101-01-100-011	OPEN SPACE CASH - TD			0.00	948.40
06-270-00-500-020	RESERVE FOR OPEN SPACE			948.40	
TOTALS FOR	OPEN SPACE TRUST	0.00	0.00	948.40	948.40
18-101-01-100-101	CASH UCC TRUST			0.00	1,884.00
18-270-55-600	RESERVE FOR UCC TRUST			1,884.00	
TOTALS FOR	UCC Trust	0.00	0.00	1,884.00	1,884.00
60-101-01-100-101	CASH-OTHER TRUST - TD			0.00	4,489.50
60-270-55-600-175	RESERVE FOR PUBLIC DEFENDER			1,600.00	
60-270-55-600-206	RES FOR RECYCLING			2,889.50	
TOTALS FOR	OTHER TRUST	0.00	0.00	4,489.50	4,489.50
61-101-01-100-101	CASH-DEV.ESCROW/TD			0.00	435.00
61-270-55-600-205	RES.FOR DEV.ESCROW			435.00	
TOTALS FOR	DEVELOPERS ESCROW TRUST	0.00	0.00	435.00	435.00

Total to be paid from Fund 01 Current Fund	90,571.24
Total to be paid from Fund 02 FEDERAL AND STATE GRANTS	300.00
Total to be paid from Fund 04 Capital Fund	84,171.30
Total to be paid from Fund 05 DOG TRUST FUND	214.80
Total to be paid from Fund 06 OPEN SPACE TRUST	948.40
Total to be paid from Fund 18 UCC Trust	1,884.00
Total to be paid from Fund 60 OTHER TRUST	4,489.50
Total to be paid from Fund 61 DEVELOPERS ESCROW TRUST	435.00

	183,014.24

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BOROUGH OF OCEANPORT Click here to save CSV (Excel) Version

Pending Payments (*Not Finalized*) - (..) ALL FUNDS

From 02/09/2019 to 02/28/2019 With a Line Amount > 10000

DATE	ENTRY #	PO#	CHECK #	ACCOUNT	VENDOR/EXPLANATION	DEBIT	CREDIT	ACCOUNT
2/13/2019		2830		04-215-55-988-A04	AERIAL PHOTOGRAPHY & PHOTOGRAMMETRIC MAPPIN MASER CONSULTING, P.A.	23,375.00	23,375.00	04-101-01-100-011
2/14/2019		2839		01-201-31-465-201 01-201-31-465-201	DISPOSAL, RECYCLING & ROLL-OFF CONTAINER NJ Recycling Enhancement Act Fee SUBURBAN DISPOSAL	18,303.64 610.14	18,913.78	01-101-01-000-011
2/15/2019		2861		04-215-55-988-A01	DEAL AVE BULKHEAD REPLACEMENT PAYMENT #1 ALBERT MARINE CONSTRUCTION	54,119.70	54,119.70	04-101-01-100-011
2/15/2019		2863		01-201-26-305-201 01-201-26-306-201	SOLID WASTE COLLECTION RECYCLING COLLECTION SUBURBAN DISPOSAL	14,566.67 2,833.33	17,400.00	01-101-01-000-011

FEBRUARY SUMMARY BY ACCOUNT:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	PENDING CR
01-101-01-000-011	CASH OPERATING				36,313.78
04-101-01-100-011	CAPITAL CASH - TD				77,494.70
01-201-26-305-201	SANITATION-TRASH REMOVAL		14,566.67		
01-201-26-306-201	OTHER EXPENSES		2,833.33		
01-201-31-465-201	SANITATION DUMPING FEES		18,913.78		
04-215-55-988-A01	BULKHEAD - DEAL AVENUE			54,119.70	
04-215-55-988-A04	CHECK VALVES			23,375.00	
FEBRUARY TOTALS (FOR RANGE):			36,313.78	77,494.70	113,808.48
		=====	=====	=====	=====

SUMMARY BY ACCOUNT FOR RANGE:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	DISBURSED
01-101-01-000-011	CASH OPERATING				36,313.78
04-101-01-100-011	CAPITAL CASH - TD				77,494.70
01-201-26-305-201	SANITATION-TRASH REMOVAL		14,566.67		
01-201-26-306-201	OTHER EXPENSES		2,833.33		
01-201-31-465-201	SANITATION DUMPING FEES		18,913.78		
04-215-55-988-A01	BULKHEAD - DEAL AVENUE			54,119.70	
04-215-55-988-A04	CHECK VALVES			23,375.00	
TOTALS (FOR RANGE):			36,313.78	77,494.70	113,808.48
		=====	=====	=====	=====

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTMENT OF BOROUGH RECYCLING COORDINATOR**

**Resolution #2019-54
02/21/19**

WHEREAS, the Borough Recycling Coordinator position is currently vacant; and

WHEREAS, New Jersey's Recycling Enhancement Act (REA) requires that reports or other recycling-related documents be signed/certified by a Certified Recycling Professional (CRP); and

WHEREAS, Donna M. Phelps has the required certification and has agreed to perform the duties required of the position.

NOW, THEREFORE, BE IT RESOLVED by the Mayor & Council that Donna M. Phelps is hereby appointed as Borough Recycling Coordinator pursuant with P.L. 2007, C.311, *et. al.*

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Joseph A. Irace, Councilman
SECONDER:	William Deerin, Councilman
AYES:	Deerin, Gallo, Irace, O'Brien, Proto, Solan

I certify that the foregoing Resolution #2019-54 was adopted by the Oceanport Governing Body at the Regular Meeting held February 21, 2019



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AWARDING A NON-FAIR AND OPEN CONTRACT BETWEEN ELIZABETH
MCMANUS OF KILEY & MCMANUS ASSOCIATES AND THE BOROUGH OF
OCEANPORT FOR PROFESSIONAL PLANNER SERVICES AS THE
BOROUGH'S CONFLICT PLANNER**

**Resolution #2019-55
02/21/19**

WHEREAS, there is a need to appoint a Professional Planner where a conflict exists with the Borough Planner for matters requiring municipal planning services for development projects; and

WHEREAS, the Borough of Oceanport has a need to retain a Professional Planner for municipal planning services where a conflict exists with the Borough's Planner, Clark Caton Hintz by means of a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.B; and

WHEREAS, the Borough has determined that the value of the services may exceed \$17,500.00; and

WHEREAS, the anticipated term of this agreement is one (1) year and may be extended one (1) time as approved by this governing body; and

WHEREAS, Elizabeth McManus of the firm Kyle & McManus Associates, 45 E. Broad St., Hopewell, NJ 08525 has completed and submitted a Business Entity Disclosure Certification and statement of compliance with Oceanport's Pay to Play Ordinance which certifies that Kyle & McManus Associates have not made any reportable contributions to a political or candidate committee in the Borough of Oceanport in the previous one year, and the contract will prohibit Kyle & McManus Associates from making any reportable contributions through the term of the contract; and

WHEREAS, funds shall be available for the stated purpose in the 2019 municipal budget subject to adoption of the 2019 budget.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport, County of Monmouth, State of New Jersey that:

1. Elizabeth McManus, P.P. of the firm Kyle & McManus Associates be and is hereby appointed as Borough Conflict Planner for CY 2019.

2. Kyle & McManus Associates is prohibited from making any contribution to a political or candidate committee during the term of this appointment.

3. The Mayor and Borough Clerk are hereby authorized to enter into an agreement on behalf of the Borough of Oceanport for an open-ended contract pursuant to N.J.A.C. 5:34-5.2 (B) contingent upon the availability of funds in the budget year with no firm quantities being guaranteed. Funds will be certified and encumbered by individual purchase order prior to each request for service.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and Political Contribution Disclosure Form be placed on file with said contract.

BE IT FURTHER RESOLVED that a summary of the above shall be published in The Link News as required by law within 10 days of its passage.

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Joseph A. Irace, Councilman
SECONDER:	William Deerin, Councilman
AYES:	Deerin, Gallo, Irace, O'Brien, Proto, Solon

I certify that the foregoing Resolution #2019-55 was adopted by the Oceanport Governing Body at the Regular Meeting held February 21, 2019


JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING CANCELLATION OF TAX LIEN CERTIFICATE #17-00012**

**Resolution #2019-56
02/21/19**

WHEREAS, there exists on the tax records an outside lien for Block 65 Lot 3.05, and

WHEREAS, this lien was created in 2017 for sewer charges and struck off to Trystone Capital Assets LLC, and

WHEREAS, according to the record of the tax collector's office Block 65 Lot 3.05 does not exist and has been renamed, and

WHEREAS, the lien was sold erroneously on this block and lot and should be cancelled and resold on the correct block and lot.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport that we do hereby authorize the cancellation of lien 17-00012 due to the above stated facts.

BE IT FURTHER RESOLVED, that the CFO be authorized to refund the amount of \$637.40 to Trystone Capital Assets LLC.

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Joseph A. Irace, Councilman
SECONDER:	William Deerin, Councilman
AYES:	Deerin, Gallo, Irace, O'Brien, Proto, Solan

I certify that the foregoing Resolution #2019-56 was adopted by the Oceanport Governing Body at the Regular Meeting held February 21, 2019



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #18-00002 FOR
BLOCK 39, LOT 6 KNOWN AS 9 POCANO AVENUE**

**Resolution #2019-57
02/21/19**

WHEREAS, at the Borough Tax Sale held on August 23, 2018, a lien was sold on Block 39 Lot 6 otherwise known as 9 Pocano Ave; and

WHEREAS, this lien, known as Tax Sale Certificate 18-00002 was sold to DSHC Enterprises LLC at an interest rate of 0% and;

WHEREAS, the owner's representative has redeemed certificate 18-00002 in the amount of \$ 8,733.63.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$8,733.63 payable to DSHC Enterprises LLC, PO Box 524, Plainsboro NJ 08536 for the redemption of Tax Sale Certificate 18-00002.

BE IT FURTHER RESOLVED, that the CFO be authorized to issue a check in the amount of \$25,100 (Premium) to the aforementioned lienholder.

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Joseph A. Irace, Councilman
SECONDER:	William Deerin, Councilman
AYES:	Deerin, Gallo, Irace, O'Brien, Proto, Solan

I certify that the foregoing Resolution #2019-57 was adopted by the Oceanport Governing Body at the Regular Meeting held February 21, 2019



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING REFUND FOR OVERPAYMENT AND TAX COURT
JUDGMENT FOR BLOCK 39, LOT 8 KNOWN AS 3 POCANO AVENUE**

**Resolution #2019-58
02/21/19**

WHEREAS, the following property is due a refund due to a successful State Tax Court judgment and an overpayment from the property owner; and

WHEREAS, the Tax Collector is recommending that the amount of overpayment due be refunded

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that the Tax Collector is hereby authorized to refund overpayment due to a successful State Tax Court judgment to the following property owner as follows:

Block 39 Lot 8 Jennifer R Jacobus Esq
Trustee for Huang, Kenneth
201 Littleton Rd 1st Floor
Morris Plains NJ 07950

Comparison of assessment which was agreed upon in settlement:

	Old Assessment	New Assessment	Refund
2018	\$2,927,900	\$2,600,000	\$ 5,866.13

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Joseph A. Irace, Councilman
SECONDER:	William Deerin, Councilman
AYES:	Deerin, Gallo, Irace, O'Brien, Proto, Solan

I certify that the foregoing Resolution #2019-58 was adopted by the Oceanport Governing Body at the Regular Meeting held February 21, 2019



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING CHANGE ORDER #3 - 2017 ROAD PROGRAM CONTRACT**

**Resolution #2019-59
02/21/19**

WHEREAS, change orders are regulated by Local Finance Board Regulations (N.J.A.C. 5:30-14.4); and

WHEREAS, there is a need to amend the contract with Fiore Paving Co. as stated in a letter from the Engineer dated November 15, 2018; and

WHEREAS, the original contract of \$1,021,718.12 was reduced by Change Order #1 to \$1,015, 597.96, Change Order #2 to \$981,802.32 and Change Order #3 will further reduce the contract to \$981,206.52 to reflect adjustments for as-built quantities; and

WHEREAS, the Borough Council is satisfied that the requested change is necessary and that it will actually be carried out.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Oceanport as follows,

1. Change Order #3 to the contract between the Borough of Oceanport and Fiore Paving Co. is hereby approved.
2. The Mayor or Borough Clerk are hereby authorized to sign the change order on behalf of the Borough.

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Joseph A. Irace, Councilman
SECONDER:	William Deerin, Councilman
AYES:	Deerin, Gallo, Irace, O'Brien, Proto, Solan

I certify that the foregoing Resolution #2019-59 was adopted by the Oceanport Governing Body at the Regular Meeting held February 21, 2019



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL
GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST RIDER
FOR DONATIONS - ACCEPTANCE OF BEQUESTS AND GIFTS FOR
COMMUNITY ENHANCEMENT & BEAUTIFICATION PURSUANT TO N.J.S.A.
40A:5-29**

**Resolution #2019-60
02/21/19**

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, N.J.S.A. 40A:5-29 allows municipalities to receive amounts for costs incurred for Donations - Acceptance of Bequests and Gifts for Community Enhancement & Beautification, and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oceanport, County of Monmouth, State of New Jersey hereby request permission of the Director of Local Government Services to pay expenditures for Donations - Acceptance of Bequests and Gifts for Historical Trust for Centennial Celebration as per N.J.S.A. 40A:4-39.

BE IT FURTHER RESOLVED, the Municipal Clerk of the Borough of Oceanport is hereby directed to forward two copies of this Resolution to the Director of the Division of Local Government Services.

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Joseph A. Irace, Councilman
SECONDER:	William Deerin, Councilman
AYES:	Deerin, Gallo, Irace, O'Brien, Proto, Solan

I certify that the foregoing Resolution #2019-60 was adopted by the Oceanport Governing Body at the Regular Meeting held February 21, 2019



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTMENTS TO BOARDS AND COMMITTEES**

**Resolution #2019-61
02/21/19**

BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport, that the following recommended appointments be made by the Mayor with advice and consent of Council:

CABLE & TECHNOLOGY COMMITTEE

Bryan Russell Term Ending 12/31/2019

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Joseph A. Irace, Councilman
SECONDER:	William Deerin, Councilman
AYES:	Deerin, Gallo, Irace, O'Brien, Proto, Solan

I certify that the foregoing Resolution #2019-61 was adopted by the Oceanport Governing Body at the Regular Meeting held February 21, 2019



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING AN AGREEMENT WITH THE NEW JERSEY HOME AND
MORTGAGE FINANCE AGENCY (NJHMFA) TO SERVE AS THE
ADMINISTRATIVE AGENT FOR THE BOROUGH OF OCEANPORT AND
ADMINISTER THE BOROUGH OF OCEANPORT'S AFFORDABLE HOUSING
UNITS**

**Resolution #2019-62
02/21/19**

WHEREAS, under authorization of the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301, *et seq.*, hereinafter the "Act") the Municipality implemented a program to provide affordable housing units to low- and moderate-income households desiring to live within the Municipality; and

WHEREAS, at Title 5, Chapter 80, Subchapter 26 of the New Jersey Administrative Code, the State has promulgated affordability controls in regulations designed to implement the Act, by assuring that low- and moderate-income units that are created under the Act are occupied by low- and moderate-income households for an appropriate period of time (the "Rules"); and

WHEREAS, Section 5:80-26.14 of the Rules provides that affordability controls may be administered by an administrative agent acting on behalf of a municipality; and

WHEREAS, the Municipality has selected the New Jersey Housing and Mortgage Finance Agency's (NJHMFA) Housing Affordability Service to be the Administrative Agent for the purposes of providing affordability control services for all affordable housing within the municipality, unless otherwise specified, as included in this contract.

WHEREAS, the Borough desires to enter into a one (1) year contract with the NJHMFA to serve as its Administrative Agent and administer its affordable housing program; and

WHEREAS, costs associated with the contract shall be either paid by the developer, unit owner or landlord of the affordable housing unit/project or by the Borough in the case of a Borough program or a resale program unless otherwise specified by the Borough.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Oceanport in the County of Monmouth that the Mayor and Borough Clerk are hereby authorized and directed to execute said contract between the Borough of Oceanport and the New Jersey Housing and Mortgage Finance Agency annexed hereto on behalf of the Borough.

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Joseph A. Irace, Councilman
SECONDER:	William Deerin, Councilman
AYES:	Deerin, Gallo, Irace, O'Brien, Proto, Solan

I certify that the foregoing Resolution #2019-62 was adopted by the Oceanport Governing Body at the Regular Meeting held February 21, 2019



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTING ACACIA FINANCIAL GROUP, INC., AS FINANCIAL ADVISOR**

**Resolution #2019-63
02/21/19**

WHEREAS, the Borough Council, in the Borough of Oceanport, County of Monmouth, New Jersey has a need for a financial advisor specializing in public finance to assist it in matters relating to, *inter alia*, the issuance of debt; and

WHEREAS, Acacia Financial Group, Inc., Mount Laurel, New Jersey, is a nationally recognized financial advisor with experience in public finance and is able to assist the Borough in such matters; and

WHEREAS, the Borough Council has reviewed the credentials, expertise and estimated fees of Acacia Financial Group, Inc. for the services to be provided as financial advisor and is satisfied that the services will be of the highest quality at a fair and reasonable price; and

WHEREAS, the Borough is authorized to appoint Acacia Financial Group, Inc. as financial advisor without advertising for bids since the services to be provided are professional in nature and are not anticipated to exceed \$17,500.

WHEREAS, funds shall be made available for the stated purpose in the 2019 municipal budget subject to adoption of the 2019 budget.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Oceanport, County of Monmouth, State of New Jersey, as follows:

Section 1. Acacia Financial Group, Inc., Mount Laurel, New Jersey is hereby appointed as financial advisor to the Borough of Oceanport.

Section 2. The Chief Financial Officer is hereby authorized and directed to execute, on behalf of the Borough, an agreement with Acacia Financial Group, Inc. for the financial services to be rendered.

Section 3. That the agreement shall be an open-ended contract pursuant to N.J.A.C. 5:34-5.2 (B) contingent upon the availability of funds in the budget year with no firm quantities being guaranteed. Funds will be certified and encumbered by individual purchase order prior to each request for service.

Section 4. All resolutions or parts thereof, inconsistent herewith are hereby repealed and rescinded to the extent of any such inconsistency.

Section 5. This resolution shall take effect immediately upon adoption.

CERTIFICATION OF FUNDS

As required by N.J.A.C. 5:34-5.1 et. seq., I, Catherine D. LaPorta, Chief Financial Officer of the Borough of Oceanport, hereby certify sufficient funds are available for the stated purpose in the 2019 municipal budget subject to adoption of the 2019 budget.



Catherine D. LaPorta, CFO

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Joseph A. Irace, Councilman
SECONDER:	William Deerin, Councilman
AYES:	Deerin, Gallo, Irace, O'Brien, Proto, Solan

I certify that the foregoing Resolution #2019-63 was adopted by the Oceanport Governing Body at the Regular Meeting held February 21, 2019



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT APPOINTING GLENN P.
MANNINO AND THOMAS SPULER AS CLASS II SPECIAL LAW
ENFORCEMENT OFFICERS TO THE OCEANPORT POLICE DEPARTMENT**

**Resolution #2019-64
02/21/19**

WHEREAS, upon the recommendation of the Police Chief, the Governing Body of the Borough of Oceanport has determined that it is in the best interest of the Borough to appoint the following individuals as Class II Special Law Enforcement Officer to the Oceanport Police Department, which shall be effective February 21, 2019.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport as follows;

Glenn P. Mannino and Thomas Spuler are hereby appointed Class II Special Law Enforcement Officers.

BE IT FURTHER RESOLVED, that a certified true copy of the within Resolution be furnished to the Chief of Police of the Borough of Oceanport, the Chief Financial Officer, the Borough Attorney, and the Oceanport PBA Representative.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	William Deerin, Councilman
SECONDER:	Stephen Solan, Council President
AYES:	Deerin, Gallo, Irace, O'Brien, Proto, Solan

I certify that the foregoing Resolution #2019-64 was adopted by the Oceanport Governing Body at the Regular Meeting held February 21, 2019



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTMENT OF CATHERINE D. LAPORTA AS THE BOROUGH'S
QUALIFIED PURCHASING AGENT**

**Resolution #2019-65
02/21/19**

WHEREAS, Jeanne Smith is currently serving as the Borough's Qualified Purchasing Agent; and

WHEREAS, Jeanne Smith is also serving as the Borough's Planning/Zoning Board Secretary which has seen an overall increase in demand for services particularly as a result of the development on Fort Monmouth; and

WHEREAS, Catherine D. LaPorta is currently serving as the Borough's Chief Financial Officer and has achieved certification from the State of New Jersey as a Qualified Purchasing Agent; and

WHEREAS, the Finance and Administration Committee has recommended to the Governing Body that Catherine D. LaPorta be appointed as the Borough's Qualified Purchasing Agent.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Oceanport as follows:

1. The Borough does hereby appoint Catherine D. LaPorta to serve as the Borough's Qualified Purchasing Agent in accordance with N.J.S.A. 40A:11-9, et seq. effective March 1, 2019 at a salary of \$5,000 annually.
2. That Jeanne Smith's compensation for Purchasing Agent be reallocated to the Planning/Zoning Board Secretary position.
3. As permitted by said law, the Borough also hereby authorizes and confirms that its bid threshold shall be set at \$40,000.00 in accordance with N.J.S.A. 40A:11-3(c).

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joseph A. Irace, Councilman
SECONDER:	Richard Gallo, Councilman
AYES:	Deerin, Gallo, Irace, O'Brien, Proto, Solan

I certify that the foregoing Resolution #2019-65 was adopted by the Oceanport Governing Body at the Regular Meeting held February 21, 2019



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
COUNTY OF MONMOUTH, STATE OF NEW JERSEY APPROVING AN
AGREEMENT WITH THE BOROUGH OF SHREWSBURY FOR THE USE OF
COURTROOM FACILITIES**

**Resolution #2019-66
02/21/19**

WHEREAS, the "Uniform Shared Services and Consolidation Act" at N.J.S.A. 40A:65-1 et seq. (The "Act") allows a local unit to enter into an agreement with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction, including services incidental to the primary purposes of any of the participating local units; and

WHEREAS, the Borough of Oceanport has need for temporary courtroom facilities and Borough of Shrewsbury desire to continue sharing Fire Prevention Services in order to converse resources and to provide for a more efficient and more economically sound service; and

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Oceanport hereby approves an agreement between the Borough of Oceanport and the Borough of Shrewsbury for the use of Shrewsbury's municipal courtroom facilities attached hereto.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute the shared services agreement.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joseph A. Irace, Councilman
SECONDER:	William Deerin, Councilman
AYES:	Deerin, Gallo, Irace, O'Brien, Proto, Solan

I certify that the foregoing Resolution #2019-66 was adopted by the Oceanport Governing Body at the Regular Meeting held February 21, 2019



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AMENDING AND ADOPTING THE BOROUGH BY-LAWS**

**Resolution #2019-67
02/21/19**

WHEREAS, the rules of procedure and of substance of the Mayor and Council of the Borough of Oceanport have been primarily dictated by Title 40 and 40A of the revised New Jersey Statutes and other requisite statutes; and

WHEREAS, the Mayor and Council of the Borough of Oceanport are desirous of implementing By-Laws which provide a foundation for a delineation of practice and procedure as well as responsibilities and authority of the Mayor and Council of the Borough of Oceanport, both as mandated by the State law covering the operation of Boroughs (N.J.S.A. 40A:60-1, et seq.) and as local practice determines; and

WHEREAS, said By-Laws aid in establishing administrative structure for the functioning of internal standing and special Committees the Mayor and Council create for the purpose of dividing administrative duties or its members; and

WHEREAS, said By-Laws assist in the establishment of procedures for the scheduling and conduct of public meetings, pursuant to statutes and as local practice dictates;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport, Monmouth County, New Jersey that the By-Laws as attached hereto be adopted for the year 2019.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joseph A. Irace, Councilman
SECONDER:	Robert Proto, Councilman
AYES:	Deerin, Gallo, Irace, O'Brien, Proto, Solan

I certify that the foregoing Resolution #2019-67 was adopted by the Oceanport Governing Body at the Regular Meeting held February 21, 2019



JEANNE SMITH, RMC
BOROUGH CLERK

BOROUGH OF OCEANPORT BY-LAWS FOR CY2019

ARTICLE I - RULES OF ORDER

The deliberations of the Council shall be governed by “Roberts Rules of Order”, except when the same are in conflict with the laws of the State of New Jersey or these By-laws, in which even said Roberts Rules of Order shall be inapplicable.

ARTICLE 2 – THE GOVERNING BODY

Section 1. The Mayor and six Council members shall constitute the Governing Body of the Borough of Oceanport, which Governing Body shall be known as “The Mayor and Council”.

ARTICLE 3 – THE MAYOR

Section 1. The Mayor shall be the chief executive officer of the Borough. The Mayor shall also participate in the determination of Borough affairs to the extent permitted by statute.

Section 2. The Mayor shall see that the laws of the State of New Jersey and the ordinances of the Borough are faithfully executed and shall recommend to the Council such measures, as the Mayor may deem necessary or expedient for the welfare of the Borough.

Section 3. The Mayor shall use his or her authority to maintain peace and good order in the Borough and has the power to suppress all riots and tumultuous illegal assemblies in the Borough.

Section 4. The Mayor shall have the authority to execute contracts in behalf of the Borough, approved by the Council, and to sign checks and warrants or payments approved by the Council.

Section 5. The Mayor shall preside at all meetings of the Governing Body.

Section 6. The Mayor shall not vote except in the case of a tie among those Council Members voting.

Section 7. The Mayor shall on all occasions preserve the order and decorum at the deliberations of the Council. The Mayor shall cause the removal of any persons who interrupt the proceedings of the Governing Body.

Section 8. When two or more Council members arise or attempt to speak at the same time, the Mayor shall name the one entitled to the floor and recognition.

Section 9. The Mayor shall decide all questions of order without debate, subject to an appeal to the Council.

Section 10. In the absence of the Mayor or if the Mayor is unable to perform his or her duties, the Council President (or, in his or her inability to act, the Council member having the longest term of service) shall act as Mayor as provided by Statute.

Section 11. The Mayor shall be an ex officio member of all committees, both standing and special and shall be informed in advance of all meetings of such committees.

ARTICLE 4 – THE COUNCIL

Section 1. The Council shall be the legislative body of the municipality.

Section 2. The Council may, subject to general law and the provisions of this act:

- (1) Pass, adopt, amend and repeal any ordinance or, where permitted, any resolution for any purpose required for the government of the municipality or for the accomplishment of any public purpose for which the municipality is authorized to act under general law;
- (2) Control and regulate the finances of the municipality and raise money by borrowing or taxation;
- (3) Create such offices and positions as it may deem necessary. The officers appointed thereto shall perform the duties required by law and the ordinances of the Council. Other than the borough attorney, engineer, and building inspector, these officers shall be residents of the borough and shall serve at the pleasure of the Council, except the Clerk, who also shall be exempt from the borough residency requirement, the Tax Collector and Tax Assessor who shall serve for terms provided in Chapter 9 of Title 40A of the New Jersey Statutes. The Council may exempt officers from the residency requirements but only pursuant to the adoption of an ordinance to that effect;
- (4) Investigate any activity of the municipality;
- (5) Remove any officer of the municipality, other than those officers excepted by law, for cause; and
- (6) Override a veto of the Mayor by a two-thirds majority of all the members of the Council.

Section 3. The Council shall have all the executive responsibilities of the municipality not placed, by general law or this act, in the office of the Mayor.

Section 4. The Council, whenever it fails to confirm the nomination by the Mayor of any official to a subordinate office of the Borough within 30 days of being presented such nomination, shall make the appointment to that office, provided that at least three affirmative votes shall be required for such purpose, the Mayor to have no vote thereon except in the case of a tie.

ARTICLE 5 – THE BOROUGH CLERK

Section 1. The Clerk shall perform the duties enjoined upon that office by the Revised Statute of New Jersey, these By-laws and such ordinances as the Council may, from time to time, enact.

Section 2. The Clerk shall keep the minutes and ordinance books properly and fully indexed and shall perform all the duties usually devolving upon such officer; and in addition, such other duties or services as Council may require or direct.

Section 3. Upon the introduction of an ordinance, the same shall be properly numbered and recorded at length by the Borough Clerk in the Ordinance Book. The assigned number shall appear in the advertisement of such ordinance.

Section 4. The Clerk shall be the Borough employee responsible for responding to all lawful requests under the New Jersey Open Public Records Act.

ARTICLE 6 – BOROUGH ADMINISTRATOR

Section 1. The Borough Administrator shall perform such duties as are set forth in Chapter 5 and as set forth in other Chapters of the Code of the Borough of Oceanport as required by ordinance.

Section 2. The Borough Administrator need not reside in the Borough of Oceanport but must be a resident of New Jersey.

Section 3. The Borough Administrator serves at the pleasure of the Mayor and Council and carries out the policies of the Mayor and Council.

Section 4. Nothing in this Article shall derogate from or authorize the Administrator to exercise powers of the elected officials of the municipality.

ARTICLE 7 – MEETINGS

Section 1. The Council shall hold an annual meeting during the first seven (7) days of January of any year, which meeting will be held within the Borough and at such time and place as Council may by resolution direct.

Section 2. At the annual meeting of the Governing Body, the Council shall elect one of its members as Council President to serve for one year and until the next annual meeting and fix the time and place for holding regular and workshop meetings during the ensuing year, which time and place shall not be changed except by the action of the Borough Council taken at a regular meeting. Public notice of the aforesaid meetings schedule and any revision thereto shall be provided in accordance with the Open Public Meetings Act.

Section 3. The Mayor shall, when necessary, call special meetings of the Council. In case of the Mayor's neglect or refusal to do so, any four members of the Council may call such meeting at such time and place in the Borough as they may designate. Public notice of a special meeting shall be provided in accordance with the Open Public Meetings Act.

Section 4. A quorum of the Council shall be as provided by Statute, to wit: three Council Members and the Mayor, and, in the absence of the Mayor, four Council Members. However, a small number of the Governing Body may meet, discuss and adjourn from time to time, but in no event may they take any official action as a Governing Body in the absence of a quorum.

Section 5. The order of business at any meeting as set forth in Article 8 may be changed by a majority vote of the members of the Council present at such meeting or by the Mayor with consent of the Council.

Section 6. Upon demand of one member of the Council or when ordered by the Mayor, or when directed by Statute, a roll call vote shall be taken and yeas and nays entered in the Minutes of the meeting.

Section 7. If the Council at its annual meeting fails to elect a President of the Council, the Mayor shall appoint the President from the Council and in that case no confirmation by the Council shall be necessary.

Section 8. The only business which can be transacted at a special meeting is that for which the special meeting is called.

Section 9. The Clerk shall notify the Council, in writing or by email through the Borough email addresses for each Council Member, of each special meeting, stating the subject, at least one day before the time fixed for holding same.

ARTICLE 8 – AGENDA

Section 1.

A. The following order of business shall be observed:

1. Meeting called to order
2. Statement of Compliance with Open Public Meetings Act

3. Flag Salute
4. Invocation
5. Roll Call
6. Administrator's Report
7. Clerk's report
Minutes, payment of bills, resolutions
8. Committee reports
9. Petitions from the public
10. Adjournment (or where appropriate Motion to go to
closed session)
11. Closed session where appropriate.
12. Adjournment

B. The aforesaid order of business at any meeting may be changed by a majority vote of the members of the Council present at such meeting or at the discretion of the Mayor.

Section 2. An agenda for each meeting of the Council shall be prepared by the Clerk in consultation with the Mayor and provide the specific order of business and action for that particular meeting. The Clerk will accept the agenda items only as submitted by appropriate Chairpersons of standing Council committees, the Mayor, the Council President, the Administrator, the Chief Financial Officer, Municipal Attorney or Municipal Engineer.

Section 3. Agenda items shall be submitted to the Clerk by the end of business on the seventh (7th) calendar day before a workshop or regular meeting and a printed agenda shall be provided to the Governing Body and be available to the general public by the close of business on the sixth (6th) calendar day before a workshop or regular meeting. (By way of example, if a meeting is scheduled for a Thursday, the agenda should be completed and distributed by the preceding Friday.) In the event that exigent circumstances prevent issuance of an agenda on the sixth (6th) calendar day before a meeting, it shall be issued as soon thereafter as possible. Any item may be added to the agenda of any meeting by vote of a majority of the Council members present during the meeting.

Section 4. The Council, by majority vote, may adopt at any meeting a time limitation of public comment in terms of a time limit for each member of the public and an hour at which public comment will be terminated.

Section 5. Any member of the public wishing to speak a second time or more will only be recognized after all members of the public wishing to be heard for a first time have been recognized.

Section 6. Prior to being allowed to address the Governing Body, a person addressing the Governing Body shall step up to the microphone, face the Governing Body and provide his or her name and address.

ARTICLE 9 – STANDING COMMITTEES

Section 1. The Mayor shall appoint all Standing Committee members subject to the approval and concurrence of the majority of the Council. The Mayor shall have no vote in any such committee appointment except in the case of a tie vote and then only for the purpose of breaking such tie vote. Should a majority of the Council not concur in the appointment by the Mayor of any Council member to any committee, the Council members, by majority, shall make such appointment.

Section 2. The following Standing Committees of the Council shall be appointed at the annual meeting:

- | | |
|--------------------------------|---|
| 1. FINANCE & ADMINISTRATION: | Finance, Administration, Capital Improvement, Insurance |
| 2. HEALTH & HUMAN SERVICES: | Health, Education, Coastal Drug Alliance, Water Watch, Environmental Commission |
| 3. PARKS & RECREATION: | Parks and Recreation, Shade Tree, Seniors, Public Information, Special Events |
| 4. PLANNING & DEVELOPMENT: | Planning Board, Economic Development, Ordinances, Utilities, Construction |
| 5. PUBLIC SAFETY: | Police, Fire, First Aid, OEM |
| 6. PUBLIC WORKS & ENGINEERING: | Buildings & Grounds, Public Works, Engineering, Sanitation, Recycling |

Section 3. Each Councilperson shall be the Chairperson of one Standing Committee and a member of two other Standing Committees named in this article.

Section 4. The Standing Committees are appointed to expedite and facilitate the work of the Council, but only within statutory limits as the entire Council is held responsible for any or all of its acts performed within the scope of authority.

A. A Standing Committee Shall:

1. Meet when requested by the Chairperson, or a majority of the committee, and all members thereof shall participate actively in the committee deliberation, performance of duties and the formulation of its recommendations to Council.
2. Plan, study, direct, make commitments within budgetary limitation, and carry on the routine activities for which it has primary responsibility.
3. Perform such acts as may be assigned to it by Council.
4. Report and make recommendations to the Council regarding its responsibilities and activities.

B. Except as provided above, a Standing Committee shall not:

1. Exceed its budgetary appropriations without prior approval of the Council.
2. Make promises or commitments to anyone which directly, or by inference, bind the Council.
3. Act in such a manner or make decisions, which set a precedent, or violate established Council policy.

Section 5. The Mayor or Council, or both, may appoint special Committees for purposes other than those included in the duties of the Standing Committees.

Section 6. The Mayor and Council may change existing Committee assignments and or Council liaison when it is in the best interest of the Borough to do so.

Section 7. The Chairperson of each Standing or Special Committee shall be prepared to report to the Mayor and Council at each regular meeting on principal activities and achievements of his or her committee.

ARTICLE 10 – DUTIES OF STANDING COMMITTEES OF THE COUNCIL

A Standing Committee shall function as an advisory body to the Council as a whole in reviewing policy matters referred to them by the Council, and such other

matters as the Council, by simple majority vote, may direct. A Standing Committee, within its respective areas of responsibility, shall formulate recommendations to the Council regarding action proposed to be taken in general. The purpose of each Standing Committee shall be to review matters within the subject areas set forth below. Each Standing Committee shall have primary responsibility for the activities and matters listed under each committee heading which shall include the administration, practices, procedures and records.

Section 1. FINANCE AND ADMINISTRATION

The Finance and Administration Committee is generally charged with the duty of overseeing Finance, Administration, Capital Improvements and Insurance and, specifically shall:

- A. Examine, audit and report upon all bills and demands referred to them and render a report when requested by Council, on the financial condition of the Borough and approve all categories of bills for payments.
- B. Coordinate the annual fiscal budget (operational and capital) process as follows:
 - 1. Council names the Finance and Administration Committee at the Reorganization Meeting, which includes three (3) members of Council.
 - 2. Chief Financial Officer works with Department Heads to determine budgetary needs.
 - 3. Members of the Committee will coordinate the financial information with the Chief Financial Officer throughout the budget process.
 - 4. Committee and Chief Financial Officer finalize budget and share proposed budget with all Council members.
- C. Serve as liaison between the Council and the Registered Municipal Accountants.
- D. Maintain, review and, as necessary, revise all insurance coverage of the Borough.
- E. Investigate and review services that can be shared with other surrounding towns.
- F. Assist with obtaining grants in order to fund projects.

- G. Compile and review requests and information from all relevant Standing and/or other committees and recommend capital projects to Council.
- H. Participate in the negotiation and recommend for approval/denial all collectively negotiated bargaining agreements on behalf of the Borough.

Section 2. HEALTH AND HUMAN SERVICES

The Health and Human Services Committee is generally charged with the duty of overseeing matters pertaining to Health, Education, the Coastal Drug Alliance, the Water Watch Committee and the Environmental Commission and, specifically, shall:

- A. Serve as a liaison between the Council and the Oceanport Board of Education and Shore Regional Board of Education.
- B. Serve as liaison between the Council and the Coastal Drug Alliance and the Shore Regional Alliance.
- C. Serve as liaison between the Council and the Water Watch, Environmental Commission, Flood Mitigation Committee and/or with any other such agencies or associations concerned with the preservation and improvements of the waterways within and surrounding the Borough.
- D. Serve as liaison between the Council and the County Board of Health.
- E. Review documentation and make recommendations to the Council pertaining to technological advancements, information technologies and communication technologies to which the Borough should avail itself.
- F. Serve as liaison between the Oceanport Library Association, County Library and the Council.

Section 3. PARKS AND RECREATION

The Parks and Recreation Committee is generally charged with the duty of overseeing matters pertaining to Parks and Recreation, Shade Trees, Senior Citizens, Public Information and Special Events and, specifically, shall:

- A. Oversee and coordinate the maintenance, management and operation of all parks and playgrounds within the Borough.

- B. Serve as liaison to all Recognized Sports Organizations within the Borough.
- C. Oversee and coordinate recreation activities sponsored or conducted by the Borough including seasonal programs and Summer Action Camp.
- D. Serve as a liaison between the Council and such groups or associations serving Senior Citizens that may exist in the Borough.
- E. Oversee, plan and sponsor programs and activities designed to benefit all senior citizens residing in the Borough.
- F. Oversee and coordinate the purchase, removal and placement of trees in and along the public Right of Way and upon such other public property as Council may approve.
- G. Publish and distribute a bulletin containing current events and activities in the Borough and such items of interest or concern to the residents as well as the publication of the Borough Directory.
- H. Oversee, plan and coordinate Memorial Day, Veterans Day, End of Summer and other Borough events/activities.
- I. Review and make recommendations regarding the budgets of projects, programs, departments and functions under its jurisdiction.

Section 4. PLANNING & DEVELOPMENT

The Planning & Development Committee is generally charged with the duty of overseeing matters pertaining to the Planning Board, Economic Development and Construction and, specifically, shall:

- A. Serve as liaison between the Planning Board and Council.
- B. Make recommendations to the Council for the preparation, enactment, updating and/or codification of ordinances and/or Borough procedures and/or policies pertaining to zoning and planning, development, subdivision control, site plan approval, building codes and construction.
- C. Keep the Council informed on matters affecting Zoning and Planning related to the Borough, adjacent municipalities and County and State governments.

- D. Serve as liaison to the Department of Community Affairs regarding the development and grants for community projects.
- E. Provide and encourage the development and expansion of local trade and industries.

Section 5. PUBLIC SAFETY

The Public Safety Committee is generally charged with the duty of overseeing matters pertaining to Police, Fire, First Aid and Office of Emergency Management and, specifically, shall:

- A. Oversee, coordinate and manage the purchase/lease and maintenance of Borough fire equipment and other property.
- B. Oversee, coordinate and manage the purchase/lease and maintenance of Borough first aid equipment and/or property.
- C. Review and make recommendations regarding the budgets of the Police Department, Volunteer Fire Department, Volunteer First Aid Squad and Office of Emergency Management.
- D. Serve as liaison between the Borough's Volunteer First Aid Squad and the Council.
- E. Serve as liaison between the Borough's Volunteer Fire Departments and the Council.
- F. Serve as the liaison between the Borough's Police Department and the Council.
- G. Serve as the liaison between the Council and the Municipal Court.
- H. Coordinate and oversee, in conjunction with the Chief of Police, the hiring of all Police Department personnel, including members of the Department, Special Police and School Crossing Guards.
- I. Coordinate and oversee, in conjunction with the Chief of Police, highway traffic and safety and all matters relating to parking regulations, including on-street and off-street parking.
- J. Coordinate and oversee, in conjunction with the Chief of Police and the Office of Emergency Management, all civil defense activities.
- K. Coordinate and oversee, in conjunction with the Chief of Police,

regulatory signs directing the flow of traffic, including the location, design and specification thereof.

- L. In conjunction with the Chief of Police, review and, when appropriate, recommend the granting of licenses and the inspection of licensed premises and persons as designated by the Council from time to time.

Section 6. PUBLIC WORKS:

The Public Works Committee is generally charged with the duty of overseeing matters pertaining to Buildings and Grounds, Public Works, Engineering, Sanitation and Recycling and, specifically, shall:

- A. Oversee, coordinate and manage the maintenance and upkeep of all public buildings.
- B. Oversee, coordinate and manage the construction, reconstruction, improvement, maintenance and cleaning of all roadways within the Borough.
- C. Oversee, coordinate and manage the maintenance of all Borough vehicles and other mechanical equipment.
- D. Oversee, coordinate, and manage storm debris collection and disposal.
- E. Oversee, coordinate and manage the cutting of grass, shrubs and weeds on Borough roadways and properties.
- F. Review contracts for solid waste and recycling collection.
- G. Serve as a liaison between the Governing Body and utility companies.

ARTICLE 11 – BILLS, CLAIMS AND VOUCHERS

Section 1. All bills, claims, invoices, purchase orders, vouchers, etc. shall be generated, processed, reviewed and paid consistent with the procedures set forth in the Borough of Oceanport's Purchasing Manual.

ARTICLE 12 – SEAL

Section 1. The seal of the Borough shall be as hereinafter impressed.

Section 2. The seal shall be in the custody of the Borough Clerk and shall be impressed on all appropriate documents or papers.

ARTICLE 13 – AMENDMENTS

Section 1.

- A. The Mayor, or any member of the Council may propose amendments to these By-laws at any regular meeting or adjourned meeting.
- B. The Mayor will then appoint a Special Committee comprised of three members of the Council to consider the proposed amendments. This Special Committee may submit other suggested changes, additions and/or deletions to the Council.

Section 2. Such Special Committee shall present its recommendation at a regular meeting or adjourned regular meeting of the Council within (30) thirty days of appointments of the Special Committee by the Mayor.

Section 3. These By-laws shall be altered and amended only by a majority vote of the entire Council, on a roll call taken at two (2) consecutive regular meetings of the Council.

ARTICLE 14 – ADOPTION AND TERM

Section 1. The By-laws shall be adopted by resolution of the Council concurred in by a majority of the Council.

Section 2. The By-laws shall become effective immediately after adoption and shall remain in effect until not longer than December 31st of the calendar year in which the By-laws, as amended, supplemented or otherwise modified, were adopted. As such, the By-laws and any amendments, supplement, and/or modifications thereto shall be adopted by the Council as part of its annual meeting.

Section 3. The By-laws of the Borough of Oceanport, as amended, supplemented or modified shall be posted on and made available to the general public on the Borough of Oceanport's website.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING AN AMENDMENT TO A PROFESSIONAL SERVICES
AGREEMENT WITH THE GOLDSTEIN PARTNERSHIP TO INCREASE THE
CONTRACT AMOUNT FOR ARCHITECTURAL SERVICES FOR THE
RENOVATION OF EXISTING BUILDINGS FOR THE BOROUGH'S NEW
MUNICIPAL COMPLEX**

**Resolution #2019-68
02/21/19**

WHEREAS, pursuant with adoption of Resolution #2016-093, the Goldstein Partnership was awarded a contract for professional architectural services through a fair and open process for the conceptual design of a municipal complex using lands and buildings located at the former Fort Monmouth property for the relocation of Borough Hall offices in accordance with N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, Resolution #2017-056 adopted by the Governing Body on January 19, 2017 awarded a contract for professional architectural services through a non-fair and open process for the renovations of existing buildings on property at Fort Monmouth into a Police Headquarters, a Municipal Building/Municipal Court/Public Library, and a Community Center for a total contract amount not to exceed Six hundred thirty-five thousand dollars (\$635,000.00); and

WHEREAS, due to projected costs for the initial project's scope exceeding the budgetary appropriation for this project it is the desire of the Borough Council to authorize changes to the project scope in order to maintain the appropriated budget; and

WHEREAS, the Goldstein Partnership has provided a Revised Fee Breakdown dated February 15, 2019 for Change Order #1 of the Contract to effectuate the changes in project scope for an increase of Eighty-seven thousand, five hundred dollars (\$87,500) for a total contract in the amount of Seven hundred twenty-two thousand five hundred dollars (\$722,500); and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport as follows:

1. Change Order #1 to increase the contract between the Borough of Oceanport and The Goldstein Partnership by \$87,500 is hereby approved.
2. The Mayor and Borough Clerk are hereby authorized to sign the change order on behalf of the Borough.
3. That the within Resolution shall be subject to the Borough CFO confirming that funds are available for the stated purpose.

CERTIFICATION OF FUNDS

As required by N.J.A.C. 5:34-5.1 et. seq., and any other applicable requirement, I, Catherine D. LaPorta, Chief Financial Officer of the Borough of Oceanport, have ascertained that there are sufficient uncommitted funds in Capital Ordinance #970 not to exceed \$87,500 for the above referenced professional services contract change order.



Catherine D. LaPorta, CFO

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Stephen Solan, Council President
SECONDER:	Robert Proto, Councilman
AYES:	Deerin, Gallo, Irace, O'Brien, Proto, Solan

I certify that the foregoing Resolution #2019-68 was adopted by the Oceanport Governing Body at the Regular Meeting held February 21, 2019



JEANNE SMITH, RMC
BOROUGH CLERK

OMB/Oceanport Municipal Building: Breakdown of Revised Fees & Expenses

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FIRM	DISCIPLINE(S)	ORIGINAL \$	CHANGE	REVISED \$
TGP	Architect	\$219,030	\$36,400	\$255,430
TGP: Coordination	Architect	\$35,000	\$6,077	\$41,077
TGP: FFE	Architect	\$3,000	\$0	\$3,000
Omdex, Inc.	Mech/Elec	\$200,000	\$18,200	\$218,200
Allan Klein, PA	Structural	\$15,000	-\$5,000	\$10,000
Roberts Engineering	Site/Civil	\$87,000	\$36,218	\$123,218
Loring Engineering	Technology	\$38,000	\$6,825	\$44,825
K2 Audio	Acoustics	\$6,750	\$0	\$6,750
James J. Padakis	Food Service	\$2,750	-\$250	\$2,500
RJB Environmental	Environmental	\$3,470	-\$3,470	\$0
FEE SUBTOTAL		\$610,000	\$95,000	\$705,000
Expense Allowance		\$25,000	-\$7,500	\$17,500
TOTAL		\$635,000	\$87,500	\$722,500

**RESOLUTION OF THE BOROUGH OF OCEANPORT
THE FORT MONMOUTH REUSE PLAN AMENDMENT #13 AND THE
MUNICIPAL 45 DAY REVIEW PERIOD AND FORMULATION OF THE
BOROUGH RECOMMENDATIONS AND COMMENTS TO THE FORT
MONMOUTH ECONOMIC REVITALIZATION AUTHORITY**

**Resolution #2019-69
02/21/19**

WHEREAS, the decision to close Fort Monmouth was made per Federal BRAC legislation in September of 2005 and the Fort Monmouth Economic Revitalization Authority (FMERA) was created by the State of New Jersey (C52:27I et. seq.) to implement comprehensive conversion and revitalization of the Fort Monmouth Property; and

WHEREAS, the Fort Monmouth Redevelopment and Reuse Plan was adopted September 3, 2008 and as subsequently amended; and

WHEREAS, the statute provides for a 45-day municipal review period for comment and recommendations on amendments to the Fort Monmouth Reuse Plan by each of the three host communities. On January 9, 2019 the Borough Clerk received a request to review the Reuse Plan Amendment #13 for which review period shall end February 22, 2019; and

WHEREAS, the Borough of Oceanport has solicited comment on the Reuse Plan Amendment #13 from the Borough Planner, Borough Engineer, Environmental Commission, Planning Board, Police Department, First Aid, Fire Department and Office of Emergency Management in order to review the Amendment and consider its impact on the Borough and its residents.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that the municipality has performed its statutory duties as a host municipality concerning the review of the proposed Fort Monmouth Redevelopment and Reuse Plan Amendment #13 and strongly opposes the amendment as currently proposed and offers the following and attached comments and recommendations:

1. The Borough is supportive of a higher education use, if appropriately designed for the area.
2. Strong consideration should be made concerning the intensity and density of the proposed development and its appropriateness for the site and its existing infrastructure.
3. Additional studies including but not limited to circulation/traffic, open space, environmental and parking should be provided or performed to support and substantiate the intensity of use proposed.
4. While the Borough recognizes the responsibility of FMERA to implement the goals and objectives of the Fort Monmouth Reuse Plan, the Borough emphatically disagrees with the amendment's conclusion that the proposed alternative use "would not adversely impact any of the "Transportation Circulation Improvements Goals" established in the Reuse Plan without the substantiation of supporting studies for traffic and the like.
5. The Borough questions the amendment's conclusion that the proposed alternative development is consistent with the goals for open space.
6. The Borough believes any addition of dormitory rooms be considered a residential use and be counted toward the borough's housing obligation.
7. The Borough ardently disagrees with the amendment's conclusion of "Relationship to Objectives and Principles of the Reuse Plan" on page 10 that the proposed alternative

development "...is consistent with State, County, and Municipal planning policies..." when the proposed development is clearly inconsistent with the Borough's Master Plan Goals and Objectives and the Borough's Zoning. Further, it is the Borough's position that the proposed uses both existing and proposed for the site in the Fort's Reuse Plan *are not consistent* with the Borough's "Fort to Village Plan" which envisioned the site as a central park feature.

BE IT FURTHER RESOLVED, that a copy of the comments received be forwarded with this Resolution to the Fort Monmouth Economic Revitalization Authority Board for their consideration.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robert Proto, Councilman
SECONDER:	Joseph A. Irace, Councilman
AYES:	Deerin, Gallo, Irace, O'Brien, Proto, Solan

I certify that the foregoing Resolution #2019-69 was adopted by the Oceanport Governing Body at the Regular Meeting held February 21, 2019



JEANNE SMITH, RMC
BOROUGH CLERK

RESOLUTION

**BOROUGH OF OCEANPORT PLANNING BOARD
FORT MONMOUTH REUSE AND REDEVELOPMENT PLAN
PROPOSED PLAN AMENDMENT #13**

WHEREAS, the Oceanport Planning Board is a duly organized Land Use Board, organized and existing in accordance with the Rules and Regulations of the State of New Jersey and the Borough of Oceanport; and

WHEREAS, there exists within the geographical confines of the Borough of Oceanport a portion of the complex which previously hosted the former Fort Monmouth military base; and

WHEREAS, with the closure of Fort Monmouth, the Fort Monmouth Economic Revitalization Authority (FMERA) was, essentially, created to help establish the general process for appropriate redevelopment of the various parcels located within the former military site; and

WHEREAS, in furtherance thereof, a process was established whereby each of the 3 Fort Monmouth host communities have a process to review Fort Monmouth Redevelopment Plans, and / or amendments thereto; and

WHEREAS, Agents of FMERA recently requested that the Borough of Oceanport review and comment upon proposed Plan Amendment #13; and

WHEREAS, in due course, the Borough Council of the Borough of Oceanport forwarded the matter to the Oceanport Planning Board, so that the Planning Board could officially weigh in on the proposed Redevelopment Plan Amendment; and

WHEREAS, the Oceanport Planning Board officially reviewed proposed Plan Amendment #13 at its regularly scheduled meeting of January 22, 2019; and

WHEREAS, at the said Hearing, sworn testimony was presented by William H. R. White, III, P.E., P.P., CME, the Planning Board Engineer/Planner; and

WHEREAS, at the said Hearing, the following items were officially marked into the Record as Evidence:

- Communication from the FMERA, to the Mayor of the Borough of Oceanport, dated January 9, 2019, introduced into Evidence as B-1;
- Proposed Amendment #13 to the Fort Monmouth Reuse and Redevelopment Plan, introduced into Evidence as B-2;
- Review Memorandum from Maser Consulting, dated January 22, 2019, introduced into Evidence as B-3;
- Illustrated Plan depicting the proposed buildings, as set forth in proposed Plan Amendment #13, introduced into Evidence as B-4; and

WHEREAS, the Board Engineer / Planner explained proposed Plan Amendment #13, in detail, to the Board Members, and other members of the public who were present; and

WHEREAS, the Board Engineer / Planner essentially advised that the proposed Plan Amendment #13 would permit the demolition of existing Fort Monmouth Buildings 288, 291, and 295, with the understanding that Squier Hall would remain; and

WHEREAS, upon such a formal review of the matter, the Board Members expressed a number significant questions, comments, and concerns regarding the proposed Amendment, and the impact the same will have on the Borough of Oceanport, and the surrounding communities; and

WHEREAS, Board questions, comments, and concerns in the said regard included, but were not necessarily limited to, the following:

Height

- There was a concern regarding the height of some of the proposed buildings. Specifically, the Borough's R-1 Zone currently allows 2 ½ story buildings, with a 35 ft. height limitation (which is generally consistent with the height of the existing Squier Hall). However, proposed Amendment #13 appears to envision the following:
 - i. A 5-story / 65 ft. tall Residence Hall (not exceeding 95,000 SF);
 - ii. A 5-story / 70 ft. tall Academic Lab Building and Visual Art Center;
 - iii. A 5-story / 65 ft. tall Athletic Center;
 - iv. A 2-story / 80 ft. tall Performing Art Center; and

v. A 5-story / 72 ft. tall Parking Garage.

- There was a concern that the height / mass of the aforesaid buildings would be entirely inconsistent with the current Zoning Regulations.
- There was a concern that the height and mass of the proposed buildings (as identified in proposed Plan Amendment #13) are entirely inconsistent with the majority of other buildings located within the Zone and the Borough of Oceanport as a whole.
- There was a concern that the height and mass of the proposed buildings (as allowed under the proposed Plan Amendment #13) would clearly over-burden the Borough of Oceanport, as well as the other surrounding communities.
- There was a concern that allowing such massive buildings on the site would not necessarily reflect sound planning.
- There was a concern that there has been no formal analysis (for comparison purposes) of the heights of other buildings within the Borough of Oceanport and/or within the greater Fort Monmouth compound.
- There was a concern that if Plan Amendment #13 were adopted, and such tall / massive buildings were constructed, the same could forever, and detrimentally, change the general landscape of the Borough of Oceanport.
- There was a concern that if the proposed Amendment allowing such tall buildings were approved, the same would be dramatically inconsistent with the scope and character of existing development within the greater Oceanport area.
- There was a concern raised as to how the multi-story buildings (and the associated deep foundations) would be constructed (relative to Flood Zone Regulations, Water Table Limitations, etc.).
- There was a concern as to how the actual heights of the proposed buildings would be measured (vis-a-vis Borough Regulations, Flood Zone Regulations, etc.).
- There was a concern that the Bulk Standards envisioned in Proposed Plan Amendment #13 would allow for development almost three (3) times that which is currently permitted under the Borough's prevailing Zoning Regulations.
- There was a concern about the ability of the Oceanport Fire Department to fight fires in any new development, with the existing resources – and that the same may require additional training and/or support.

Floor Area Ratio

- There was a concern regarding the Floor Area Ratio (FAR) (i.e. generally speaking, the ratio of the size of the proposed building, relative to the size of the subject parcel). Specifically, the current Municipal Zoning Regulations allow a Floor Area Ratio of 0.3; whereas, proposed Plan Amendment #13 calls for a maximum permitted Floor Area Ratio of 1.0. The Board Members were very concerned about the excessive development which could lawfully take place on the Fort Monmouth site if the Floor Area Ratio were so dramatically increased (from 0.3 to 1.0).
- There was a concern that, in the absence of extraordinary circumstances, many average members of the public might not immediately understand the full implication / effect of allowing the Floor Area Ratio to be so dramatically increased from (0.3 to 1.0).
- There was a concern that there is no other known area / Zone of the Borough of Oceanport which allows for such an expansive Floor Area Ratio.
- There was a concern that such an expansive / expanded Floor Area Ratio would / could lead to excessive building / lot coverage issues, which could, in turn, detrimentally impact grading / drainage/flooding concerns within the Borough.
- There was a concern that the actual square footage of the new buildings (as referenced in proposed Plan Amendment #13) are not yet known, thereby preventing a complete / thorough/meaningful analysis from taking place.
- There was a concern that the subject Fort Monmouth parcel cannot physically accommodate the massive development as envisioned in proposed Plan Amendment #13.

Parking

- There was a concern as to how parking demands have been calculated.
- There was a concern that the proposed Plan Amendment #13 is devoid of an independent or appropriate parking analysis.
- There was a concern that the .25 stall per academic seat ratio is flawed and otherwise inappropriate for the site/development/use.

- There was a concern that the .25 stall per academic seat ratio is unclear and confusing, particularly in light of the presumed commuter nature of the proposed University.
- There was a concern that the commuter population / residential dorm population may require a different, better, or more appropriate parking ratio to be utilized.
- There was a concern as to whether the parking for the proposed University uses would be sufficient.
- There was a concern that any particular change (in the future) to the way in which the University is operated/managed, or the subject parcel is utilized, could compromise the sufficiency of the proposed parking ratio.
- There was a concern that the existence of sufficient parking is of the utmost important to the Board and the Borough – and that based upon the information known to date, the Board is not convinced that the parking calculation / proposal / count is acceptable, valid or sufficient.
- There was a concern that FMERA should identify, compare, and professionally analyze the parking ratio utilized by Monmouth University, Brookdale Community College, and other similar institutions of higher learning (to be adjusted as necessary/appropriate).
- There was a concern that certain Professional Planning Manuals/Guidelines (for Institutions of Higher Learning) appear to equate approximately 96,000 sq. ft. of development (as envisioned under Proposed Plan Amendment #13) to generate between 200 and 500 additional beds – and that further analysis of the development, and the full impact of the same, is required.
- There was a concern that the parking ratio utilized might possibly be appropriate for a college building utilized for academic purposes, but the said ratio might not necessarily be appropriate for the dorm/residential aspect of the proposal.
- There was a concern that FMERA should more formally/thoroughly analyze updated/modern industry standards to ascertain the proposed parking needs of the type of development envisioned in Proposed Plan Amendment # 13.

Traffic

- There was a concern that in 2019, sound planning requires the review and approval of a comprehensive Traffic Impact Report – and that no such Traffic Impact Report has been provided.

- There was a concern that the approval / implementation of proposed Plan Amendment #13 should not take place until such time as interested parties can comprehensively review the traffic situation, and underlying professional testimony associated therewith, so as to fully understand the nature / level of the proposed traffic, and the impact the same will have on the Borough of Oceanport and other host communities.
 - There was a concern that the development envisioned in Plan Amendment #13 would clearly and undoubtedly create / place heavy traffic demands both on the Fort site and around the Fort site.
 - There was a concern that fundamental fairness requires the preparation / review of a comprehensive Traffic Impact Study/Report.
 - There was a concern that the existing roadways simply cannot support the traffic impact associated with the development envisioned in proposed Plan Amendment #13.
 - There was a concern that in reviewing much less intense development applications (than that envisioned in proposed Plan Amendment #13), the Borough of Oceanport has nonetheless required the submission of a Traffic Impact Report, and that nothing less than the same is appropriate herein.
 - There was a concern that the development (as envisioned in proposed Plan Amendment #13) will clearly have a regional impact on all of the host communities – and that review of a comprehensive Traffic Impact Report is an absolute necessity.
 - There was a concern that, under typical circumstances, substantially less intense development would nonetheless require a submission and review of a comprehensive Traffic Analysis – and that the very nature of a University use mandates the review / approval of a thorough and comprehensive Traffic Report.
 - There was a concern that a comprehensive Traffic Analysis (prepared by a qualified professional) might identify certain traffic / parking issues which need to be addressed / improved as part of the development process. (There was also a concern that the absence of such a Traffic Impact Report might prevent certain traffic issues/concerns from being identified and / or addressed.)
-
- There was a concern that the absence of a Traffic Impact Report might prevent the Borough of Oceanport and / or other host communities from even recognizing the scope of the traffic / parking issues associated with the development envisioned in proposed Plan Amendment #13.
 - There was a concern that the existing infrastructure limitations may impact the ability of the site to comfortably / safely accommodate various traffic / vehicular / pedestrian / public safety concerns, thereby further

underscoring the need to successfully review / approve a professional and comprehensive Traffic Impact Report.

- There was a concern that a comprehensive Traffic Impact Report could clearly identify the nature / extent of the traffic impact associated with the development as allowed under proposed Plan Amendment #13.
- There was a concern that, given the heavily trafficked nature of the area, and given the intensity of development associated with the Fort Monmouth site, it would be professionally problematic to not formally review a Traffic Impact Report.
- There was a concern that the development (as envisioned / allowed in proposed Plan Amendment #13) would generally attract many new drivers (as opposed to the University capturing the so-called "drive-by" traffic), thereby further reinforcing the importance of reviewing / approving a comprehensive Traffic Impact Report (before any Plan Amendment is adopted).
- There was a concern that a comprehensive Traffic Impact Report could clarify, with certainty, that the existing / proposed roadways, and existing / proposed traffic flows, are sufficient, safe, and appropriate.
- There was a concern that a proposed University (as allowed in proposed Plan Amendment #13) will generate heavy pedestrian and vehicular circulation, which, in the interest of public safety, mandate the review and approval of a comprehensive Traffic Impact Report.
- There was a concern that the public health and safety could be compromised if the pedestrian / vehicular Traffic movements/flows were not more formally identified and reviewed within the context of a comprehensive Traffic Impact Report.
- There was a concern that a Traffic Impact Report should likely be received, reviewed, and analyzed by the FMERA organization, the Borough of Oceanport, the Oceanport Planning Board, as well as other Agencies having jurisdiction over the matter (before the Plan Amendment is adopted).

Municipal Services

- There was a concern that there has been no official or unofficial study / analysis of how proposed development (as envisioned under proposed Plan Amendment #13) would impact, and otherwise affect, the Borough's Police Department, Fire Department, Public Safety Offices, as well as other First Responders.
- There was a concern that, in the interest of public health and safety, the proposed regulations (as referenced in proposed Plan Amendment #13)

should be more formally reviewed and vetted with the Oceanport Emergency and First Responders.

- There was a concern that a University (as envisioned / allowed in proposed Plan Amendment #13) could have a significant impact on the Borough's Fire Department, Police Department, First Aid Squad, and other First Responders.
- There was a concern that the intense development permitted in the Proposed Plan Amendment # 13 could disproportionately impact the Borough's volunteer First Aid Squad.
- There was a concern that, as presently constituted, the development (as envisioned in Proposed Plan Amendment #13) might disproportionately affect, and/or otherwise overwhelm, the Borough's First Responders.

Open Space

- There was a concern that the current Oceanport Master Plan / Zoning Regulations designate the subject area of the Fort (Parkers Creek) as Open Space – and that development (as envisioned in proposed Plan Amendment #13) is entirely inconsistent with the Borough's Master Plan / Zoning Regulations.
- There was a concern that the Borough's Planning documents identify/target the subject area, or a portion thereof, as open space – and the fact that development (as envisioned in Proposed Plan Amendment # 13) is entirely inconsistent therewith.

Setbacks

- There was a concern that the proposed buildings (as envisioned in proposed Plan Amendment #13) do not have appropriate / sufficient Setbacks.

Stormwater Management / Grading / Drainage

- There was a concern that the Stormwater Management Impact, and Grading, and Drainage concerns need to be more formally reviewed / identified / approved before the proposed Plan Amendment is adopted.

Phasing

- There was a concern as to the nature / extent of the phasing associated with the development as referenced in proposed Plan Amendment #13
- There was a concern as to the phasing of the project – and how the same would / could impact the Borough of Oceanport, as well as other host communities.
- There was a concern as to the timeline applicable for the multi-phases of the development – and the consequences if the aforesaid phasing requirements were not timely honored / met.
- There was a concern that there has been no known information presented as to the details pertaining to the other phases of development as envisioned under Proposed Plan Amendment # 13.

Statutory Housing Obligations

- There was a concern that the dormitory aspect of the proposal may, or could, or should impact the Borough's overall Housing obligation, particularly as the Borough is currently reviewing/addressing/calculating Housing obligations.
- There was a concern that the overall impact associated with the housing (as envisioned in Proposed Plan Amendment # 13) could detrimentally impact the Borough of Oceanport and other host communities, further underscoring the need for a more thorough review of the overall traffic/parking/environmental/planning aspects of the proposal.
- There was a concern that an additional 200/500 beds in the community (as potentially envisioned under Proposed Plan Amendment # 13) would significantly impact the Borough of Oceanport, without the Borough of Oceanport receiving any appropriate Statutory Housing Obligation "credits"/adjustments/consideration for the same.

Environmental

- There was a concern regarding the environmental impact of development (as envisioned under Proposed Plan Amendment # 13) – and that some type of Environmental Impact Study should be satisfactorily reviewed/approved before the Plan Amendment is adopted.
- There was a concern regarding the grading/drainage/stormwater management issues associated with the development.
- There is a potential concern regarding the so-called "green" or environmentally conscientious elements of the proposed development (as envisioned under Proposed Plan Amendment # 13).
- There was a question raised as to whether the development (as envisioned under Proposed Plan Amendment # 13) would satisfy the so-called "green" technology.

Outside Approvals

- There was a concern regarding the need for the Monmouth County Planning Board to more formally review the matter (as the same relates to affected County Roadways).

Miscellaneous

- There was a concern that any potential change in economic forces, any potential change in ownership, or any potential change in use could (without appropriate Municipal review/oversight) dramatically expand / intensify the impact of any development (as potentially allowed under proposed Plan Amendment #13).
- There was a concern that while the FMERA Analysis may have concluded that the proposed Plan Amendment #13 will have no adverse impact on the community, the Board respectfully inquires as to the professional testimony and evidence upon which such a conclusion was allegedly made.
- There was a concern expressed regarding the overall density of development (as envisioned under Proposed Plan Amendment # 13).
- There was a concern that greater information should be learned about how the proposed University (as envisioned under Proposed Plan Amendment # 13) will be owned/leased/operated/managed – and if any such further changes in the same could detrimentally impact the overall intensity of the University operation (as envisioned under Proposed Plan Amendment # 13).
- There was a concern about the possibility of imposing limitations on how the development site will be owned/managed/utilized/expanded in the future (once the current contractual arrangements terminate).
- There was a concern that FMERA should more definitively identify/define what the permitted and accessory uses (as envisioned under Proposed Plan Amendment # 13) would/could include (so as to ensure FMERA, the Borough of Oceanport, and the other host communities can appropriately prepare for the same).
- There was a concern that Proposed Plan Amendment # 13 appears to suggest or otherwise imply a change of permitted uses (from a public type of institution of higher learning, to a business use) – and there was further concern as to the short-term and long-term impacts of the same.
- There was also concern that in the event University use at the site fails, or otherwise ceases, then, in that event, would the use be converted (without any municipal oversight) to a hotel use, apartment use, etc.
- There was also a concern regarding other development related matters.

Findings

WHEREAS, in light of the above, the Oceanport Planning Board respectfully **Finds** as follows:

1. That while the Redevelopment of the Fort Monmouth property will continue to bring many challenges and opportunities to the Borough of Oceanport and other communities, and while different Boards / Agencies / host communities can, in good faith, engage in legitimate debate as to the most appropriate overall development vision, and in that the development (as referenced in proposed Plan Amendment #13) will definitely impact the Borough of Oceanport and other host communities, the Board finds that the general development review / approval process should not be compromised or expedited by the premature adoption of Plan Amendment #13, absent a satisfactory submission, review, digestion, and approval of the appropriate Planning / Engineering / Traffic / Environmental information (as more clearly set forth herein).

2. That while recognizing and respecting the historic occupancy/intensity levels of the former Fort Monmouth Complex, the development (as envisioned under Proposed Plan Amendment # 13) is, understandably, and obviously, very different from what previously existed at the site and, as such, the same will have a long-lasting impact on the Borough of Oceanport and the surrounding communities.

3. That while recognizing and respecting the historic occupancy/intensity levels of the former Fort Monmouth Complex, the host communities have, over the years since the Fort Monmouth closure, undergone substantial changes as well, thereby further reinforcing the need for a more thorough/professional review/analysis of engineering/planning/environmental/traffic/parking reports/studies.

4. That sound planning mandates a more thorough analysis of the overall development impact as envisioned in Plan Amendment # 13 (by the satisfactory review of professionally prepared traffic/parking/environmental/planning/economic reports/studies).

5. That the development of the Fort Monmouth site (as envisioned under Proposed Plan Amendment # 13) will forever change the general landscape of the host communities– and that appropriate development should not occur without the benefit of a satisfactory and comprehensive review of appropriate traffic/parking/environmental/planning/economic reports/studies.

6. That a more formal/public review of appropriate traffic/parking/environmental/planning/economic reports/studies will result in a more appropriate and transparent development of the former Fort Monmouth site.

7. That the Board hereby memorializes the aforesaid written comments/concerns and respectfully requests that the Borough of Oceanport petition the FMERA Board so as to obtain additional information / responses to the questions/concerns documented herein.

8. That the Borough of Oceanport Planning Board respectfully requests the right to supplement the within Resolution after review of the aforesaid traffic/parking/environmental/planning/economic reports/studies.

9. That the Oceanport Planning Board remains committed to assisting FMERA and related Agencies in the pursuit of appropriate development/redevelopment of the former Fort Monmouth site.

10. That a certified true copy of the within Resolution shall, if deemed appropriate by the by the Borough Council of the Borough of Oceanport, be forwarded to the following:

- A. FMERA;
- B. The Borough of Eatontown;
- C. The Borough of Tinton Falls;
- D. The Monmouth County Board of Chosen Freeholders;
- E. The Monmouth County Planning Board;
- F. And any other Agency having jurisdiction/input over the matter.

This resolution memorializes an action taken at the regular meeting of the Oceanport Planning Board held on January 22, 2019 on roll call that evening by the following vote:

Offered by: Ms. Halpern

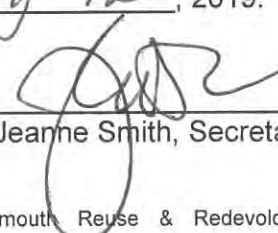
Seconded by: Mr. Whitson

ROLL CALL	YES	NO	ABSTAIN	ABSENT	INELIGIBLE
Widdis	(✓)	()	()	()	()
Whitson	(✓)	()	()	()	()
Davis	(✓)	()	()	()	()
Proto	(✓)	()	()	()	()
Foster	(✓)	()	()	()	()
Kleiberg	(✓)	()	()	()	()
Halpern	(✓)	()	()	()	()
Kahle	(✓)	()	()	()	()
Savarese	()	()	()	(✓)	()
Tvrdik (Alt. 1)	(✓)	()	()	()	()
Motzenbecker (Alt. 2)	()	()	()	()	(✓)

This resolution was offered by Councilman Proto, seconded by Mr. Davis, and adopted on roll call by the following vote:

ROLL CALL	YES	NO	ABSTAIN	ABSENT	INELIGIBLE
Widdis	()	()	()	()	()
Whitson	()	()	()	(✓)	()
Davis	()	()	()	()	()
Proto	()	()	()	()	()
Foster	()	()	()	(✓)	()
Kleiberg	()	()	()	()	()
Halpern	()	()	()	(✓)	()
Kahle	()	()	()	()	()
Savarese	()	()	()	(✓)	()
Tvrdik (Alt. 1)	()	()	()	()	()
Motzenbecker (Alt. 2)	()	()	()	()	()

I hereby certify that the foregoing Resolution was adopted by the Planning Board of the Borough of Oceanport at its meeting of February 12, 2019.


Jeanne Smith, Secretary



45 East Broad Street, 2nd Floor
Hopewell, NJ 08525
609-257-6705 (v)
609-374-9939 (f)
info@kylemcmanus.com

To: Oceanport Borough Council

From: Elizabeth McManus, PP, AICP, LEED AP

Re: **Amendment #13 to the Fort Monmouth Reuse and Redevelopment Plan Planning Review**

Date: February 7, 2019

The following provides a planning review of FMERA's *Amendment #13 to the Fort Monmouth Reuse and Redevelopment Plan* (hereinafter the "Reuse Plan"), detailing its consistency with the Borough's master plan documents, identifying the impact of the development which the proposed change permits, and identifying questions and concerns which are relevant to planning in the Borough of Oceanport.

1.0 Site & Surrounding Area

- 1.1** Amendment 13 addresses land referred to as the Squier Hall Parcel. This 26.8 acre parcel is entirely within the Borough of Oceanport, along the northern municipal boundary formed by Parker's Creek. The Borough of Shrewsbury is located opposite of Parker's Creek. Additionally, the site is not far from the Borough's western boundary shared with the Borough of Eatontown.
- 1.2** The Squier Hall site has frontage along Sherrill Avenue and a limited amount of frontage along Russell Avenue.
- 1.3** The site is currently improved with the following:
- a.** Building #283 – this building is referred to as "Squier Hall" and consists of 76,538 s.f. This building is listed as a contributing building in the Fort Monmouth Historic district.
 - b.** Building #288
 - c.** Building #291
 - d.** Building #292
 - e.** Building #293
 - f.** Building #295
 - g.** Building #296



The floor area of the buildings on the site is 153,835 s.f. Squire Hall is 76,538 s.f. and the remaining buildings are 77,297 s.f.

2.0 The Reuse Plan

- 2.1** There are 419 acres of land within the Borough of Oceanport which are subject to the *Reuse Plan*. Adopted in 2008, the Reuse Plan provides for redevelopment of the Fort Monmouth property with approximately 1.75 million square feet of nonresidential space and 720 residential units.
- 2.2** The Reuse Plan, or its subsequent amendments, state the Squier Hall parcel would be used for as part of a “high tech green campus” composed of office and educational uses with the specific intention that it would provide opportunity to leverage existing high-tech facilities, infrastructure, and the intellectual capital of a skilled area work force. The Reuse Plan states the following about the Squier Hall site.
- a. Squier Hall (Building #283) may be reused as office space or for educational reuse
 - b. Buildings #291 and #295 would be reused for general administrative purposes.
 - c. Building #288 was intended for reuse as the County Homeless Shelter. However, Amendment #6 moved the shelter to another location.
 - d. Buildings #292, #293 and #296, would be demolished.

3.0 Overview of Amendment 13

- 3.1** The proposed amendment will serve as functional equivalent of overlay zoning. As such, the Amendment creates an additional option to how the parcel may be developed but does not eliminate the existing regulations. The developer will be required to select which option to utilize but will not be permitted to choose regulations from both options to create a third development scenario.
- 3.2** The amendment permits development of a college campus on the parcel, including uses such as classrooms, administrative offices, dormitories, an athletic facility, and performing arts center. Squire Hall would be retained; however, it would permit demolition of Buildings #288, #291, #293, #295 and #296. The following provides the uses proposed in Amendment 13:
- a. Squier Hall (Building #283): reuse for classroom space;
 - b. Residence hall: 5 story/ 65' high, not to exceed 95,000 square feet;
 - c. Academic lab building and visual arts center: 5 story/ 70' high;
 - d. Athletic center: 5 story/ 65' high;
 - e. Performing arts center: 2 story/ 80' high;
 - f. Parking garage: 5 story/ 72' high;
 - g. Surface parking lots;
 - h. Practice athletic fields and ancillary support sheds and field houses;
 - i. Nature preserve and nature trails; and



- j. Multi-use trail: 12-foot wide throughout the property that connects properties to the east and west.

3.3 The Amendment permits an additional 389,093 s.f. of nonresidential use than that permitted by the Reuse Plan. While the Amendment does not permit additional permanent housing, it does permit dormitory space for college students.

3.4 The amendment identifies regulations proposed to define and limit development on the parcels. These include, but are not limited to, the following:

- a. Maximum floor area ratio (FAR): 1.0
- b. Maximum lot coverage: 60%
- c. Minimum front yard setback: 20 feet
- d. Setback for surface parking lots: 5 feet
- e. Parking ratio: 0.25 spaces per seat in academic buildings

4.0 Comparison to Borough Policies

4.1 The site is within Oceanport's R-1 zoning district. This district principally permits single family detached homes with a building height of 2.5 stories. As such, the proposed uses are entirely inconsistent with the Borough's zoning.

4.2 The Borough adopted the *Fort to Village Plan* in 2008 as an amendment into the Borough's Master Plan in order properly plan for the redevelopment of Fort Monmouth. The Plan called for the Squier Hall parcel to be used as open space. Office and educational uses associated with the McAfee Corporate Campus were anticipated for nearby lots, rather than this particular area. The *Fort to Village Plan* states the following regarding this area: "The open space along Parker's Creek would be extended into the McAfee Corporate Campus and create a central park feature for the development." As such, the proposed development plan is entirely inconsistent with the Borough's Master Plan and serves only to increase the development intensity envisioned by the Borough.

5.0 Circulation Comments

5.1 The increased floor area from nonresidential uses will increase traffic along not only Sherrill Avenue, but surrounding streets within Fort Monmouth. Additionally, streets within the Borough used the access Fort Monmouth will experience increased traffic. This may include, but not be limited to, Oceanport Avenue and Main Street.

5.2 All vehicles will be required to utilize Sherrill Avenue to access the site. This street should be evaluated to determine if it can accommodate the increased vehicular traffic and what improvements are necessary to do so.

5.3 Prior to adopting the Amendment, a traffic study should be performed to identify the impact to streets within and outside of Fort Monmouth and within and outside of the Borough of Oceanport. This study



should identify the impact on traffic flow and safety, as well as intersection and other improvements that may be necessary to safely accommodate the increased traffic. The Reuse Plan should identify which party will be responsible for these circulation improvements and the timing for implementing them.

- 5.4** Pedestrian and bicycle facilities and improvements should be accommodated on the site and surrounding streets. Students commonly rely upon alternative forms of transportation (pedestrian, bicycle, mass transit) and it is critical that the campus properly accommodate the needs of any students present on the site. Pedestrian and bicycle facilities should connect this site as well as nearby destination uses and the surrounding communities.

6.0 Open Space and Environment Comments

- 6.1** The Amendment provides for a recreation trail and open space along Parkers Creek. This amenity should be available to the public so that it can benefit for not only the site users but the community at large.
- 6.2** The Amendment should identify the acreage that will be permanently preserved and the acreage that will be available for public use.
- 6.3** Prior to adopting the Amendment, an environmental impact report should be performed to identify the impact from the proposed development and what mitigation is necessary. In particular, this should account for impact to the environmental constraints associated with Parker's Creek. For example, it is unclear how stormwater management will be addressed on the site and what the environmental impact of the proposed impervious surfaces will be.

7.0 Infrastructure Comments

- 7.1** The ability of existing and planned infrastructure is deferred to the Borough Engineer and other Borough professionals, as may be appropriate.

8.0 Affordable Housing Comments

- 8.1** The Amendment has no impact on the Borough's affordable housing obligation or how it can be met.

9.0 Historic Preservation Comments

- 9.1** The Amendment calls for retention of the only building on the parcel which is identified as contributing to the Fort Monmouth Historic district – Squier Hall. The surrounding buildings will be demolished. All new construction on this parcel should be complementary in style to the historic architecture of Squier Hall.

10.0 Design Comments

- 10.1** The parking garage is planned to face Sherrill Avenue. Such buildings are commonly unsightly. Any structured parking should be screened from public view by location behind another building or being



wrapped by other uses (i.e. the parking garage is interior to a building with one or more uses which face the public realm).

- 10.2** The proposed setbacks are inadequate for the anticipated development. For example, a setback of only 5 feet for surface parking lots does not provide land enough to accommodate proper buffers, suggesting there will be little to no screening of parking lots. The proposed building setback should also be increased so as to provide additional open space and reduce the appearance of development intensity. Doing so is necessary so as not to conflict with the established character of the Borough and the existing and planned character of Fort Monmouth's redevelopment.
- 10.3** It is unclear if the proposed buildings, at heights of up to 80 feet, can be properly serviced by Oceanport Fire Department facilities and if personnel have the training to do so. Health and safety of site occupants and visitors may be jeopardized if the proper facilities and training are not provided.
- 10.4** The proposed buildings, with the tallest buildings ranging in height between 65 and 80 feet, far exceed building heights in Oceanport as well as the Fort. The visual impact of these buildings will be significantly exacerbated by the permitted setback of only 20 feet to Sherrill Avenue. The Reuse Plan should reduce the building heights and increase the required front yard setback. This concern should be further explored with an analysis of building heights in the surrounding area and a photo simulation depicting the appearance of the proposed development from various points along Sherrill Avenue.
- 10.5** The proposed development's intensity, with an FAR of 1.0, far exceeds that which characterizes the Borough of Oceanport. The Borough, as well as the surrounding municipalities, consist of low density neighborhoods and commercial districts. Note for example, the Borough permits an FAR of 0.3; the proposed FAR is more than three times this.
- 10.6** The proposed parking ratio of 0.25 spaces per seat in academic buildings may be inadequate to handle the parking demand generated by administrative space, dormitories, an athletic facility and performing arts center. This ratio specifically does not address parking demand generated by administrative space, dormitories, the athletic facility or the performing arts center. Of particular concern is the athletic center and the performing arts center which may attract out of town visitors that are not adequately accommodated in the proposed parking ratio. Prior to adopting the Amendment and determining the parking facilities and the parking requirements; a parking study should be conducted to determine the total parking demand and what changes to the development plan are necessary (including reduced intensity) in order to accommodate that demand.

C. Jeanne Smith, RMC

BOROUGH OF OCEANPORT

Michael P. Kelly

Chief of Police

Michael S. Chenoweth

Captain

Michael Fagiarone

Lieutenant



POLICE DEPARTMENT

P.O. BOX 370, OCEANPORT, NEW JERSEY 07757

732.222.6300

Main

732.222.6301 ext 1015

Records

732.222.0945

Fax

To: Jeanne Smith, Oceanport Borough Clerk; Donna Phelps; Oceanport Borough Administrator
Mayor Jay Coffey, Oceanport Borough Council Members

CC: Captain Michael Chenoweth, Oceanport Police Department

From: Chief Michael P. Kelly, Oceanport Police Department

Date: January 15, 2019

Re: Police Department Review of FMERA Reuse Amendment #13

I, Chief Michael P. Kelly, along with my staff have reviewed the FMERA Reuse Amendment #13 which represents changes to the plan impacting a parcel within the boundaries of Oceanport known as the "Squier Hall Parcel". We present the following comments, questions:

1. Will the Institution that utilizes the parcel have Private Security on site, or a College/University Public Safety Agency? If there is a Public Safety Agency, will that agency be certified and recognized as a viable Law Enforcement Agency to investigate and enforce state laws and Borough ordinances?

If there is not a Public Safety or Campus Police Force within the Educational institution, all investigative and law enforcement will fall within the purview of the Oceanport Police Department. This will increase our Department operations and direct patrol functions toward this proposed area.

The addition of buildings and the unknown numbers of students and staff will require not only physical security, but Homeland Security (Proactive Patrols/observational patrols), in regards to student and employee safety.

The Police Department would have to plan for Active Shooter Training, Student relocation, staff and student training for critical incidents, and working with any private or public safety agency that the institution may contract with, or current rely on, as a security measure.

2 What will be the anticipated number of students and staff at this Institution? Will there be nighttime classes? Planning for an increase in approximate numbers of people within Oceanport during the day and/or night would increase the operational and patrol functioning of the Oceanport Police Department. Also needed, or presented, is a clear understanding of the number of residential units that would be in the 5 story residence hall. The amendment mentions 720 residential dwelling units, but is that the number of apartments the residential hall would have? Would these units be single or double occupant? A dorm type setting?

3. A traffic analysis/study would be required. The wording in the amendment under the Relationship to Reuse and Redevelopment Plan elements under the Traffic sub-heading, states, "*There may be an increase in traffic generated by the additional square footage associated with this amendment*". Based on my observations of the increase of traffic within the Fort since the opening of the County 537 spur, and experience as traffic safety officer and impacts of growth related to traffic safety, a traffic analysis study would be required due to the

increase of vehicle traffic and related pedestrian vehicle conflicts that would arise from the development of the Plan.

If anyone has any questions or clarifications in regards to what is listed here, please let me know.

BOROUGH OF OCEANPORT

DEPARTMENT OF FIRE

2019

CHIEF PAUL VANBRUNT

OCEANPORT HOOK & LADDER CO.
EAST MAIN ST.

PORT-AU-PECK CHEMICAL HOSE CO.
OCEANPORT

OCEANPORT FIRE POLICE 315
NEW JERSEY 07757

1ST ASST. MICHAEL LIPPOLIS

2ND ASST. RICHARD GALLO III

Proposed Thirteenth Amendment Feedback

1. Will this be year-round school? Will the residencies be occupied only part of the year?
2. There are 720 proposed residential dwelling units – what will the breakdown of residencies be? Dormitory structures, apartments, townhomes, etc.?
3. The proposed buildings have elevations higher than our 75' ladder truck can accommodate; will there be any assistance from the developer for providing new equipment and/or apparatus? There will be a dramatic increase in call volume and wear-and-tear on borough owned apparatus and equipment that are already extended beyond their useful life-cycles. West Long Branch Fire Department has an increased call volume due to the different types of incidents that occur on Monmouth University's Campus.
4. Will there be sufficient hydrant access, and more-importantly, capacity, to adequately supply worst-case incidents? What are the proposed types of connections for hydrants and FDIC connections at buildings?
5. Will access to buildings be large enough to accommodate and fit multiple pieces of apparatus adequately? Narrow streets with residential parking on both sides are already poised to be a challenge when incidents (will) occur at Liberty Walk/East Gate.
6. Accessibility issues regarding elevator use (size of elevators), as well as the First Aid Squad being able to fit stretchers and equipment. How will police, EMS, fire access buildings? Will there be key card access or strictly physical keys for all buildings via a Knox-Box?
7. What type of construction will the proposed buildings be? (Fire Resistive, Non-Combustible, Ordinary, Heavy Timber, Wood Frame, or a combination) In addition, will modular construction be utilized? Fire stops?
8. Will these buildings have fire sprinkler/suppression systems, and to what extent? Fire pumps? Separate pump house?

These are some of the obvious questions that come to mind. The emergency services should be included in the conversation during all phases of the on-going construction process.

Sincerely,

Oceanport Fire Department Chiefs

Jeanne Smith

From: Kevin Hayes <khayes@longbranch.org>
Sent: Friday, January 11, 2019 10:48 AM
To: Jeanne Smith
Subject: Re: Time Sensitive - Request for Comments - FMERA Reuse Amendment #13

As requested, I have reviewed the proposed 13th amendment of the Fort Monmouth Reuse Plan. From my perspective as Borough Fire Marshal, I have no issues with permitting the alternative development outlined in the proposal on the Squier Hall parcel.

Kevin J. Hayes, Sr.

Director-Department of Building & Development
Fire Marshal
City of Long Branch
732-571-5664

From: Jeanne Smith <JSmith@oceanportboro.com>
Sent: Thursday, January 10, 2019 5:36 PM
To: Kevin Hayes; Michael Kelly-OPPD; 'Kendra Lelie (klelie@cchnj.com)'; 'William White (wwhite@maserconsulting.com)'; FA Capt; Fire Chief; O EM; 'rdbroege@jbslaw.us'
Subject: Time Sensitive - Request for Comments - FMERA Reuse Amendment #13

Hi, everyone.

Attached please find a copy of the proposed **13th Amendment** of the Fort Monmouth Reuse Plan. As some of you may recall from previous plan amendments in the past, each of the host towns are to provide comments to FMERA on the proposed amendment. The Governing Body believes it is important to gather input from all facets of our community as a policy, which is why this is being sent to your attention.

This amendment represents changes to the plan impacting a parcel within the boundaries of Oceanport known as the "Squier Hall Parcel".

Please review and provide your comments back to this office by January 23, 2019. As there is a limited review period, it is imperative that responses are received by this date. Your comments will be reviewed and discussed by the Governing Body with a final response to FMERA based on all comments received.

Please let me know if you'd like a hard copy. Thank you!

Jeanne Smith, RMC, QPA
Borough Clerk
Purchasing Agent
Planning/Zoning Board Secretary
Borough of Oceanport
315 E. Main Street

Oceanport First Aid Squad
2 Pemberton Avenue
Oceanport, New Jersey 07757
oceanportfas@gmail.com

To: Jeanne Smith, Oceanport Borough Clerk; Donna Phelps, Oceanport Borough Administrator; Mayor Jay Coffey, Oceanport Borough Council Members

From: Captain Kathy Kenny, Oceanport First Aid Squad

Date: January 22, 2019

Re: Oceanport First Aid Squad Review of FMERA Reuse Amendment #13

Oceanport First Aid has reviewed the FMERA Reuse Amendment #13 which represents Squier Hall Parcel and we have the following comments, questions:

1. The possibility of an addition of a college dorm with 720 rooms with an average of 2 per room plus college personnel could add 1500 people to this area. This is a 25% increase to the current population of Oceanport. The First Aid were dispatched to 600 plus calls in 2018. At a 25% increase this represents an additional 150 calls per year. This is a rough estimate which could in fact increase up to 50% totaling more than an additional 300 calls per year.
2. Will there be a health center located in one of the developed buildings? If there is a health center, how will it be staffed? What will be the hours it will be staffed? **Very important- Will they have the means to transport patients requiring medical assistance?** If health staff and transportation is not available, what is being proposed?
3. Will ALL buildings over one story have elevators?
Will buildings with more than one story have elevators large enough to accommodate a stretcher.
4. What kind of communication will we have with this entity?
5. Will we be called for standbys during sporting and/or performing arts events?
6. Will there be a back road for emergency personnel to access areas in the event of an incident?
7. What type of chemicals will be stored if it's a medical school? This will affect how we must respond in the event of a hazmat incident.
8. If we had to evacuate the school- where are we going?
9. Will the school have to supply their own EMS?
10. If we supply EMS- will they supply staff for us both day and night shifts?
11. I understand schools and colleges are tax exempt; will Squier Hall Parcel be donating to the volunteer first aid squad if we are responding to render first aid?

If there are any questions regarding the above concerns and questions, please feel free to contact me. You may contact me at my cell number 732-610-2220 or through email.

Respectfully submitted,

Kathy Kenny
Captain

Jeanne Smith

From: Buzz Baldanza <OPD415@verizon.net>
Sent: Thursday, January 10, 2019 9:40 PM
To: Jeanne Smith
Subject: RE: Time Sensitive - Request for Comments - FMERA Reuse Amendment #13

First, we need to get a clear understanding of the anticipated number of students that would be attending this facility; daytime and nighttime. Next, a clear understanding of the number of residential units that would be in the 5 story residence hall. The amendment mentions 720 residential dwelling units, but is that the number of apartments the residential hall would have?

Is the school going to provide security, their own college police force or are they willing to fund positions on our police force. Having worked at Monmouth as a police officer before Oceanport, there is an impact on police operations. Depending on the setup, it could impact the Boro's Uniform Crime Reports.

Another concern is the impact to FD and EMS. WLBFD is consistently going on calls to Monmouth, often times to the resident halls. Our FD is having problems making daytime calls and so is the EMS. This could require the response of a paid staff or paid FD with a cost factor. Of 380 FD calls in WLB, the FD responded to MU 74 times, about 20%.

Paved Parking areas might have an impact on our CRS rating. There is a new product out for parking areas that allows the water to be absorbed that reduces storm water runoff. It might be good to require that if possible.

Flooding in that area shows that a Storm Surge from a Cat 1 storm would approach the property but not impact the buildings. However, a Storm Surge from a Cat 2 storm would overwhelm the property and impact buildings. 4 feet above current Mean Higher High Water would start to impact the property.

From: Jeanne Smith [mailto:JSmith@oceanportboro.com]

Sent: Thursday, January 10, 2019 5:37 PM

To: 'Kevin J. Hayes Sr. (khayes@longbranch.org)' <khayes@longbranch.org>; Michael Kelly-OPPD <mkelly@oceanportpolice.org>; 'Kendra Lelie (klelie@cchnj.com)' <klelie@cchnj.com>; 'William White (wwhite@maserconsulting.com)' <wwhite@maserconsulting.com>; FA Capt <facapt@oceanportboro.com>; Fire Chief <Firechief@oceanportboro.com>; O EM <OEM@oceanportboro.com>; 'rdbroege@jbslaw.us' <rdbroege@jbslaw.us>

Subject: Time Sensitive - Request for Comments - FMERA Reuse Amendment #13

Importance: High

Hi, everyone.

Attached please find a copy of the proposed **13th Amendment** of the Fort Monmouth Reuse Plan. As some of you may recall from previous plan amendments in the past, each of the host towns are to provide comments to FMERA on the proposed amendment. The Governing Body believes it is important to gather input from all facets of our community as a policy, which is why this is being sent to your attention.

This amendment represents changes to the plan impacting a parcel within the boundaries of Oceanport known as the "Squier Hall Parcel".



Engineers
Planners
Surveyors
Landscape Architects
Environmental Scientists

Corporate Headquarters
331 Newman Springs Road, Suite 203
Red Bank, NJ 07701
T: 732.383.1950
F: 732.383.1984
www.maserconsulting.com

January 22, 2019

VIA EMAIL

Jeanne Smith, Planning Board Secretary
Borough of Oceanport Planning Board
315 E. Main Street
Oceanport, NJ 07757

Re: Proposed Amendment #13
Fort Monmouth Reuse and Redevelopment Plan
Borough of Oceanport, Monmouth County, New Jersey
MC Project No. OPP-001

Dear Board Members:

Our office has received a draft of the proposed Amendment #13 to the Fort Monmouth Reuse and Redevelopment Plan prepared by Phillips Preiss Grygiel, LLC, dated December 12, 2018. The Amendment pertains to the 26.8-acre Squier Hall parcel located in the Green Tech Campus District of Borough of Oceanport. The tract is bordered to the north by the Parkers Creek and to the south by Sherill Avenue.

The parcel currently contains Squier Hall (Building 283) along with Buildings 288, 291, 292, 293, 295 and 296. The Reuse Plan contemplates the reuse of Squier Hall (76,538 sf) for office/education, reuse of Buildings 291 & 295 for general administration, the reuse of building 288 as a County homeless shelter and demolition of Buildings 292, 293, & 296. Plan Amendment #6 relocated the homeless shelter to Murphy Drive.

Amendment #13 provides a zoning overlay to permit the demolition of Buildings 288, 291 & 295 thereby the only remaining building would be Squier Hall. The overlay would permit a college campus including the following:

- The reuse of Squier Hall (Building 283) for classroom space;
- A 5 story/ 65' high residence hall, not to exceed 95,000 square feet;
- A 5 story/ 70' high academic lab building and visual arts center;
- A 5 story/ 65' high athletic center;
- A 2 story/ 80' high performing arts center;
- A 5 story/ 72' high parking garage;
- Surface parking lots;
- Practice athletic fields and ancillary support sheds and field houses;
- A nature preserve and nature trails;



- The creation of a 12-foot wide multi-use trail throughout the property connecting to properties to the east and west;
- The maximum permitted floor area ratio (FAR) for the entire campus not to exceed 1.00;
- The maximum lot coverage for the entire campus not to exceed 60%;
- A minimum front yard setback of 20 feet with no maximum;
- A minimum 15-foot side yard setback;
- A minimum 25-foot rear yard setback;
- Surface parking areas should be set back from street-facing lot lines, as well as from interior or rear lot lines shared with adjacent uses at least 5 feet;
- Where more than 25 parking spaces are provided in any surface parking area, at least 2 percent of the interior area of the lot should be landscaped with trees and low plantings; and
- Where more than 50 parking spaces are provided in any surface parking lot, or where any parking spaces are located more than 125 feet from the primary building entrance, pedestrian walkway(s) should be provided through the parking lot, running either parallel or perpendicular to the primary building;
- A parking ratio of 0.25 stalls per seat for academic buildings; and
- Such other and additional uses that are encompassed by the definition of College Campus

For comparison purposes the Green Tech Campus Zone permits a maximum height for new buildings of 3 stories/45', with an exemption/grandfathering for adaptive reuse of existing structures. The zone also has a maximum floor area ratio of 0.3.

The State Development and Redevelopment Plan (SDRP) designates the area in question as a Metropolitan Planning Area (PA-1). The area is to "provide for much of the State's future redevelopment". The Amendment is consistent with the SDRP as it provides redevelopment in an area that has a good transportation network.

The current Zoning Map of the Borough of Oceanport designates this area of the Fort as R-1 Residential which permits single family dwellings, parks and playgrounds, Municipal buildings, library, and Public Schools. The Zone has a maximum permitted height of 35' and no floor area ratio requirement. The Borough's Master Plan amendment from 2008 entitled "From Fort to Village, a Vision of Oceanport's Fort Monmouth" envisioned this area as open space. It shall be noted that the FMERA Land Use Rules supersedes the Borough's Zoning and Master Plan.

Our office would like to discuss proposed Amendment #13 prior to the Board making a recommendation to Borough Council. There is a significant increase in density (FAR) and building height. Without seeing a conceptual plan there is concern the impact of building massing to the surrounding area.



Jeanne Smith, Planning Board Secretary
MC Project No. OPP-001
January 22, 2019
Page 3 of 3

Should you have any questions or require any additional information, please do not hesitate to contact me directly.

Very truly yours,

MASER CONSULTING P.A.

A handwritten signature in blue ink, appearing to read 'W. H. White, III', is written over the printed name.

William H.R. White, III, P.E., P.P., C.M.E.
Planning Board Engineer and Planner

WHW/nb

\\Hqfas1\general\Projects\Opp\Opp-001\Letters\2019\190118_whw_smith_amendment#13.docx

Erin Feeley
10 Russel Avenue
Oceanport, NJ 07757

February 21, 2019

FMERA

Executive Team and Board Members

502 Brewer Avenue

Oceanport, NJ 07757

RE: Plan Amendment 13 Permitting Alternative Development Scenario in Oceanport

Dear Executive Team and Board Members:

1. Regarding Amendment 13 Section 4

Relationship to state county and municipal planning objectives

Page 15

Oceanport Zoning

The study area lies within the Borough's R-1: Single-Family Residential District under the municipality's current zone plan. This designation permits single family detached dwellings, parks and playgrounds, Municipal buildings, libraries and public schools. The minimum lot size is 30,000 square feet, the maximum height is two stories or thirty-five feet and the maximum density is 1.5 dwellings per acre

Comment:

The amendment takes none of the above town zoning into consideration with regard to the following proposed structures:

- A 5 story/ 65' high residence hall, not to exceed 95,000 square feet;
- A 5 story/ 70' high academic lab building and visual arts center;
- A 5 story/ 65' high athletic center;
- A 2 story/ 80' high performing arts center;

- A 5 story/ 72' high parking garage;

2. Traffic Analysis

When is the traffic analysis expected to be completed and by whom?

- Proposed Surface Parking lot Russel and Sherrill Ave

Will exiting vehicles be permitted to make a left hand turn be permitted out of the lot? Into the residential area or will vehicles be directed to the right?

- Traffic pattern and bus stops

Similarly, what is the traffic pattern for incoming and exiting traffic during the morning hours 6:30am -8am and the afternoon between 2:30pm - 4:30pm?

How does that pattern address the three separate bus stop times in two locations in proximity to the Squier Hall parcel?

3. Traffic impact in local neighborhoods during construction

RPM, developer of Liberty Walk and East Gate has been receptive to addressing residents concerns and proactive in communication of expectations to construction teams in the area. For example, by communicating regularly with construction teams about observing pedestrian traffic and heightening awareness of the minors in the neighborhoods and at bus stops.

How will this be communicated and reinforced by the Squier Hall developer and/or tenant on an ongoing basis?

4. Traffic impact in local neighborhoods (adjacent tenants)

Russel Hall ownership has also promoted communication among its tenants emphasizing the importance of observing pedestrian traffic on shared roads, at bus stops and when entering and exiting the area.

How will this be communicated and reinforced by the Squier Hall developer and/or tenant on an ongoing basis?

6. Weekend security

Currently security patrols the Oceanport area of the Fort property on weekends. Will security be extended to weekdays during the construction phases?

Will the developer/owner/tenant provide routine security patrol during all phases of the project and subsequent to completion?

7. Road flooding (Pictures Attached)

Please share the plan to address the ongoing flooding adjacent to Squier Hall.
After rain, it takes 24-48 hours for the water to recede.

Additionally, previous development did not require that water in basement areas be addressed and remediated during construction. Is water remediation needed in any area of Squire Hall to promote the health and safety of the tenants?

8. Impact to community volunteers

While a higher education presence would not generate an increase in the number of school children, it would create an undue strain on the volunteers of the Oceanport community. No consideration seems to have been given or communicated to the volunteer community that provides First Aid and Firefighting services.

How does FMERA, the developer and tenant intend to support the volunteer community on an ongoing basis? Residents in the Oceanport area of the Fort will be doubled (at a minimum) under the proposed plan. Note: additional equipment that may be obtained through tax revenue, however does not address or mitigate the volume of calls and emergency requests that volunteers are expected to absorb.

9. Objectives and principals of the reuse plan

The objectives and principals of the reuse plan are to be consistent with State, County and Municipal planning policies.

Under the current proposal, the proposed amendment is not consistent with municipal planning policies and places an undue burden on the volunteer community, jeopardizing the community and the public welfare. In fact, the plan does not address the welfare of the university students residing on campus should volunteerism not increase or be maintained at current levels.

10. Tax Revenue Projections associated with project

Please publish detailed information on tax revenue projections and its authors.

Sincerely,



Erin Feeley

FMERA Executive Leadership and Board

Bruce Steadman - Executive Director FMERA

Laurence Downes – NJEDA Board Chairman

Brian Wilton – Governor's Representative

Dr. Robert Lucky – Interim Chairman and Public Member

Lillian G. Burry –Deputy Director, Monmouth County Board Of Chosen Freeholders

Anthony Talerico – Mayor of Eatontown

Jay Coffey – Mayor of Oceanport

Vito Perillo –Mayor of Tinton Falls

Sheila Oliver Commissioner of DCA (current Lt. Governor)

Catherine McCabe – Commissioner NJDEP

Robert Asaro- Angelo Commissioner NJ Department of Labor and WF development

Diane Gutierrez-Scaccetti – Commissioner, NJ Department of Transportation





February 14, 2019
♥ Oceanport



(*) Photo: Erin Skelton Feeley
Oceanport Residents Facebook 02/13/2019

To Whom It May Concern –

I strongly disapprove the FMERA's recently presented plans for the Squier Hall property.

To conduct numerous demolitions as well as expansive building construction (with all associated earth upheaval and paving processes) in that area adjacent to Parker Creek – particularly for the purpose of creating a college campus dorm to house **hundreds** of students! – seems **irresponsible**.

The proposal appears to display an oblivious disregard for youthful lives, for the residents in and visitors to the vicinity (Oceanport and Eatontown), and for the viability and/or vitality of the approximate eco-environment (and that impacted elsewhere).

Initially, the consideration to locate a campus on Oceanport-Fort land reflected a **re-use** of existing structures (see **A** and **B**), an area, also, which was further-in from where the creek frequently floods (see **H** and * above). This would have been a wiser undertaking as it would not so grossly disturb the terrain, the waters and/or the wetlands.

As the plan stands, trees, grass, and other plants on the property will be razed to create an athletic field, one which will cover contaminated soil. Though it's understood the government will "cap" the contamination (if need be), this protection Nature is partially providing us NOW – for free).

All toxins dispersed during demolition and digging (foundations, underground infrastructure) will be transported through the air, water and soil (tires, clothing, shoes). Who is to say students won't on a later day stir these up as they walk, run, drive, bicycle or play sports on the field (see **C** and **D**).

Please note: Any rumored incidences of students suddenly becoming inexplicably ill will quickly clear out the campus. (Think Trautman Creek, Long Branch.) Now: How to (re-)fill the complex?

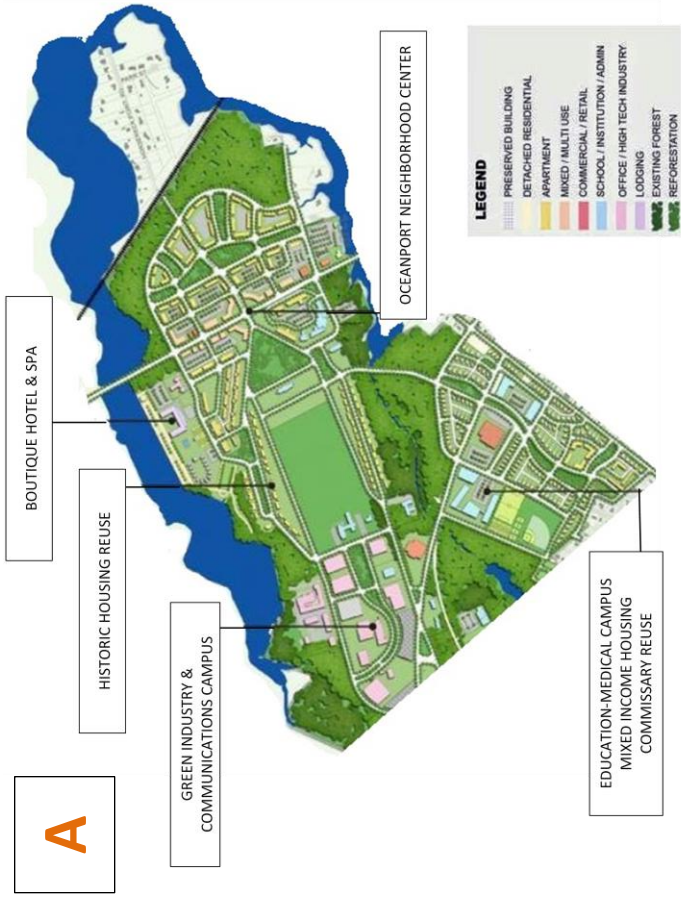
Question: Is it known at this time the extent of "pollution" in Squier Hall's proximity (above and below ground)?

These may be a concern: RAM – PCBs – Lead – Asbestos (see **E**, **F**, and **G**)

Clearly, the entire concept of sending a kid to *Who Cares About U.* (i.e., Cancer Row) should be a No-Go.

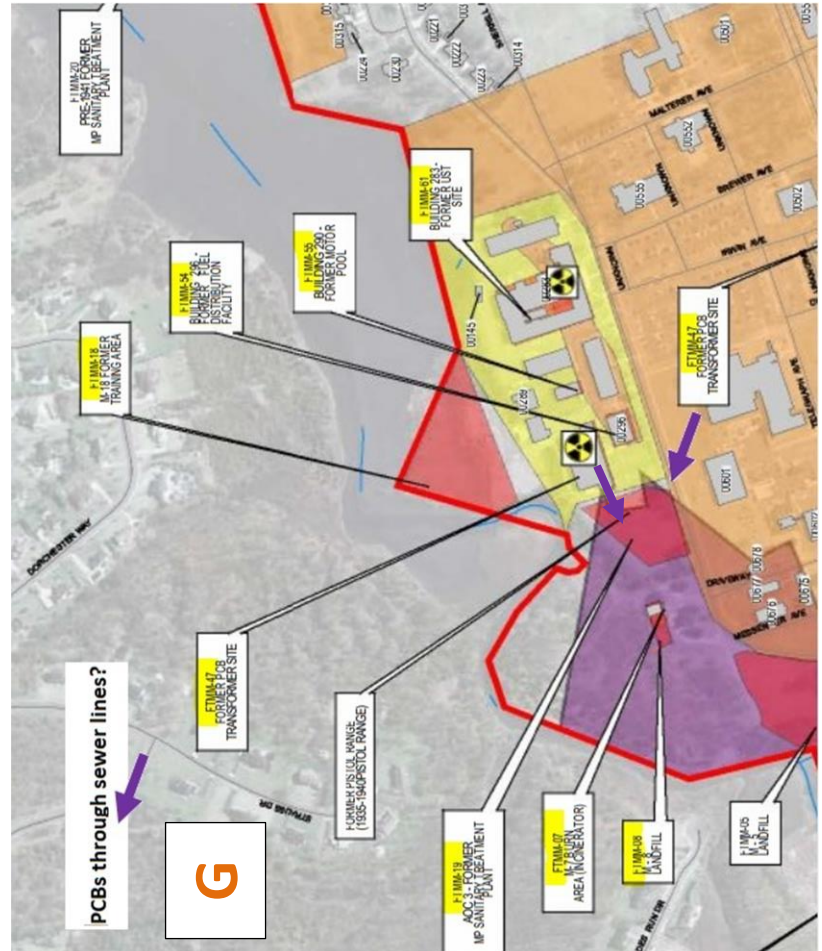
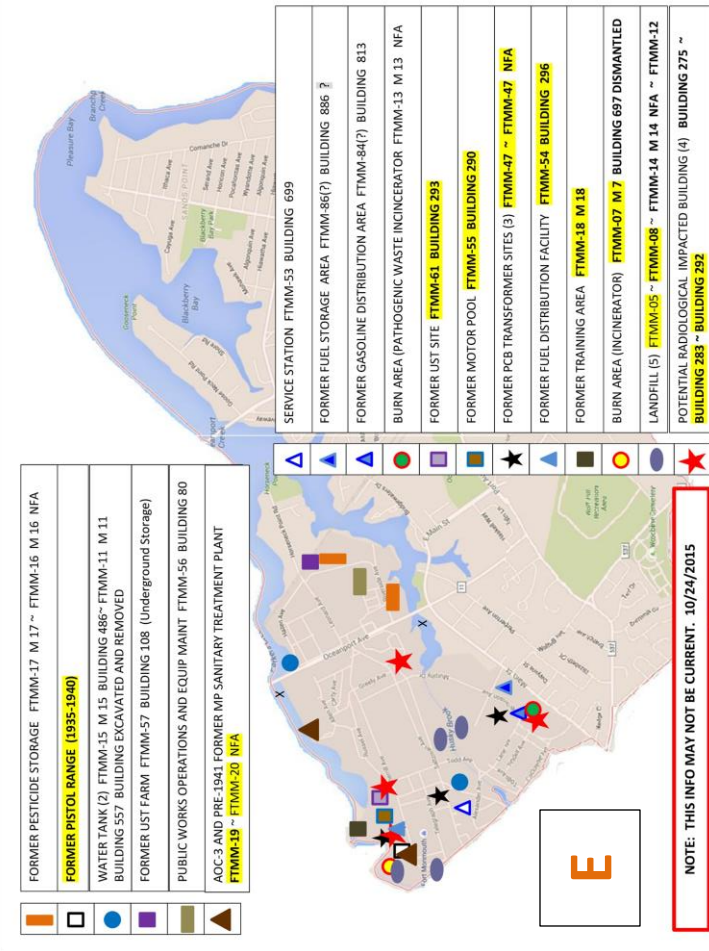
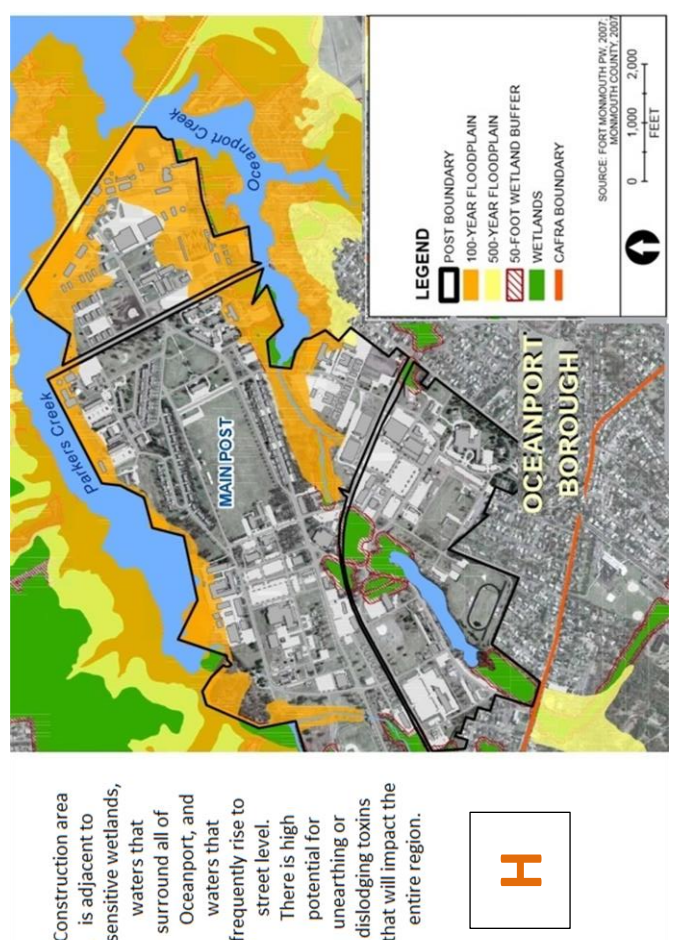
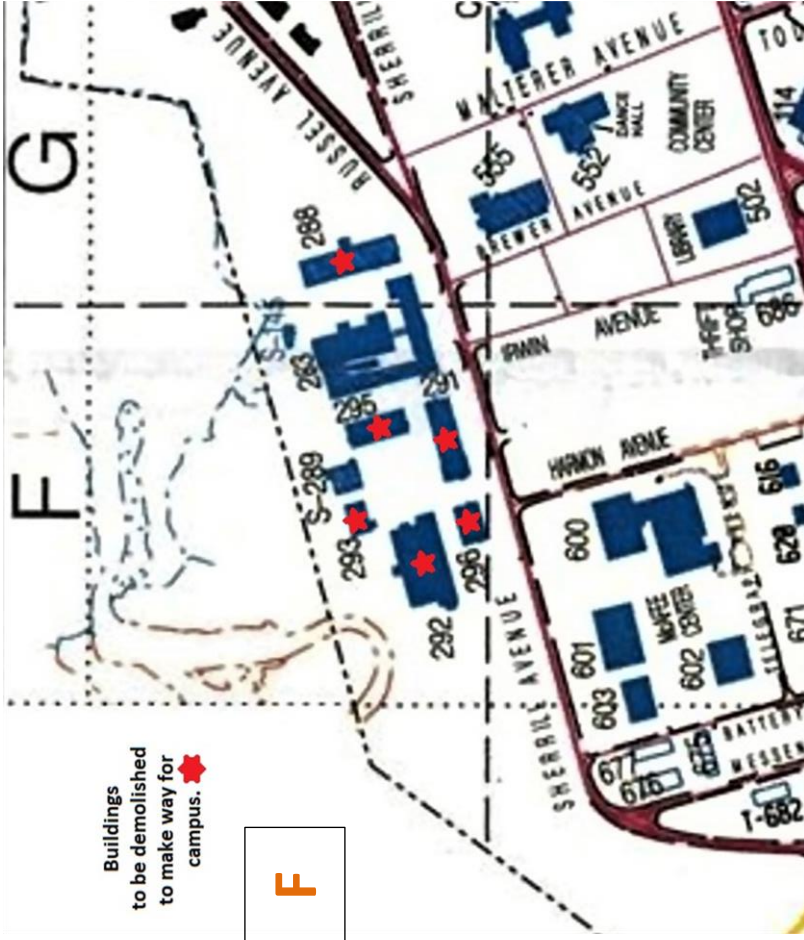
Again, I reject this proposal as foolish (and ghoulish).

Andrea Abbott



07/23/2008 Final Draft Plan Presentation, Oceanport, EDAW [1.9MB]
 DRAFT PLAN IN 2028 (20-YEAR PLAN)
http://www.fortmonmouthnj.com/wp-content/uploads/2014/12/080723_fd_oceanport.pdf





FORT MONMOUTH REUSE AND REDEVELOPMENT PLAN
TECHNICAL MEMORANDUM: ENVIRONMENTAL CONDITIONS (2007)
Matrix Environmental Services

Fort Monmouth is currently registered with the U.S. Environmental Protection Agency as a large quantity generator of hazardous waste. This designation allows the U.S. Army to store waste at the site for a period of 90 days or less. The installation is also registered with the New Jersey Department of Environmental Protection (NJDEP) as a generator of medical waste and as a Class D Recycling Center, which allows the U.S. Army to recycle materials such as antifreeze, batteries, latex paint, oil-based finishes, and lamps. The Class D Recycling Center accepts material from FTMM and other Department of Defense (DoD) installations in the area.

Liability Act [CERCLA] and the Resource Conservation and Recovery Act [RCRA]). The Installation Restoration Program (IRP) was developed by the DoD to comply with federal guidelines for managing and controlling past hazardous waste disposal actions. The IRP is intended to address the cleanup of contamination and damage resulting from past, not current, activities. The DoD is the lead federal agency responsible for conducting environmental investigations and implementing the final cleanup plans at FTMM under the IRP.

Forty-three IRP sites have been identified at Fort Monmouth since the early 1980s. The U.S. Army has indicated that 26 of the 43 IRP sites at FTMM are considered No Further Action (NFA) sites because investigation and/or response actions at the sites are complete, and 17 of the 43 IRP sites are still active. Of the 17 active IRP sites, 15 IRP sites are located on the MP, and two IRP sites are located on the CWA.

The active IRP sites identified by the U.S. Army on the MP include:	
- FTMM-02 (M-2 Landfill) - FTMM-05 (M-5 Landfill) - FTMM-03 (M-3 Landfill) - FTMM-08 (M-8 Landfill) - FTMM-12 (M-12 Landfill) - FTMM-18 (M-18 Former Training Area) - FTMM-53 (Building 699) - FTMM-54 (Building 296) - FTMM-55 (Building 290)	- FTMM-56 (Building 80) - FTMM-57 (Building 108) - FTMM-59 (Building 1122) - FTMM-61 (Building 283) - FTMM-64 (Building 812) - FTMM-66 (Building 880)

Closed or conditionally closed IRP sites for which the U.S. Army has either requested or been granted a NFA at the MP include:	
- FTMM-15 (M-15 Water Tank) - FTMM-11 (M-11 Elevated Water Tank) - FTMM-07 (M-7 Burning Area) - FTMM-13 (M-13 Pathogenic Waste Incinerator) - FTMM-19 (AOC3 Former MP Sanitary Treatment Plant) - FTMM-20 (Pre-1941 MP Sanitary Treatment Plant) - FTMM-06 (M-6 Burning Area) - FTMM-16 (M-16 Former Pesticide Storage Area) - FTMM-17 (M-17 Former Pesticide Storage Area)	- FTMM-47 (Former PCB Transformer Site) - FTMM-09 (M-9 Former PCB Transformer Site) - FTMM-04 (M-4 Landfill) - FTMM-14 (M-14 Landfill) - FTMM-21 (Former Main Post Firing Range) - FTMM-10 (Asbestos Storage Area)

Specific concerns for each of the active, closed, or conditionally closed NFA IRP sites are addressed in Table E-2. Although many of these sites have been investigated under the Army’s IRP, the full extent of potential implications for redeveloping the property will need to be continually re-evaluated as additional information becomes available. Specific concerns related to reuse include the potential need for further sampling/analysis for additional contaminants, remedies that are currently in place that are not protective for the long term if land use changes, requirements for institutional controls, and groundwater plume migration and into surface waters. Additionally, NFAs at a number of sites have either been granted or requested because no direct contact or incidental ingestion pathways currently exist. If redevelopment occurs on these sites, additional investigation and remediation may be required.

Radioactive Material

The presence of radioactive material (RAM) with the potential to have produced radiological contamination at FTMM has been predominantly limited to certain areas and functions of the installation. Historically, laboratory R&D in the areas of radio and electronics, use of vacuum tubes and radium dials, ionizing radiation-producing machines, and military support equipment such as night vision goggles that contain radioactive commodities have been among the activities most commonly using RAM. Equipment containing RAM has also been used in chemical and explosives detectors operated by personnel working in security entrance areas, postal facilities, shipping areas, and emergency responder personnel throughout FTMM; however, this equipment involves the use of sealed sources rather than research-type materials. Facilities at FTMM that have been identified by the U.S. Army as potentially impacted from historical use of RAM include Buildings 275, 283, 292, and 2540. Potential

contaminated media in these facilities include building interiors and surfaces, including work benches, storage cabinets, disposal sinks, sumps, and ancillary piping. Buildings 1075, 2700, and 2075 may also potentially contain sumps and ancillary piping contaminated with RAM. Additionally, materials in the lime treatment pit located outside of Building 2700 and in the soil surrounding the pit have the potential to be contaminated with RAM.

Additionally, sanitary sewer lines leading from Building Nos. 275, 283, 292, and 1075, 2540, 2700, and 2705, which are potentially contaminated with RAM have not yet been assessed for contamination.

Underground Utilities

Throughout FTMM, it is likely that there are several underground utilities that are no longer in use and have been abandoned in place. Although no longer in operation, FTMM previously operated on-site Sewage Treatment Plants at the MP and the CWA. Although the Sewage Treatment Plants have been investigated under the IRP, leaks from the sanitary sewer lines leading from the buildings on FTMM to the Sewage Treatment Plants are potential sources of contamination to underlying soil and groundwater, which have not yet been systematically investigated. Previous operations that potentially generated contaminated sanitary sewer effluent at FTMM included electrochemical research, growing and shaping of crystals, various plating operations, mixing of magnetic powders, machining, welding, spray painting, use of solvents for equipment cleaning, and other miscellaneous laboratory operations utilizing standard laboratory chemicals. Additionally, sanitary sewer lines leading from Building Nos. 275, 283, 292, and 1075, 2540, 2700, and 2705, which are potentially contaminated with RAM have not yet been assessed for contamination.

Steam lines that ran underground from central heating plants to residential units and other buildings at FTMM may also exist. If these steam lines are still in place and the lines are wrapped with asbestos containing material (ACM) for insulation, they will require special handling and offsite disposal if disturbed during redevelopment activities. Finally, due to the age of FTMM, many of the water supply lines are likely constructed of transite (an asbestos and concrete composite) pipe. If these pipes are not reused during redevelopment or are disturbed during construction activities, they may require special handling and offsite disposal as ACM. It is possible that industrial-type waste generated during R&D activities may have been disposed of down drains into the sewer system at multiple locations on FTMM. Past disposal practices of this nature can contaminate sediment within the sewer and provide a pathway for potential release by sanitary sewer overflow during peak rainfall events. Sanitary sewer overflow can contribute to contamination of environmental media at storm sewer discharge points.

Additionally, storm sewers may transport environmental contaminants from their origin during rain events. Storm sewer discharge points can be collection areas for contaminants and may require remedial investigation prior to redevelopment.

Asbestos and Lead-Based Paint

Due to the age of the buildings at Fort Monmouth, asbestos and lead-based paint are likely present in buildings onsite. Comprehensive asbestos and lead-based paint surveys suitable for demolition purposes have not been performed on the majority of the buildings. A number of asbestos and lead-based paint surveys have been conducted at Fort Monmouth. This information should not be viewed as comprehensive and should be used with caution, because the surveys were only conducted on a representative number of buildings and did not always include walk through inspections of the units. Existing survey information is available in an inventory maintained by FTMM. Generally, the U.S. Army does not pay for the abatement of asbestos and lead-based paint in buildings being transferred. The cost of abatement and proper disposal of these materials during redevelopment can be significant.

PCB-Impacted Equipment, Storage, Spills, and Disposal Areas

A number of sites where PCB-containing equipment was used, or storage, spills, and disposal areas used have been identified at FTMM. By 2003, all PCB-containing equipment (i.e., equipment with oil containing more than 50 parts per million PCBs) had been removed from FTMM. The locations at which PCB-impacted equipment was stored, as well as PCB spill and disposal areas are being addressed by the US Army under the IRP. Locations of known and potential PCB-impacted equipment storage, spill and disposal areas are shown on Figures 1 and

Pesticide and Herbicide Storage Areas, Mixing Areas, and Site-Wide Application

Throughout the operational history of FTMM, pesticides and herbicides have been stored, prepared, and applied throughout the base. Known historic pesticide storage and/or mixing locations include Buildings T-65 and 498 on the MP and Building 2044 on the CWA. These locations have been investigated by the U.S. Army under the IRP. Soil samples collected in the vicinity of these buildings indicate that pesticide compounds were found in excess of applicable state direct contact standards at Buildings 498 and 2044. Additionally, previous pesticide container disposal practices included the disposal of unwashed containers in the FTMM landfills. Previous pesticide use along railroad lines and fences for weed control is also likely chemicals. Additionally, sanitary sewer lines leading from Building Nos. 275, 283, 292, and 1075, 2540, 2700, and 2705, which are potentially contaminated with RAM have not yet been assessed for contamination.

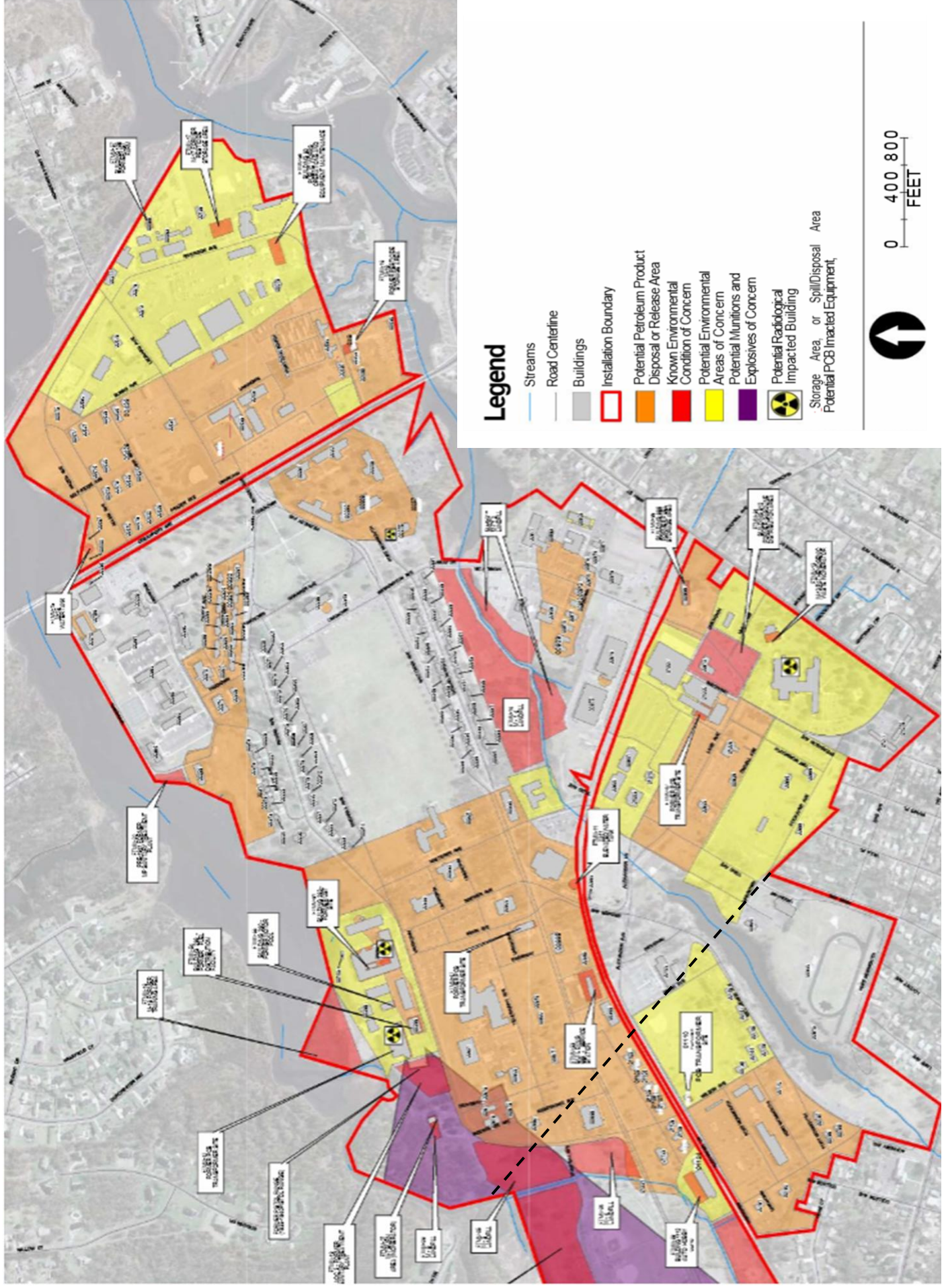
Continued evaluation of potential environmental concerns at FTMM is critical. In the BRAC 2005 Final Environmental Condition of Property Report, Fort Monmouth, Monmouth County, New Jersey, in addition to sites being actively investigated under the IRP, the U.S. Army identified additional potential environmental concerns that they have not yet formally investigated, including former coal storage areas, areas where vapor intrusion may occur in buildings, former printing/photo processing operations, former painting/surface coating operations, medical/dental/veterinary services operations, and maintenance shops. Areas on both the MP and CWA in which these operations historically occurred are identified in Figures 1 and 2 as potential environmental areas of concern. Review of additional, recent quantitative data on active investigation and remediation sites will be necessary to better define the nature and extent of many of the sites identified in this technical memo. Many of the potential environmental concerns identified in this memo may not result in environmental constraints; however, field investigation, including the sampling of soil, sediment, surface water, or groundwater, will be necessary to make this determination.

As current quantitative environmental information is obtained (i.e., field investigation and analytical data), it will be used to help guide reuse planning activities, including appropriate land uses, budgeting considerations, potential schedule impacts, and land use controls. Final remediation requirements will be determined after the land use plan is developed and investigation data is obtained. Should economic studies and market analyses indicate a contaminated area is a prime location for development, administrative controls, engineering controls, and additional investigation may be used to mitigate contamination or reduce environmental constraints in the event full-scale remediation is found to not be cost-effective. Due to the potential for unknown MEC and other environmental contamination to exist throughout the installation, use of a Materials Management Plan and a Health and Safety Plan during construction activities is strongly recommended. If MEC or potentially contaminated soil, sediment, or water is observed during construction or renovation activities, the procedures outlined in the Materials Management Plan should be followed.

CONTINUE: http://www.fortmonmouthnj.com/wp-content/uploads/2014/12/tmenviron_final.pdf

ENVIRONMENTAL CONDITIONS OF CONCERN (MAIN POST – OCEANPORT)

http://www.fortmonmouthnj.com/wp-content/uploads/2014/12/tmenviron_final.pdf



**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE EXECUTION OF THE ANNUAL LETTER TO THE NEW
JERSEY DEPARTMENT OF TRANSPORTATION, DIVISION OF AVIATION,
FOR THE ENDORSEMENT OF THE MONMOUTH PARK HELIPORT
LOCATION SUBJECT TO CERTAIN CONDITIONS**

**Resolution #2019-70
02/21/19**

WHEREAS, the New Jersey Department of Transportation, Division of Aviation, has oversight of the Monmouth Park Racetrack heliport located in the parking lot on the southwest corner of the intersection of Port Au Peck Avenue and Oceanport Avenue; and

WHEREAS, Monmouth Park Racetrack is required to obtain an annual license granting authorization for use of the heliport; and

WHEREAS, the heliport site was selected and made subject to various conditions by then Commissioner Haley in a letter dated July 31, 1998 which are as follows:

1. Operation is restricted to the hours between official sunrise and sunset. Operations are to be conducted under VFR conditions.
2. Adequate policing shall be furnished to keep the public at a safe distance from the landing area.
3. No more than 10 flights will be utilized at this location on an annual basis. If the traffic increases beyond 10 flights per year, the endorsement will be withdrawn, and the Borough will seek the appropriate relief.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport that the Borough Administrator is hereby authorized to provide endorsement of the continued use of the heliport site subject to the conditions stipulated and agreed to by representatives of Monmouth Park Racetrack.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joseph A. Irace, Councilman
SECONDER:	Robert Proto, Councilman
AYES:	Deerin, Gallo, Irace, O'Brien, Proto, Solan

I certify that the foregoing Resolution #2019-70 was adopted by the Oceanport Governing Body at the Regular Meeting held February 21, 2019



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE USE OF COMPETITIVE CONTRACTING FOR
OPERATION AND MANAGEMENT CONCESSION OF THE OCEANPORT
POOL**

**Resolution #2019-71
02/21/19**

WHEREAS, the Borough of Oceanport requires that a new contract be awarded for the operation and management concession of the Oceanport Pool; and

WHEREAS, the enacted 1999 Amendments, P.L. 1999, c. 440 to the Local Contract Laws N.J.S.A.40A: 11-1 et seq. requires the governing body to pass a resolution authorizing the use of competitive contracting for a concession in lieu of public bidding for this item; and

WHEREAS, it is the combined recommendation of the Purchasing Agent and Borough Administrator to use the competitive contracting method in the procurement of specialized goods and services such as this concession.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Oceanport, Monmouth County, New Jersey that the Purchasing Agent and Borough Administrator are authorized to use competitive contracting for the above mentioned concession.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	William Deerin, Councilman
SECONDER:	Michael O'Brien, Councilman
AYES:	Deerin, Gallo, Irace, O'Brien, Proto, Solan

I certify that the foregoing Resolution #2019-71 was adopted by the Oceanport Governing Body at the Regular Meeting held February 21, 2019



JEANNE SMITH, RMC
BOROUGH CLERK