



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

AGENDA • NOVEMBER 1, 2018

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 2, 2018 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. Administrator's Report

1. Renewal of Interlocal Agreement with Board of Ed for Lawn Maintenance/Snow Removal

VII. Clerk's Report

1. Consent Agenda

1. Resolution authorizing payment of BILL LIST 11-01-2018
2. Resolution amending the 2018 Salary Resolution
3. Resolution appointing Frank Baricelli as Borough Historian
4. Resolution extending Solid Waste Contract
5. Resolution authorizing budget appropriation transfers
6. Resolution creating a dedicated Trust for UCC Fees
7. Resolution renewing SCAT agreement with Monmouth County for 2019
2. Workshop Minutes, October 4, 2018
3. Executive Session Minutes, October 4, 2018
4. Regular Minutes, October 18, 2018
5. Executive Session Minutes, October 18, 2018

VIII. Discussion Items

1. Resolution adopting amendments to Governing Body By Laws
2. Resolution deferring the tennis/basketball improvements project
3. Resolution awarding contract for 2018 Road Program to Fiore Paving Co

4. Fort Monmouth Plan Amendment #11

1. Resolution concerning Fort Monmouth Reuse Plan Amendment #11

5. Best Practices 2018

1. Electronic Funds Transfers Regulations, Borough Clerk
2. Resolution acknowledging and authorizing submission of the 2018 Best Practices Inventory

IX. Mayor's Report**X. Petitions from the Public****XI. Executive Session**

1. Resolution authorizing an Executive Session

Matters Involving Individual Privacy - N.J.S.A. 10:4-12(b)(3)

Personnel Matters - N.J.S.A. 10:4-12(b)(8)

Tax Collector Tenure

DPW Vacancies

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

Sale of 222 Monmouth Boulevard

XII. Adjournment



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

MINUTES • NOVEMBER 1, 2018

Workshop

Maple Place School

7:00 PM

2 Maple Place, Oceanport, NJ 07757

- I. **Meeting Called to Order:** Council President Irace called the meeting to order at 7:06 p.m
- II. **Statement of Compliance with Open Public Meetings Act:** Council President Irace stated "Adequate notice of this meeting has been provided by notice to the Asbury Park Press and The Link News on January 2, 2018 and by the posting of same on the municipal bulletin board and Borough website."
- III. **Flag Salute:** Council President Irace led the audience and members of the Council in the flag salute.
- IV. **Invocation:** Borough Chaplin Stacy Deerin gave the invocation

V. **Roll Call:**

Attendee Name	Title	Status	Arrived
Jay Coffey	Mayor	Remote	
Patty Cooper	Councilwoman	Present	
William Deerin	Councilman	Present	
Richard Gallo	Councilman	Present	
Joseph A. Irace	Council President	Present	
Robert Proto	Councilman	Present	
Stephen Solan	Councilman	Present	
Donna Phelps	Acting Borough Administrator	Present	
Jeanne Smith	Borough Clerk	Present	
Scott Arnette	Board Attorney	Present	

VI. **Administrator's Report:**

1. Renewal of Interlocal Agreement with Board of Ed for Lawn Maintenance/Snow Removal

Ms. Phelps advised that the Board of Education requested a renewal of the inter-local agreement between the Borough and BOE for lawn maintenance and snow removal. NJAW is installing a water main on Werah Pl. There is no fire hydrant there. NJAW is willing to install a hydrant and the Borough would be responsible for a \$40 to \$50 monthly fee. The Fire Chief Mike Patterson recommends the action. Councilman Gallo asked where the proposed location is. Ms. Smith advised it would be at the end of Werah. There was discussion getting approval from the Fire Marshall. The consensus was if Councilman Gallo and the Fire Marshall agreed on the location, the proposal could be approved.

There will be a follow up COAH settlement conference with Judge O'Brien for November 16, 2018. Council President Irace and Councilman Proto will attend with Borough COAH attorney Andrew Bayer.

Ms. Phelps has been working on putting the Borough's nursing home transportation services ordinance into action. Council President Irace explained that the ordinance relates to non-emergency transport by First Aid, and this is an effort to add substance to the ordinance.

Ms. Phelps advised that legislation prohibiting smoking in parks becomes effective January 16, 2019. Current ordinances are silent regarding smoking in parks. Language in the law allows the Governing Body to determine whether or not to designate 15% of the park as a smoking area. Signage is required to advise smoking is prohibited and violators are subject to a fine. Council President Irace asked Ms. Phelps to identify the number of signs needed and associated costs.

Ms. Phelps, Ms. Smith and Catherine LaPorta, CFO, reviewed the questions on Best Practices. The Borough surpassed the points required, and as a result is eligible for the full amount of State aid.

Police Chief Kelly made significant changes to the police department's rules and regulations. His revisions were provided to the Governing Body and Mr. Arnette. Chief Kelly asks the Governing Body adopt the revisions. The Public Safety Committee will also review the changes.

Ms. Phelps visited 4 Code Enforcement sites. Two have been resolved, a letter sent to third homeowner to asking resolve the problem, and the fourth is pending. She thanked Chief Kelly and the DPW for their assistance in addressing the issues until a new Code Enforcement Officer is chosen. On a similar note, Ms. Phelps received information from a resident regarding overgrowth at Trinity Park. DPW did a great job trimming trees and bushes and taking care of weeds. Council President Irace also thanked DPW for their quick response.

VII. Clerk's Report:

1. Consent Agenda:

- a. Resolution authorizing payment of BILL LIST 11-01-2018
 - b. Resolution amending the 2018 Salary Resolution
 - c. Resolution appointing Frank Baricelli as Borough Historian
 - d. Resolution extending Solid Waste Contract
 - e. Resolution authorizing budget appropriation transfers
 - f. Resolution creating a dedicated Trust for UCC Fees
 - g. Resolution renewing SCAT agreement with Monmouth County for 2019
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Ms. Smith advised there are 7 items on the consent agenda. She specifically addressed the CFO's recommendation to adopt a resolution creating a dedicated trust for UCC fees instead of being combined in the general budget. Councilman Proto asked for clarification of the expiration of the solid waste contract as being 2019, which Ms. Smith confirmed. Councilman Proto noted that increased rates are to be expected at the end of this extension. Councilwoman Cooper asked about the resolution for salary increases which Ms. Smith explained that originally, part time administrative positions were not to receive the 2% increase. However, the Finance Committee reevaluated and found that funds were available to include that staff. There were no additional comments for consent or the minutes.

VIII. Discussion Items:

1. Resolution adopting amendments to Governing Body By Laws

Council President Irace recommended pulling **#2018-174**, resolution adopting amendments to the Governing Body Bylaws to provide Council additional time to review to which there were no objections.

2. Resolution deferring the tennis/basketball improvements project

Councilman Deerin commented that the next bid for the tennis/basketball improvements will be significantly different.

3. Resolution awarding contract for 2018 Road Program to Fiore Paving Co

Councilman Gallo stated Adrian Ave is the only street for the 2018 road program, and the Borough received a good bid from Fiore Paving.

Councilwoman Cooper asked that a resolution appointing members to the Green Team Committee be added to the next meeting. Recommended appointees are: Jean McDonald, Angela Testa, Andy Judkus, Rusty Kleiberg, Jordan Falcone and Sara Torbet.

Councilman Deerin asked for a resolution be added to appoint Scott Marancino as a Parks and Recreation Committee member

4. Fort Monmouth Plan Amendment #11:

1. Resolution concerning Fort Monmouth Reuse Plan Amendment #11

Council President Irace stated there was significant input from emergency services and committees. The Borough's Planner, Kendra Lelie, also provided extensive comments. Mayor Coffey added that the actual recommendations from Kendra Lelie should be added to the resolution to which there were no objections.

5. Best Practices 2018:

1. Electronic Funds Transfers Regulations, Borough Clerk

2. Resolution acknowledging and authorizing submission of the 2018 Best Practices Inventory

Ms. Smith reported that as part of Best Practices, the Borough must review the newest regulations for accepting electronic funds transfers and provided a brief summary. She will forward the legislation to the Finance Committee for review. There was additional discussion regarding points for Best Practices and the receipt of State aid.

IX. Mayor's Report: Mayor Coffey had no report.

X. Petitions from the Public: Council President Irace opened the meeting to petitions from the public.

Jeff Oakes, 60 Pemberton Ave., read a derogatory Instagram message with colorful language that his daughter received. He expressed his displeasure with the Oceanport Republican Committee's Facebook page which stated that Councilwoman Cooper's support of medical marijuana was offensive. He talked about his traditional growing of large pumpkins for residents to enjoy. He stated the Republican Committee's comments regarding loyalty were offensive. Mr. Oakes discussed recent news articles regarding comments from Council members on medical marijuana.

Mike Vingilaos (phonetic), 367 Church Rd., Brick, asked why the Governing Body had no compassion for Mr. Oakes and why it would deny medicine to medical marijuana patients. Mr. Vingilaos passionately expressed his support for medical marijuana. He expressed disgust with the treatment of Mr. Oakes and his family.

Susan Vienna, Burnt Mill Circle, asked why the Oceanport Republican Committee posted about

medical marijuana on its Facebook page, and throwing salt in the wound. She stated that since the ordinance prohibiting a medical marijuana dispensary had passed, there was no need to bring life-saving medication into a political battle. Ms. Vienna stated she felt she treated Council with respect, but that it was not reciprocal. She suggested that since the State has not passed a law on the issue yet, that Oceanport should have tabled its ordinance.

As no one else from the public wished to be heard, Council President Irace closed that portion of the meeting.

XI. Executive Session:

At 7:50 PM, Council President Irace asked for a motion to approve **Resolution #2018-165**, authorizing Council to enter Executive Session.

1. Resolution authorizing an Executive Session

Matters Involving Individual Privacy - N.J.S.A. 10:4-12(b)(3)

Personnel Matters - N.J.S.A. 10:4-12(b)(8)

Tax Collector Tenure

DPW Vacancies

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robert Proto, Councilman
SECONDER:	Stephen Solan, Councilman
AYES:	Cooper, Deerin, Gallo, Irace, Proto, Solan

At 8:07 PM, Council returned from Executive Session and the Workshop meeting was adjourned on a motion by Councilman Solan, seconded by Councilman Deerin and approved by Council.

XII. Adjournment: As there was no further business, the meeting was adjourned at 9:32 p.m. on a motion by Council President Irace which was seconded by Councilman Proto and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE GOVERNING BODY TO ENTER EXECUTIVE SESSION**

**Resolution #2018-165
11/1/18**

WHEREAS, the Open Public Meetings Act provides that the Borough Council may go into executive session to discuss matters that may be confidential or listed pursuant to N.J.S.A. 10:4-12; and

WHEREAS, it is recommended by the Borough Attorney that the Borough Council go into executive session to discuss matters set forth hereinafter which are permissible for discussion in executive session.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport that the Council shall go into executive session to discuss the following items:

Matters Involving Individual Privacy - N.J.S.A. 10:4-12(b)(3)

Personnel Matters - N.J.S.A. 10:4-12(b)(8)

Tax Collector Tenure

DPW Vacancies

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

Sale of 222 Monmouth Boulevard

BE IT FURTHER RESOLVED that formal action may be taken after the Executive Session.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robert Proto, Councilman
SECONDER:	Stephen Solan, Councilman
AYES:	Cooper, Deerin, Gallo, Irace, Proto, Solan

I certify that the foregoing Resolution #2018-165 was adopted by the Oceanport Governing Body at the Regular Meeting held November 1, 2018



JEANNE SMITH, RMC
BOROUGH CLERK