BOROUGH OF OCEANPORT

MAYOR & COUNCIL

AGENDA ● JANUARY 16, 2020

Workshop | **Maple Place School** | **7:00 PM**

2 Maple Place, Oceanport, NJ 07757

I. Meeting Called to Order

II. Statement of Compliance with Open Public Meetings Act:

This meeting complies with the Open Public Meetings Act by notification on January 6, 2020 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.

III. Flag Salute

IV. Invocation

V. Roll Call

VI. Winners of Holiday Decorating Contest

1. Best Overall - 219 Comanche Dr (Carmine & Carol Caruso)
2. Best Tree - 81 Manitto Pl (Lori Bennett)
3. Best Yard - 13 Pocano Ave (Richard & Lisa Veltri)
4. Best Door/Windows - 42 Mohican (Filip & Arlene Fina)
5. Best Centennial/Traditional - 98 Algonquin Ave (Kevin & Florence Victor)
6. Most Original - 11 Oneida Ave (Louis & Laura Chestman)

VII. Administrator's Report

VIII. Clerk's Report

Regular Meeting Items

1. Resolution authorizing payment of BILL LIST 01-16-2020
2. Resolution authorizing Tax Sale Redemption #19-00001
3. Resolution appointing 2020 CJHIF Commissioners
4. Ordinance Amending Chapter 103 - Volunteer Incentives
5. Ordinance Providing for Title 39 Traffic Regulations for Liberty Walk Development
6. Receipt & Acceptance of Minutes, Historical Committee, Nov. 14, 2019
7. Receipt & Acceptance of Minutes, Recreation Committee, Nov. 13, 2019
8. Receipt of Minutes, Public Safety Committee, Jan. 6, 2020
9. Approval of First Aid Membership, Rachel Smith
10. Workshop Minutes, December 5, 2019
11. Regular Meeting Minutes, December 19, 2019

IX. Discussion Items

1. Change Order #5 to Benjamin Harvey Co. Contract for Municipal Complex
2. Change Order #6 to Benjamin Harvey Co. Contract for Municipal Complex
3. Participation in Bergen County Cooperative Purchasing Alliance
4. Information Technology Coordinator, Mayor Coffey

5. Single Use Plastic Ordinance, Councilman O'Brien

X. Mayor's Report

XI. Executive Session

1. Resolution authorizing an Executive Session

Litigation, Negotiations and the Attorney Client Privilege N.J.S.A. 10:4-12(b)(7)

Fair Share Housing vs. Borough of Oceanport Litigation

Matters Relating to the Employment Relationship N.J.S.A. 10:4-12(b)(8)
Building Subcode Official Reappointment
Electrical Subcode Official Reappointment

Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds N.J.S.A. 10:4-12(b)(5)
Block 65, Lot 4 - 275 Port Au Peck Avenue

XII. Petitions from the Public

XIII. Adjournment

BOROUGH OF OCEANPORT

MAYOR & COUNCIL

MINUTES ● JANUARY 16, 2020

Workshop **Maple Place School** **7:00 PM**

2 Maple Place, Oceanport, NJ 07757

I. Meeting Called to Order: Mayor Coffey called the meeting to order at 7:03 p.m.

II. Statement of Compliance with Open Public Meetings Act: *This meeting complies with the Open Public Meetings Act by notification on January 6, 2020 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 website.*

III. Flag Salute: Mayor Coffey led the audience and members of the Council in the flag salute

IV. Invocation: Borough Chaplain Stacy Deerin was unable to attend.

V. Roll Call:

Attendee Name	Title	Status	Arrived
Jay Coffey	Mayor	Present	
William Deerin	Councilman	Present	
Richard Gallo	Council President	Present	
Bryan Keeshen	Councilman	Present	
Michael O'Brien	Councilman	Late	7:12 PM
Thomas Tvrdik	Councilman	Present	
Meghan Walker	Councilwoman	Present	
Jeanne Smith	Borough Clerk	Present	
Scott Arnette	Board Attorney	Present	
Donna M. Phelps	Borough Administrator	Present	
Catherine D. LaPorta	Chief Financial Officer	Present	

VI. Winners of Holiday Decorating Contest: Mayor Coffey read the results of the contest and then asked any winners present to come forward and accept a gift card for The Marina at Oceanport presented by Scott Marcantonio of the Parks & Recreation Committee.

1. Best Overall - 219 Comanche Dr (Carmine & Carol Caruso)
2. Best Tree - 81 Manitto Pl (Lori Bennett)
3. Best Yard - 13 Pocano Ave (Richard & Lisa Veltri)
4. Best Door/Windows - 42 Mohican (Filip & Arlene Fina)
5. Best Centennial/Traditional - 98 Algonquin Ave (Kevin & Florence Victor)
6. Most Original - 11 Oneida Ave (Louis & Laura Chestman)

VII. Administrator's Report: Ms. Phelps reported that the Borough's application for sports wagering revenue was submitted for approximately $100,964.92 to cover the cost of Police radio equipment and pole installation. The balance of the full amount $172,570 will carry over to the 2020 application. She stated that Sea Bright has a resolution to extend the shared services agreement for Court. The Borough received an application to request access for Two Rivers Water Reclamation Authority (TRWRA) to the unimproved portion of Comanche Dr. right of way to perform soil borings. Ms. Phelps attended the MEL/JIF reorganization meeting and luncheon and advised of an adoption of NJ's domestic violence policy for public employers. The Borough received its 2017 tonnage grant in the amount of $4,721.44; the 2018 tonnage report was submitted in April, and if approved by the DEP, that grant will be $15,033.80. The 2019 tonnage grant will be submitted in April 2020.

Work continues at the new Municipal Complex, including tests on the roof and discussions regarding possible demolition of the back of the Police Dept. while the building is still open and the contractor's demolition crew is still there. Ms. Phelps stated the Borough is waiting for estimates on those items and final costs for the mold remediation and fire suppression system.

VIII. Guest: Two Rivers Water Reclamation Authority:
John Bonforte and Michael Gianforte, representatives from the TRWRA appeared. Mr. Gianforte spoke about a sewer interceptor project that will run from Sommers Park in Oceanport to an existing pump station in Monmouth Beach. The existing underwater pipe has started corroding. He described the damage the system incurred as a result of Superstorm Sandy and use of $6.5 million in funds from FEMA for repairs and the interceptor project, with expectations to receive a full $11 million from FEMA. He then described details of the project, and the impact it will have on Oceanport. The project will begin in 2021 and last 2 years for the construction. The estimated cost of the project is $60 million, and TRWRA will bond for $75 million. There will be no increase in fees for member towns because a previous bond will be paid off in 2020 and this new debt will basically maintain the same rates. Councilwoman Walker asked about construction noise, which Mr. Gianforte addressed. Councilman Keeshen asked about removal of excavated material and re-paving roads. Mr. Gianforte responded that they would have to work on that with the design but they would certainly make the park as good as it was and if they destroyed the roads, they would repair the roads. Council President Gallo asked if the park would be closed during the construction and Mr. Gianforte said it needs to be closed for safety reasons. A better timeframe will be provided once the project begins.

IX. Clerk's Report: Ms. Smith advised there were 11 items on the consent agenda. She requested direction regarding committee minutes and discussed public access to those minutes. Each member of the Governing Body received a handbook from the NJ League of Municipalities, a primer for newly elected and existing officials.

Regular Meeting Items:

1. Resolution authorizing payment of BILL LIST 01-16-2020
2. Resolution authorizing Tax Sale Redemption #19-00001
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4. Ordinance Amending Chapter 103 - Volunteer Incentives
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7. Receipt & Acceptance of Minutes, Recreation Committee, Nov. 13, 2019
8. Receipt of Minutes, Public Safety Committee, Jan. 6, 2020
9. Approval of First Aid Membership, Rachel Smith
10. Mayor & Council - Workshop - Dec 5, 2019
11. Mayor & Council - Regular Meeting - Dec 19, 2019

X. Discussion Items:

1. Resolution authorizing Change Order #5 to Benjamin Harvey Co. Contract for Municipal Complex
   Ms. Phelps announced there was a $625 credit as a result of canceling a sign. Item moved to regular meeting with no objections by Council.
2. Resolution authorizing Change Order #6 to Benjamin Harvey Co. Contract for Municipal Complex
   Ms. Phelps reported this was for additional sanitary piping for the OEM portion of the Police Dept. building for a charge of $9,581.24. Item moved to regular meeting with no objections by Council.
3. Resolution authorizing participation in the Bergen County Cooperative Purchasing Alliance
   Mayor Coffey explained how the cooperative allows the Borough to purchase goods and services outside the normal bidding process. Ms. LaPorta explained that OEM Director Buzz Baldanza requested membership in the co-op in order to purchase a dual drone and funds from the 2019 budget were encumbered, but would not be obligated until this resolution passed. Item moved to regular meeting with no objections by Council.

4. Information Technology Coordinator

   Mayor Coffey advised that the Borough is required to have someone in Administration that answers to IT. Eventually, all records will be digital, and the Municipal Clerk is the custodian of records. There is no additional salary for assuming this responsibility. Mayor Coffey spoke about including these duties if the Governing Body wanted to create job descriptions or move the resolution to the Regular Agenda. Councilwoman Walker was fine with adding it to job descriptions but if they had been working on that for years why not name someone now rather than wait. Council agreed to move it to the agenda for action.

5. Single Use Plastic Ordinance

   Councilman O'Brien led the discussion regarding an ordinance prohibiting single use plastics and requested input from Council members and the public regarding the impact on the community and local businesses. Council President Gallo stated that most bags are reused or recycled and that paper bags were replaced with plastic because of concern about trees. He spoke with some business owners in town and said most of them don't use too much in plastic. Councilwoman Walker opined that the ban on single use plastics will become the law of the land, citing the downside of plastics. Councilman Deerin suggested waiting to see if a revised State statute passes. Mayor Coffey added that enforcement could present a problem. Councilwoman Walker spoke with council members from Little Silver and Sea Bright and outlined their problems and reactions from residents and business owners about their ordinance to ban plastics. Finally, it was agreed that the Health & Human Services will analyze and come back before the Governing Body with a proposal.

XI. Mayor's Report:

Mayor Coffey did not provide a report, deferring to the presentation to FMERA.

XII. FMERA Presentation - Status of Oceanport Parcels:

Bruce Steadman, Executive Director of FMERA, appeared and introduced Dave Nuse, former Executive Vice President. Mr. Steadman made a slide presentation regarding the Oceanport section of 418 acres. He described a development map, indicating Green Acres areas, parcels under contract or in negotiation, previously sold parcels, and parcels still waiting to be put out to bid. He also described parcel purchases from the Army and the distribution of funds after sales between FMERA & the Army. Mr. Steadman reported that about 75% of the former Fort is engaged in one fashion or another in a project and listed the properties that have been sold.

Mr. Nuse provided additional details regarding sales and development at the former Fort, including Allison Hall, Marina, Nurses Quarters, Barker Circle and the Warehouse district. He stated that 2 Requests for Offers to Purchase (RFOTP) are scheduled for the first half of 2020 for the 400 Area and the McAfee Complex. Mr. Nuse described a partnership with the NJ Innovation Institute to assist with planning for the tech incubator. There will be an RFOTP for approximately 12 acres that straddles the Oceanport/Eatontown borders. Mr. Nuse advised that the estimated assessed value of the combined Oceanport projects will be approximately $500 million, with net tax revenue about $7 million annually. Councilman Tvrdik asked questions regarding the development of the Warehouse district, 400 Area, treatment of osprey nests and ground testing. Mr. Nuse replied that the property would be sold as is and the Army is responsible for environmental cleanup, osprey nests relocation with DEP oversight and addressed questions about asbestos removal. There was discussion regarding density of residential properties and the Master Plan for the former Fort, osprey nests and affordable housing requirements. Mr. Stedman discussed FMERA's relationship with TRWRA and plans to replace basically all sewers on the former Fort, discussions between FMERA and NJAW to replace water lines and discussions with JCP&L planning to replace a substation and electric lines. He explained that FMERA operates on a "just in time" plan, so that when $1.00 is received, 99 cents is spent on required utilities, demolition and asbestos. Councilman Tvrdik asked questions about affordable housing and housing opportunities for senior citizens and veterans.

Mr. Steadman produced photos of projects in progress and those in progress. He described several proposed projects. He expressed his thanks to the Oceanport Police Dept. for their presence on the former Fort. Mr. Nuse answered questions about the number of bedrooms in the proposed residential units. Mr. Steadman discussed plans for the Warehouse district and Commissary, which are under contract with Denholtz developers. Mr. Nuse talked about the McAfee Center development plans and an

RFOTP will be issued in the first half of 2020. Mr. Steadman talked about monthly ad hoc meetings with the host municipalities, ownership/maintenance of streets, Greeley Field and Cowan Park by either the County or Borough. Mr. Steadman discussed the boundary line between Oceanport and Eatontown and expressed excitement about the availability of new liquor licenses.

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

Doug Glassmacher, 16 Iselin Lane, secretary for the HOA at Jockey Club, discussed setbacks for standby generators in that development. The HOA made a recommendation asking the Governing Body to consider modifying setback requirements for any Jockey Club residents requesting installation of standby generators. Councilman Tvrdik stated that he spoke with the Zoning Officer regarding generators and asked Mr. Glassmacher to have the Jockey Club HOA prepare uniform guidelines to be presented to the Governing Body. Mr. Glassmacher distributed copies of the HOA's resolution.

Kari Martin, 34 Hedge Dr., thanked Councilman O'Brien and Councilwoman Walker for their discussion on the single use plastic ordinance. She discussed how single use plastic is a pollution problem and poses risks to wildlife. Clean Ocean Action's beach clean ups show that plastics have increased and provided statistics regarding collection of plastics at these clean ups. She discussed the benefits of using cloth bags rather than plastic, and recent activity at the State level to enact a ban on single use plastics. She discussed funding opportunities to purchase and distribute cloth bags.

Rosanne Letson, Tinton Falls, appeared on behalf of the Oceanport Historical Committee. She provided details on the Committee's work for the Borough's Centennial this year. She recounted all the successful events the Committee held last year, its work on updating the Oceanport In Retrospect booklet, business sponsorships and plans for events this year.

Patrick McSorley, 285 Port Au Peck Ave., appeared and discussed the aging fleet of first responder vehicles. He provided details about the age of First Aid vehicles, and Fire Dept. rigs and expressed concern for the first responders and patients that they carry. He stated the first responders deserve equipment and vehicles they can trust. He asked the Governing Body to execute and implement a plan of attack with regard to these vehicles.

Scott Poyner, 38 Tecumseh Ave., asked the Governing Body not to rush into a decision either way on the single use plastics. He listed several options to using plastic bags. He believes that people should have the right to make the choice.

Stuart Briskey, Oceanport, asked about an ordinance amendment on the agenda regarding volunteer incentives. Mayor Coffey advised that public comment on that would be at the public hearing for that ordinance. Mr. Briskey suggested adding a public comment portion in the beginning of meetings on agenda items. He asked if the Borough sent any notice to the volunteer agencies regarding the proposed change. Mayor Coffey replied the Borough did not. He also advised that the reason it was an ordinance was because an ordinance requires a public hearing. Mr. Briskey asked that the proposed ordinance amendment be tabled and that the volunteer organizations be notified. Mayor Coffey explained how the process of approving an ordinance works.

Mark Patterson, 40 Itaska Pl., introduced himself and explained that he was recently sworn in as a member of the Board of Education and was appointed as liaison to Borough Council. He looks forward to an amicable relationship and something to build trust on.

Kari Martin, 34 Hedge Dr., reappeared and provided her Facts Sheet for the Governing Body.

`XIV. Executive Session:

#2020-48 Resolution authorizing an Executive Session

<u>Litigation, Negotiations and the Attorney Client Privilege</u> N.J.S.A. 10:4-12(b)(7)
Fair Share Housing vs. Borough of Oceanport Litigation

Matters Relating to the Employment Relationship N.J.S.A. 10:4-12(b)(8)
Building Subcode Official Reappointment
Electrical Subcode Official Reappointment

Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds N.J.S.A. 10:4-12(b)(5)
Block 65, Lot 4 - 275 Port Au Peck Avenue

At 9:04 pm, the Mayor asked for a motion to approve Resolution #2020-048, authorizing the Governing Body to enter Executive Session, which was made by Councilman O'Brien, seconded by Councilman Deerin.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Michael O'Brien, Councilman
SECONDER:	William Deerin, Councilman
AYES:	Deerin, Gallo, Keeshen, O'Brien, Tvrdik, Walker

Motion to Return to Workshop Meeting

At 9:45 pm, the Mayor & Council returned from Executive Session and the regular meeting was reopened on a motion by Council President Gallo and seconded by Councilman O'Brien and approved by Council.

XV. Adjournment: As there was no further business, the meeting was adjourned at 9:47 PM on a motion by Councilman Gallo, seconded by Councilman O'Brien and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK