



BOROUGH OF OCEANPORT

PLANNING/ZONING BOARD

MINUTES • FEBRUARY 26, 2019

Regular

Maple Place School

7:30 PM

2 Maple Place, Oceanport, NJ 07757

- I. **Call to Order:** Chairman Widdis called the meeting to order at 7:30 p.m.
- II. **Open Public Meetings Statement:** This meeting complies with the Open Public Meetings Act by notification on January 9th and 11th, 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.
- III. **Flag Salute:** Chairman Widdis led the audience and members of the Board in the flag salute.

IV. **Roll Call:**

Attendee Name	Title	Status	Arrived
Christopher Widdis	Chairman	Present	
James Whitson	Vice Chairman	Present	
Darren Davis	Mayor's Designee	Present	
Robert Proto	Council Liaison	Present	
Joseph Foster	Environmental Commision Liaison	Absent	
John (Jack) Kahle	Class IV	Present	
Michael Savarese	Class IV	Present	
Robert Kleiberg	Class IV	Present	
Daphne Halpern	Class IV	Absent	
Thomas Tvrdik	Alternate I	Present	
Eric Motzenbecker	Alternate II	Present	
Jeanne Smith	Board Secretary	Present	
William White	Board Engineer/Planner	Absent	
Kevin Kennedy	Board Attorney	Present	

V. **Board Business:**

1. Seminar - Legal Updates Associated with Land Use & Development Law
Pursuant with the municipality's membership in the Municipal Excess Liability Joint Insurance Fund and the Borough's access to a Land Use Liability policy, Mr. Kennedy conducted a Land Use Liability Seminar which entailed a review of several court cases and the role of Board members when conducting hearings and potential civil rights matters. Discussion revolved around lawsuits brought by individuals who believe their rights were violated, such as denials based on religion or representatives wishing to open a homeless facility. He discussed federal regulations and 10 specific lawsuits addressing issues regarding Planning Board actions and decisions.

VI. **Resolutions:**

1. PR-19-10 Fort Monmouth Plan Amendment #14

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robert Proto, Council Liaison
SECONDER:	Darren Davis, Mayor's Designee
AYES:	Widdis, Whitson, Davis, Proto, Kahle, Savarese, Kleiberg, Tvrdik, Motzenbecker
ABSENT:	Foster, Halpern

- VII. Petitions from the Public:** Chairman Widdis opened the meeting to Petitions from the Public. As no one from the public wished to be heard, Chairman Widdis closed that portion of the meeting.

Chairman Widdis advised the Board that the New Jersey City University will appear at the Planning Board meeting of March 12, 2019. There was brief discussion advising that the application was for Phase I and not for the other phases contemplated by Plan Amendment #13 and that the appropriate forms had been completed by the applicant and owner.

- VIII. Adjournment:** As there was no further business, the meeting was adjourned at 8:09 pm on a motion by Mr. Whitson, which was seconded by Mr. Tvrdek and approved by the Board.

Respectfully submitted,

Jeanne Smith
Board Secretary