

**WORK SHOP MEETING AGENDA
MAYOR AND COUNCIL
May 4, 2017**

- **GUEST MAYOR OF THE DAY** – Jake Barnwell
- **MEETING CALLED TO ORDER**
- **Statement of Compliance with Open Public Meetings Act.** *This meeting complies with the Open Public Meeting Act by notification on January 2, 2017 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*
- **FLAG SALUTE:**
- **INVOCATION:**
- **ROLL CALL:**
- **GUEST:** Michael Schwebel, PhD, RLA from New Jersey Sea Grant Consortium Urban Coast Institute at Monmouth University on the High Water Mark Program
- **GUEST:** 275 Port Au Peck Avenue Associates (MAZZA)
- **PAYMENT OF BILLS:**
 - #2017-102 Resolution authorizing the payment of bills.
- **ADMINISTRATOR’S REPORT:**
- **AGENDA ITEMS FOR 5/18/2017**
 - Resolution authorizing redemption of Tax Sale Certificate #15-00006
 - Resolution authorizing redemption of Tax Sale Certificate #16-00017
 - Resolution authorizing redemption of Tax Sale Certificate #16-00027
 - Resolution appointing T&M Associates as Conflict Engineer for the RPM Development Project
 - Approval of the Executive Session Minutes of March 16, 2017
 - Approval of the Workshop Meeting Minutes of April 6, 2017
 - Approval of the Regular Meeting Minutes of April 20, 2017
- **DISCUSSION ITEMS:**
 - Purchasing Policy
 - Street Vacations
- **MAYOR’S REPORT:**
- **PETITIONS FROM THE PUBLIC:**
- **ADJOURNMENT:**

**WORK SHOP MEETING MINUTES
MAYOR AND COUNCIL
BOROUGH OF OCEANPORT
May 4, 2017**

The Workshop Meeting of the Oceanport Mayor and Council was called to order on May 4, 2017 at 7:02 P.M. with the Statement of Compliance with the Open Public Meetings Act given by Mayor of the Day Jake Barnwell.

"Adequate notice of this meeting has been provided by notice to the Asbury Park Press and The Link News on January 2, 2017, and by the posting of same on the municipal bulletin board and Borough Web Site."

PLEDGE OF ALLEGIANCE: Mayor Barnwell led the audience and members of the Council in the flag salute.

INVOCATION: Borough Chaplain Stacy Deerin gave the invocation.

MEMBERS PRESENT: Councilpersons Cooper, Gallo, Irace, Proto, Solan, Mayor Coffey and Mayor of the Day Barnwell

MEMBERS ABSENT: Councilwoman Kahle

OFFICIALS PRESENT: Borough Administrator Raymond Poerio, Borough Clerk, Jeanne Smith, Borough Attorney, Scott Arnette

GUEST MAYOR OF THE DAY - Jake Barnwell

Mayor Coffey introduced Mayor Barnwell then invited Mayor Barnwell's family to pose for a picture, and posed for another with the Council. Mayor Barnwell was invited to chair the remainder of the meeting.

GUEST: The Clerk stated that she was notified by the New Jersey Sea Grant Consortium Urban Coast Institute that the invited guest was unable to attend and the presentation on the High Water Mark Program will be rescheduled.

GUEST: Mayor Coffey invited 275 Port Au Peck Avenue Associates (Mazza property) to begin their presentation. Dominic Mazza gave an overview of plans for the property. Laura Brinkerhoff is the Licensed Site Remediation professional for the project and a site investigation will be performed. Dawn DeFreitas of Brinkerhoff Environmental will provide more information. A series of test pits will be made to determine what matter is in the property. Safety controls will be in place to mediate dust from the disturbance. Holes will be covered at night to remove the risk of any materials escaping. Air sampling will be conducted to ensure dust does not leave the site. Ms. Brinkerhoff, engineer, was introduced.

Ms. Brinkerhoff noted that the group had appeared at a previous meeting and had since met with the NJDEP. NJDEP recommended the group present their plans for safety precautions prior to breaking ground. NJDEP will supervise the project and require reports from the group upon completion. She referred to 3 maps of the property. The first is the property in 1979, showing construction debris. The second, from 2012, is the current aerial and shows the property covered with 2 ft. of clean fill. The site has since lain dormant. The third depicts where the test pits will be. A backhoe will create a test pit, the soil will be logged and determination will be made as to what materials are present. After the test pit is completed, it will be backfilled and compacted. She introduced Ms. DeFreitas.

Ms. DeFreitas explained that an asbestos air monitor, dust monitors and a water truck will be on site. Minimal or no work will be done on windy days. Stockpiles will be less than 5 ft. Mr. Mazza stated that work will not begin until the eaglets leave the nest, approximately July. Mr. Mazza and Ms. Brinkerhoff are in contact with the State and monitoring the nest. Councilman Irace noted that the aerial photo was from 2012 and asked if they had been in contact with the DEP since then. Mr. Mazza stated that was the latest aerial photo available. Councilman Proto asked about previous testing when an application was submitted to the Planning Board. Ms. Brinkerhoff explained that there had been previous investigation

for a residential subdivision, which missed the fact that there was some asbestos in the construction debris. That caused the plans to be reevaluated. Councilman Proto asked about the equestrian center plans that had been submitted to the Planning Board. Ms. Brinkerhoff explained this process would have been done if the equestrian center plans had gone forward. Mayor Coffey asked about the timeframe for testing to be completed. Ms. Brinkerhoff replied it would be one week. Councilwoman Cooper asked how many test pits would be dug. Ms. Brinkerhoff stated approximately 27. Councilman Solan asked how long the workday would be. Mr. Mazza stated they would comply with Borough regulations, probably 8 a.m.

PAYMENT OF BILLS:

#2017-102 Resolution authorizing the payment of bills.

Mayor Barnwell called for a motion on Resolution **#2017-102**, authorizing the payment of bills, which was made by Councilman Irace and seconded by Councilman Solan. The Clerk called roll:

AYES: Cooper, Gallo, Irace Proto and Solan
NAYES: None
ABSTAIN: None
ABSENT: Kahle

The Clerk stated that the motion carried.

ADMINISTRATOR’S REPORT: Mr. Poerio reported the Personnel Manual, Personnel Policy, Council By-Laws and Code have overlapping authority and do not reflect the current status. The first three will be addressed and then codified. The Borough does not currently have a purchasing manual, and Mr. Poerio distributed a draft document for the Governing Body to consider. For 2017, the Borough will focus on revising the Administration, Police and Land Use Codes. The Land Use Code will require a planner, and a resolution will be prepared to develop an RFP for those professional services. The other Codes will be reviewed internally. After modifying the Code, it will need to be codified. Mr. Poerio stated that General Code submitted a proposal and a resolution will be on the next agenda for Council’s approval. Mr. Poerio reported that the 2016 audit is underway and will be reviewed on May 17. It will be provided to the Governing Body on June 8, and a resolution acknowledging receipt will be on the agenda for June 22. This is the first time in 8 years that the audit will be delivered before the State deadline. The 2017 budget has been submitted and the Borough is awaiting approval.

Mr. Poerio reported that Fred Migliaccio will be retiring as fire code official in June. Mr. Poerio expressed his thanks for his 7 years of service. Mr. Poerio has been working with the Construction Official to find a replacement. The leading candidate has his fire inspector certificate and multiple other certifications. If they can come to terms, Mr. Poerio’s recommendation would be to hire him 3 days a week, one as fire inspector and the balance as an additional inspector for other sub-codes. If that were to occur, the Borough’s Salary Ordinance will require an update.

Regarding the community disaster loan (CDL), the Borough has a potential liability of \$300,000. The Borough must provide justification for why it should not have to repay the loan. Plans are to work directly with FEMA rather than one of their consultants. He thanked FEMA for their efforts.

The Borough is in negotiations with Shrewsbury Borough for a shared purchase of a street sweeper and sewer jet. Mr. Poerio and Mr. Arnette are drafting an agreement.

Mr. Poerio, the Borough Engineer, Construction Official, Zoning Officer and Ms. Smith, Planning Board Secretary met with FMERA Planning Department representatives to discuss expediting the purchasing process. This could potentially reduce the review process by 45 days. He expressed his thanks to Dave Nuse and his team for their efforts.

Mr. Poerio proposed adjusting the hours of operation at Borough Hall from May 18th through September 14th by extending hours on Thursdays to 7:30 p.m. and closing at 12:30 p.m. on Fridays, thereby providing a late night for residents to conduct business at Borough Hall.

Mr. Poerio stated that the safety surfacing at Community Center Park will be replaced with rubberized mulch. He also stated that the contract with the YMCA for management of the Oceanport Pool is complete. Information regarding membership will be posted on the Borough's website. Mr. Poerio is seeking quotes for a Preliminary Assessment for the new Borough Hall complex.

The Borough was served with a summons and complaint related to a denial by the Planning Board. The Board's attorney, Mr. DeNoia will respond.

Mr. Poerio advised that the Police Committee conducted interviews for the position of Sergeant. It is the Committee's recommendation that Officer Gregory Laretta be promoted to the position. He requested direction from Council regarding preparation of a resolution for the next meeting. Council members had no objection with the recommendation. Police provided security and handled road closures for the 8th Grade Color Run. On April 29th, the Police Department participated in the National Drug Take Back Program and collected 41 pounds of expired/unwanted prescriptions. The Police Department was on hand for the New Jersey Marathon on April 30th, where over 9,000 runners participated with thousands of spectators. Mr. Poerio commended the department for their planning, professionalism and dedication in making the marathon a safe and secure event. He expressed his thanks to the OEM, Fire Department, First Aid and all the outside law enforcement agencies for their assistance. The Police Department is preparing safety and security plans for the Lions Club Strawberry Festival, which will be held May 31st to June 4th. Traffic control measures for the Monmouth Park racing season are complete. On Memorial Day weekend, Monmouth Park will be hosting the Food Truck Wars, with additional officers on duty for safety, traffic and crowd control. Mr. Poerio reported that due to the recently enacted Bail Reform Law, the Police Dept. incurred 21 overtime hours. OEM responded to a water rescue by the Gooseneck Pt. Bridge.

Mr. Poerio reported on the status of new Village Center improvements and maintenance bond posted; AcuteCare has requested a bond reduction on Phase I; shop drawings for the 2016 bulkhead project are being reviewed, projected to be completed by July 2, 2017; design work for the 2016/2017 road program is complete; Bridgewaters Dr., Elizabeth Dr. and drainage repair on Tecumseh Ave. have been added. Contracts for the Shore Road drainage improvements have been forwarded to Fiore Paving; NJDEP issued permits; Army Corp of Engineers is pending. Mr. Poerio stated that Conrail has completed remediation at Crescent Pl. and the ponding remediation at Main St. will begin after Conrail approval.

The First Aid squad received new suction units and completed training on the equipment. The squad responded to 54 requests for assistance last month. Dr. Victor Almedia has been secured as the medical director. The squad welcomed new member Caylin Bennet.

Mr. Poerio stated improvements have been made at the tennis courts and gravel at Blackberry Bay, grass cutting has begun at all parks, leaf pick up is complete, potholes have been repaired, DPW superintendent received his recycling certification and DPW employees received training on field maintenance.

Mr. Poerio advised Ms. Smith attended the Municipal Clerk's Association conference and attended courses which will award CEUs for renewal of her Clerk's license. Theresa Murrin, of the Oceanport Municipal Court, successfully completed 2 levels of Principles of Municipal Court Administration and will continue her education to receive accreditation.

Mayor Barnwell asked Mr. Poerio if the sirens worked, if the ospreys were okay and if chickens were still banned. Mr. Poerio advised that the sirens are operational, chickens are banned and the ospreys are well.

Members of the public interrupted the meeting to know if they would have opportunity to question the owners of 275 Port Au Peck Avenue. There was discussion regarding the notice that was sent to the property owners within 200 ft. the property. Mayor Coffey read pertinent parts of the Brinkerhoff letter. Mr. Arnette interpreted the letter to be a courtesy notification and explained that notice to the 200 ft. owners would be required if there was a formal application made. Mrs. Karen Long, 32 Revere Dr. expressed her displeasure with the project. Mayor Coffey explained that jurisdiction lies with NJDEP, not

Oceanport. There was additional discussion regarding the history of the property and various projects. Mayor Coffey called for a motion to relax the regular order of business, which was made by Councilman Irace and seconded by Councilman Proto. Mayor Coffey advised that he could ask the representatives to return to the Regular Meeting on May 18th. He stated the presentation was not required. Mrs. Long stated the letter was misleading. Mayor Coffey stated the representatives were responsible for issuing the letter, not the Borough. Mrs. Long stated she does not trust the owners and that there are 8 to 10 violations. Mr. Arnette advised the DEP will assign a supervisory officer over the cleanup. Mrs. Long stated a resident challenged the DEP at a meeting, and they packed up their books and left. She stated the DEP was negligent in monitoring the excavation. Mr. Arnette reinforced the fact that the DEP will have an individual responsible for the oversight and will monitor the data from the drilling. He suggested Mrs. Long speak with that person up front. Mrs. Long agreed. She wants the Governing Body to be aware of what the residents have endured. Mayor Coffey stated the Council was acutely aware of the property and attendant problems. Mrs. Long expressed her hope that the Governing Body will pay attention and offered to supply copies of documents that she has to the Council. Mayor Coffey reiterated that jurisdiction belongs to the DEP.

AGENDA ITEMS FOR 05/18/2017: Mayor Coffey asked for any comments or questions on the items for the 05/20/2017 agenda and as there were none Mayor Coffey asked the Clerk to move forward with no objections from Council.

DISCUSSION ITEMS: Mayor Barnwell asked for a report on the Purchasing Policy. Mr. Poerio advised that he had distributed a draft of the proposed Purchasing policy and asked if there were any questions. He requested a resolution be added to approve the policy at the next Council meeting with no objections.

Mayor Barnwell asked for a report on street vacations. Mr. Poerio advised this was to determine the Council's opinion regarding vacating a street. He explained that there are 2 existing non-conforming lots. If the street were vacated, the lots would still be non-conforming, but less non-conforming. In this instance part of an application to the Planning Board requires that the Applicant attempt to make remedy of the non-conformity. He stated this was not a proposal by a developer, but rather an individual. Councilman Irace stated that in the past, the Council was opposed to vacating streets and wondered whether allowing this request would set a precedent. Mr. Arnette stated that each request would stand on its own, but it runs the risk of being arbitrary and capricious decisions. Discussion ensued. Afterwards, Mr. Poerio stated he would put something together hopefully for next Council meeting.

MAYOR'S REPORT: Mayor Barnwell read Mayor Coffey's report, stating that there is Board of Education Workshop Meeting at 6 p.m. on May 10th to discuss a referendum for school infrastructure improvements for Maple Place and/or Wolf Hill Schools. There will be a presentation from an architect and review 8 different options.

PETITIONS FROM THE PUBLIC: Mayor Barnwell then opened the meeting to anyone from the public who wished to be heard. As no one from the public wished to be heard, Mayor Barnwell closed that portion of the meeting.

As there was no further business, the meeting was adjourned at 7:57 p.m. on a motion by Councilman Irace, seconded by Council President Gallo and approved by Council.

Respectfully submitted,

JEANNE SMITH
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING PAYMENT OF BILL LIST FOR MAY 4, 2017**

**RESOLUTION #2017-102
05-04-17**

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of May 4, 2017.

BE IT RESOLVED, by the Mayor and Council that the bills be paid as on the attached bill list dated May 4, 2017 totaling \$1,113,967.71.

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

Motion:	YES	NO	ABSTAIN	ABSENT
ROLL CALL				
Cooper	()	()	()	()
Gallo	()	()	()	()
Irace	()	()	()	()
Kahle	()	()	()	()
Proto	()	()	()	()
Solan	()	()	()	()
Coffey	()	()	()	()

Second:

I certify that the foregoing Resolution #2017-102 was adopted by the Oceanport Governing Body at the Workshop Meeting held May 4, 2017

JEANNE SMITH, RMC
BOROUGH CLERK

**BOROUGH OF OCEANPORT
BILL LIST**

4-May-17

PAYEE	AMOUNT
PAYROLL ACCOUNT	\$ 94,265.13
CAPITAL TRUST TOTAL	\$13,071.25
DOG REGISTRY TOTAL	\$0.00
TRUST OTHER TOTAL	\$0.00
ESCROW TRUST TOTAL	\$805.00
OPEN SPACE TRUST TOTAL	\$5,632.86
SUI	\$0.00
2016 VOUCHERS PAID THIS MEETING	\$4,195.02
2017 VOUCHERS PAID THIS MEETING	\$995,998.45
TOTAL	\$1,113,967.71

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



A handwritten signature in black ink, appearing to be 'J. [unclear]', is written over a solid horizontal line.