

**WORK SHOP MEETING AGENDA
MAYOR AND COUNCIL
August 17, 2017**

- **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:**
- **PROCLAMATION DECLARING SEPTEMBER AS PEDIATRIC CANCER AWARENESS MONTH**
- **ADMINISTRATOR’S REPORT:**
- **AGENDA ITEMS FOR 8/17/2017**

Resolution authorizing payment of bills
Resolution authorizing purchase of 4 x 4 pickup truck with plow through State Contract
Resolution authorizing purchase of an Elgin street sweeper through NJPA Cooperative
Resolution authorizing purchase of 2 Int'l 7400 trucks through NJPA Cooperative
Resolution authorizing purchase of Case Wheel Loader through NJPA Cooperative
Resolution authorizing application for 2017 MC Municipal Open Space Grant
Resolution authorizing applications for use of athletic facilities
Resolution awarding contract for engineering services for demolition of Bldgs. 914, 915, 916 and 917 at the new municipal complex site.
Resolution authorizing waiving hours of operation serving of alcohol for the Haskell
Resolution authorizing the auction of surplus equipment
Resolution awarding contract for engineering services for the Backflow Prevention Project (Stormwater Outfalls)
Resolution authorizing a special event permit to be issued to Triumphant Life Church
Resolution authorizing tax refund due to Court Judgment
Resolution for renewal of membership in the Monmouth Municipal Joint Insurance Fund
Approval of the Workshop and Regular Meeting Minutes of July 20, 2017
Amendment to Flood Damage Prevention Ordinance – Adoption
Ordinance Amending Construction Code Fees - Introduction

- **DISCUSSION ITEMS:**
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| Vacating of Streets |
| Ordinance Establishing A Sustainable Jersey Green Team Advisory Committee - Introduction |
| Resolution supporting participation in the Sustainable Jersey Program |
| Resolution establishing a Sustainable Jersey Green Team Advisory Committee |
| Resolution adopting a Sustainable Jersey Land Use Pledge |
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- **MAYOR’S REPORT:**
- **PETITIONS FROM THE PUBLIC:**
- **ADJOURNMENT:**

**WORK SHOP MEETING MINUTES
MAYOR AND COUNCIL
BOROUGH OF OCEANPORT
August 17, 2017**

The Workshop Meeting of the Oceanport Mayor and Council was called to order on August 17, 2017 at 7:05 P.M. with the Statement of Compliance with the Open Public Meetings Act given by Mayor Coffey.

"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 Coffey led the audience and members of the Council in the flag salute.

MEMBERS PRESENT: Councilpersons Cooper, Gallo, Irace, Kahle, Solan and Mayor Coffey

MEMBERS ABSENT: Councilman Proto

OFFICIALS PRESENT: Borough Administrator Raymond Poerio, Borough Clerk Donna Phelps, Borough Attorney Scott Arnette

PROCLAMATION: Mayor Coffey read a Proclamation declaring September as Pediatric Cancer Awareness Month into the record in its entirety.

ADMINISTRATOR'S REPORT: Mr. Poerio advised that he met with the contractor who will be adding railings to the ramp at Blackberry Bay Pavilion. Construction of the project should be completed within 30 days. He also advised that representatives of the Mazza property (275 Port Au Peck Avenue) will appear with their professionals at the September 7, 2017 meeting. Notices to residents within 400' of the property were mailed advising them of the appearance. Mr. Poerio met with Laura DeMola, 50 Bridgewaters Drive, who had petitioned to allow additional parking on Bridgewaters Drive, together with Mr. White, Borough Engineer, and Chief Kelly. There will be additional review and then a recommendation to Council.

Mr. Poerio reported that after many phone calls and meetings, the Borough has closed on the property at former Fort Monmouth for the new municipal complex. A carve out regarding tidelands was included, and FMERA will be responsible for any issues related to the tidelands. He thanked the Mayor for spending so many hours working on the closing while the Mayor was on vacation. Mr. Poerio also advised that work has begun on finalizing details of the new municipal complex, including budget estimates and utility issues. He hopes to go out to bid by the end of the year. The Borough is pursuing additional funding to offset the overall cost of the project, including an Open Space Grant application. Bid documents for the demolition of old Borough Hall have been completed. A resolution on the agenda will finalize the documents that will include the demolition of old Borough Hall and 4 buildings on former Fort property and bids should be out by September 12. Another resolution on the agenda will allow the Borough to auction surplus equipment. Activity over the next few months will address storing monuments, a salt bin, and furniture at Fort Monmouth. The generator, alarm system and electronic sign will be removed from old Borough Hall. Utilities at old Borough Hall will be disconnected. With approval from the Governing Body, old Borough Hall can be declared an area in need of rehabilitation, which will allow the Borough to sell that property.

Mr. Poerio stated the Borough received quotes to update the recorders in the police vehicles and the department's server. Equipment for the TV station has been ordered. Mr. Poerio noted that there has been activity on Facebook by residents voicing their concerns on various issues. He encouraged residents to use the new "Report a Concern" feature on the Borough's website. A resolution on the agenda will allow the Borough to update and replace its aging Public Works vehicles. He thanked the

Council President and Governing Body for their support of this effort. Design work for the 2016/2017 Road program is complete; bids will be opened on August 29th. Shore Road drainage improvements have begun and should be completed within 2 to 3 weeks. Another resolution on the agenda is to allow Maser Consultants to begin engineering work on the first 25% of the check valves project. The Borough will be submitting a grant application to FEMA for \$1.3 million to cover the installation cost.

Mr. Poerio stated that the Fire Department conducted a drafting drill on Shore Road using water from the river rather than hydrants. As of July 31st, the Police Department conducted 206 radar enforcement details and issued 112 summonses for speeding. The Police Department also received a \$5,500 reimbursement grant for DWI enforcement from August 18 through September 4, 2017. This grant has been awarded to the Police Department for the last six years. OEM member Pat Hickey attended a class offered by Monmouth County on Orion Damage Assessment Software, which will assist the Construction Department in the event of storm damage.

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There was discussion among the Governing Body regarding two resolutions which were introduced after the events took place, i.e. the Haskell and Triumphant Life Church's fair. Councilwoman Cooper expressed concern about alcohol use during the Haskell and suggested not allowing early consumption of alcohol. Mayor Coffey explained that the liquor license is not the Borough's and, in fact, the Borough does not have the authority to deny the track's request. However, in an effort to foster good relations between the track and the Borough, Monmouth Park has always presented the request to the Borough. The Mayor believes that authorizing the resolution fosters a reciprocal relationship with the track. Mayor Coffey expressed his desire to maintain an amicable relationship with the track's management. Chief Kelly advised there were some issues, however, they were controlled. The Police Department will meet with State Police and track management regarding next year's Haskell. The Chief also noted there were insufficient ABC and security officers on site this year. Chief Kelly also pointed out that there were increased traffic problems as a result of younger individuals using the Uber ride service to avoid DWI charges.

Representatives from the Triumphant Life Church were unaware of Borough policies. Mayor Coffey also addressed the Triumphant Life Church Fair resolution which was passed after the event took place. There were several issues that resulted in confusion on the part of representatives from the church. Part of the fair took place on FMERA property; however, another part was on Oceanport

property. When this was realized, there was insufficient time to have the resolution adopted in a timely fashion. Approval was received from the Oceanport Police Department and any police costs were being borne by the church. In addition, part of the fair was on FMERA property and part was in Oceanport. The Church received approval for the fireworks from the State and believed that was sufficient. However, in actuality, the Church also needed Borough approval. Mayor Coffey stated that entities in the future should apply for permits in advance of their events.

DISCUSSION ITEMS:

- Vacating Streets – Mr. Poerio re-issued the information previously provided by Mr. Arnette. He requested direction from the Governing Body. He has two pending requests. Council President Gallo stated the Council has not approved street vacations in the past and he is not in favor. Councilwoman Cooper asked for an explanation of a paper street. Mr. Arnette explained that, generally speaking, paper streets are created when a developer begins a project and upon completion a street has not been paved/finished and/or there was no need for that street. There was discussion regarding paper streets, maintenance by abutting property owners, utilities, deed restrictions and tax revenue. Mr. Poerio explained that this came about because one of the requests is for property that is a non-conforming lot. And one of the conditions when you do a renovation or expansion of your house is to try to address the non-conformity. Councilwoman Cooper added that several applications before the Planning Board are requests for variances for undersized lots. Mayor Coffey explained that if the Borough vacates a street, conditions could be placed on the deed to restrict building on the area or to maintain public access. There was discussion regarding setting precedent and handling each request on a case by case basis. There was additional discussion regarding ownership of the area after vacating a street.
- Sustainable Jersey Green Team Advisory Committee – Councilwoman Kahle reviewed the proposed resolutions and stated the 2009 resolution to establish a Green Team could be re-used and another resolution would be needed to establish a Green Team Advisory Committee to obtain Sustainable Jersey Certification. She requested the ordinance to establish the Green Team Advisory Committee be tabled so it could be revised before introduction. Councilwoman Cooper expressed concern that the Committee would be under the direction of the Borough Administrator. Councilwoman Kahle stated there are no fees and participation is voluntary. Sustainable Jersey implements practices that lead to cost savings on energy, water and garbage bills. Registered towns get special priority access and notice of incentives and grants. Councilwoman Kahle provided some background about grants the Borough received through Sustainable Jersey to update old Borough Hall. Mr. Poerio noted that if the Resolution Establishing a Green Team Advisory is passed, the Ordinance would not be required. The Council has the option of passing either a Resolution or an Ordinance; both are not required. Mr. Arnette provided guidance on the procedure. There was discussion regarding earning points toward certification. Councilwoman Kahle expressed concern that the Committee would report to the Borough Administrator. There was discussion regarding communications and preparation of the resolutions and ordinance.

MAYOR'S REPORT: Mayor Coffey confirmed that the closing documents were signed for the purchase of 13.25 acres for \$1,053,000 to house the new municipal complex. There will be one more public tour of the property prior to work beginning. Mayor Coffey stated there will be a special FMERA meeting next week where the transaction will be celebrated. He stated the Borough is negotiating redrawing property lines so that the bowling center, currently in Eatontown, may become part of Oceanport. Mayor Coffey then read the speech he will present at the FMERA meeting in its entirety for the record. The Mayor expressed his pleasure with hosting the U.S. Open Mini Golf Tournament.

PUBLIC:

Mayor Coffey then opened the meeting to anyone from the public who wished to be heard.

Christine Apgar, 174 Comanche Drive, stated she lives across from the paper street that was being discussed earlier and that a small contingency of neighbors came to attend the meeting. She stated that generations of kids have been playing, fishing, crabbing and kayaking from the bulkhead. Mr. Poerio confirmed that the bulkhead on Mohican Avenue is being replaced by the Borough. She stated the neighborhood has a very strong interest in the future of that property. Not only for the use but also for the water access which improves the value of their homes. Mayor Coffey stated this is the type of information that the Governing Body needs in order to make an informed decision on the impact to the community when vacating a street. Ms. Apgar suggested installing a bench or signage to designate it as public property. Mayor Coffey stated that the Borough could not take the property, but understands the residents' desire to keep it open to the public. Councilman Irace asked if the Borough decided to vacate a street, would the neighbors be notified. Councilwoman Cooper replied that she read that a public hearing was required. Mr. Arnette stated that an ordinance would require a public hearing.

Nicole Goldsmith, 180 Comanche Drive, stated she lives across the street and was unaware of the street vacation request. Her children have played there for years. She never received any notice. There hasn't been a formal request. Mr. Arnette stated notice would be through publication, not through a 200' notice. Mayor Coffey stated that the Borough should, as a courtesy, send out 200' notices regarding street vacations. Mayor Coffey also stated that after hearing these comments, it was apparent that the street should not be vacated.

Doug Becker, 426 Milton Avenue, stated he had inquired about vacating the property. He understands the other residents' concerns. However, the end of Deal Avenue, adjacent to his home is an eyesore with garbage, fish guts, a tire, and the bulkhead is in terrible disrepair, with a sinkhole. He agreed with Mayor Coffey that each case should be taken individually. He spoke with Mr. Poerio and said the Borough needs to repair the bulkhead. When he spoke with Mr. Poerio, he said if the Borough didn't want to maintain it, maybe the property owners could and the Borough would benefit from it. It's not an enrichment. Mayor Coffey explained that if Deal Avenue was vacated, the Borough would not be responsible for repaving, plowing and maintenance. His point is that each request should be considered individually.

Roseanne Letson, 37 Morris Place, asked for details about the FMERA meeting on Thursday that the Mayor referenced earlier. Mayor Coffey replied that it is scheduled for 2:30 at FMERA, with the only topic for discussion being approval for the AMF to purchase the bowling alley. The issue of moving boundaries will not be discussed at this point.

There was additional discussion regarding vacating the paper street by Mohican Avenue. Mayor Coffey stated the Borough will respond to the request. A resolution will be prepared for the September regular meeting saying that particular street will not be vacated.

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

As there was no further business, the meeting was adjourned at 8:50 p.m. on a motion by Councilman Solan seconded by Councilman Irace and approved by Council.

Respectfully submitted,

DONNA M. PHELPS, RMC
BOROUGH CLERK