

**MINUTES  
COUNCIL MEETING  
DECEMBER 19, 2018**

**140 NORTH BROADWAY  
SOUTH AMBOY, NJ 08879**

**7:00 P.M.**

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The Meeting held at South Amboy City Hall, 140 North Broadway, South Amboy, New Jersey, was called to order by Council President Gross at 7:00 P.M. The Acting City Clerk read the Opening Prayer and all recited the Pledge of Allegiance.

Council President Gross stated that this meeting was published in the Home News Tribune on December 21, 2017 and provided to the star ledger, filed with the city clerk and posted in the municipal building on December 21, 2017.

1. MEETING CALLED TO ORDER BY COUNCIL PRESIDENT
2. OPENING PRAYER AND SALUTE TO THE FLAG
3. ROLL CALL: DATO\_\_\_\_, McLAUGHLIN\_\_\_\_, NOBLE \_\_\_\_, REILLY \_\_\_\_, GROSS\_\_\_\_\_
4. CERTIFICATION OF MEETING BY COUNCIL PRESIDENT

PRESENT: Councilman Gross, Councilwoman Dato, Councilwoman Noble, Councilman Reilly

ROLL CALL – Dato – YES, McLaughlin – YES, Noble – YES, Reilly – YES, Gross – YES

Due to the large number of public in attendance, Councilman Gross moved the discussion of Manhattan Beach and proposed Ordinance numbers 18-2018 and 19-2018 to the beginning of the meeting.

Mr. Bauman of McManimon, Scotland and Bauman attended the meeting and addressed the public and council with their various questions and concerns regarding Manhattan Beach project. Many of the public were very concerned and voiced their concerns regarding the impact this project would have on the City. There were also several union members present to voice their opinions on the agreement pertaining to the use of union for the project. Councilman McLaughlin was very concerned about the union aspect of this project build out. Joel Whitley from Sherman Group, talked and answered questions about the project. Mr. Whitley stated that BNE would put forth efforts to hire local for the build out of the parking garages. He also did state that the project is open shop and they would consider bids from union, as well as, non-union bidders. Councilman Reilly and Councilman McLaughlin asked several times and mentioned several times on holding the vote based on a report that Councilman Reilly received from Superintendent Diaz pertaining to an increase of students that the school did not have room for. Councilman Reilly commented on the fact that the school system already struggles with funding and that without money from the PILOT. Mayor Henry stated that the school system could handle another 200-300 students and assured the public that he met with Superintendent Diaz Wednesday prior to the meeting and pledged that the City will help fund the schools with money from the PILOT. Mayor Henry further stated that development is happening all over the State of New Jersey and this is one way for the City to assist in funding. Matt Geller, an attorney specializing in federal legislation regarding energy spoke regarding the potential South Amboy has regarding Offshore Winds facilities. Mayor Henry commented to Mr. Geller that the City has talked to Offshore Winds clients and the State and the City has showed them the property and it is a situation that we could have both. A labor representative from Central Labor Council of New Jersey, John Coy, addressed the council and restated what the residence and Councilman McLaughlin and Reilly were asking, which is to hold off on voting.

### **Councilman Reilly:**

Two reasons for a pilot

1. Land Blighted- South Amboy injected over \$700,000 in infrastructure improvements to bridges and roads. Adding a ferry and have train station.
2. Hardship-Where is the hardship- Sherman received a huge tax break on the taxes on the property. Management fees waived to the redevelopment agency.

Sherman made a bad investment and asked the city to bail them out.

We gave Sherman great density on this project including property that is underwater!

Ability of mayor and council president to take portions of the pilot and give to the school is false. You need the majority of the council to approve any such action.

In the mayor's note he mentions Carteret as a community that has used pilots. I presented and asked legal counsel to look into the Carteret pilot and report back their findings. This has not been done. The Carteret pilot is 15%.

Manhattan Beach is 10.5%

In order to entertain a pilot a municipality must consider two things. First, is the property blighted? In reviewing this I found that the property has received from the City (and it's County, State, and Federal partners) over \$750,000 in improvements to the infrastructure (roads, bridges etc...). In addition the property will also be enjoying a train station and soon a ferry service that improves the value of the property. In addition to these benefits the city has reduced the property taxes and the redevelopment agency has waived management fees. In regards to the property tax reduction I asked to have the property appraised to determine it's value and was denied. The second consideration is does a hardship exist? I did ask this question at the meeting and was not given an answer. I see no hardship.

I asked questions regarding the Beacon Planning survey and its impact to the community. Specifically the impact to the schools. The superintendent of schools submitted a letter to the mayor and council contradicting the Beacon Planning report. He stated that the enrollment in our schools has risen over the last 3 years and state funding will be reduced over the next 6 years. Please keep in mind that the pilot that was granted provides zero funding to the school. The mayor assured everyone that he will make sure that the funding of schools will be made although he has no power to make that happen. The city council will make that decision.

The city has completed many recent projects without pilots including Lighthouse Bay, Harbor Village, Ryan homes, and Bayside at South Amboy.

The revenue derived from these projects provide significantly more cash to the city as opposed to the Manhattan Beach project

### **Councilman McLaughlin**

Here are the points that I would like to have added to the minutes from the 12-19-18. The meeting minutes are inaudible and had written minutes were not taken accurately. This meeting had a tremendous turn out with residents out in the hallway, on the steps of city hall, and out on the sidewalk.

During the public comment portion, the following individuals spoke about the project:

Kevin Belew, Business Manager Sprinklerfitters Local Union 969, spoke on behalf of the members who live in South Amboy opposing the project.

Robert Davis, Operating Engineers Local Union 825, spoke on behalf of his members who are residents of the City of South Amboy. They are concerned about the PILOT being built with unscrupulous contractors and to reconsider the use of the property. He was informed of other entities that would like to building a manufacturing facility William O'Hearn, representing the OFFSHORE NETWORK for Windenergy, spoke against the project. The developers of offshore energy would be interested in buying the property for a manufacturing facility. He asked that the city council hold off on the vote so these entities can meet with the current property owners.

Matthew Greller, representative for Orsted Energy, requested the vote be held off for Manhattan Beach. Orsted Energy would like to meet with the property owners to possibly buy it. It would bring temporary construction jobs as well as full time good paying permanent jobs.

A resident from 252 Stevens Ave, Stanley, spoke to the council. Stated that all he has heard is opposition against the residential development and we have individuals here to bring construction and permanent jobs. He asked the city council to hold off on the vote.

For the record, not a single city resident at the meeting stood up and spoke in favor of the project.

When the PILOT vote was called for, I made several motions to table it. The first two requests went unanswered. Councilman Rielly seconded the motion. Finally it went to a vote to table it. The motion was voted 3-2 to vote on the PILOT.

The PILOT was then voted on. The PILOT vote passed 3-2 approving the PILOT.

In my comments, I stated to the residents that I was not in favor of the PILOT. There were not any residents in favor of the project. We had other entities that wanted to have an opportunity to speak to the owners of the Manhattan Beach project.

The impact to the school system, police department, fire department, and first aid squad could be overbearing.

There was no benefit for the residents of South Amboy. The builders/owners refused to work under a redevelopment agreement that would benefit skilled tradesmen and tradeswomen who live in this town. The project would bring unscrupulous contractors to build Manhattan Beach. These developments are done state wide on similar projects.

We have entities in the room who would like to build a manufacturing facility that would bring short term construction jobs and long term good paying jobs for residents. This would boost the city economy.

The above were my comments at the 12-19-18 city council meeting that were inaudible and no record of minutes.

#### **CONSENT AGENDA:**

- a.) R-183-2018- Resolution for Liquor License Transfer
- b.) R-184-2018- Resolution for Disabled Property Tax Deduction
- c.) R-185-2018- Resolution for Veteran Property Tax Deduction
- d.) R-186-2018- Resolution Awarding Purchase Under State Contract #A82770 Diesel Fuel and Heating Oil
- e.) R-187-2018- Resolution for Emergency at Raritan Street Pump Station- Pumping Services, Inc.
- f.) R-188-2018- Resolution for Emergency Sanitary Sewer Line Inspection and Cleaning at Stockton Street- Oswald Enterprises, Inc.
- g.) R-189-2018- Resolution for Emergency Sanitary Sewer Line Inspection and Cleaning at Bordentown Ave and Ward Ave.
- h.) R-190-2018- Resolution for Continuing Support and Appointment of Members to the City of South Amboy Sustainable Jersey Green Team
- i.) R-191-2018- Resolution for Governor's Council on Alcoholism and Drug Abuse- Fiscal Grant Cycle July 2014 to June 2019
- j.) R-192-2018- Resolution Cancelling Real Property Tax Bill for Block 161.02, Lots 20.02 and 20.03
- k.) R-193-2018- Resolution Approving Qualifications for Professional Services for the City of South Amboy
- l.) R-194-2018- Resolution Authorizing the Award of a Contract for Planning Board Planner
- m.) R-195-2018- Resolution Authorizing the Award of a Contract for Consulting Engineer Services
- n.) R-196-2018- Resolution Authorizing the Award of a Contract for Special Services Engineer
- o.) R-197-2018- Resolution Authorizing the Award of a Contract for Special Services Engineer
- p.) R-198-2018- Resolution Authorizing the Award of a Contract for Planning Board Attorney
- q.) R-199-2018- Resolution Authorizing the Award of a Contract for Bond Counsel
- r.) R-200-2018- Resolution Authorizing the Award of a Contract for Special Tax Counsel
- t.) R-201-2018- Resolution Authorizing the Award of a Contract for Auditor
- u.) R-202-2018- Resolution Authorizing the Award of a Contract for IT Services
- v.) R-203-2018- Resolution Authorizing the Award of a Contract for Risk Management Consultant/Liability Insurance Broker of Record
- w.) R-204-2018- Resolution Authorizing the Award of a Contract for Risk Management Consultant/Group Medical and Prescription Insurance Broker
- x.) R-205-2018- Resolution Authorizing the Award of a Contract for Grant Writer

- y.) R-206-2018- Resolution Providing for the Insertion of a Special Item of Revenue in the Budget Pursuant to N.J.S.A. 40A:4-87 (Ch. 159, P.L. 148)- Public and Private Revenues Offset by Appropriations
- z.) R-207-2018- Resolution Authorizing Budget Transfers in Accordance with N.J.S.A 40A:4-58
- aa.) R-208-2018- Resolution Increasing the Contract for the Award of Contract for Special Engineering Services
- bb.) R-209-2018- Resolution Cancelling Balances of Completed General Capital Improvement Authorizations

Council President Gross called for a motion to approve. Councilwoman Noble made a motion, motion was seconded by Councilwoman Dato.

Dato-Yes, McLaughlin-No, Noble-Yes, Reilly-Yes, Gross-Yes

**LIST OF BILLS FOR PAYMENT: (To be received and filed)**

- a.) Bill list dated December 13, 2018

Council President Gross called for a motion to approve. Councilwoman Noble made a motion to approve, motion was seconded by Councilwoman Dato.

Dato-Yes, McLaughlin-Yes, Noble-Yes, Reilly-Yes, Gross-Yes

**ORDINANCES:**

- a.) #18-2018- 2<sup>nd</sup> Reading AN ORDINANCE OF THE CITY OF SOUTH AMBOY, COUNTY OF MIDDLESEX, NEW JERSEY AMENDING THE BEACH CLUB DISTRICT REDEVELOPMENT PLAN

Council President Gross called for a motion to approve. Councilwoman Noble made a motion to approve, motion was seconded by Councilwoman Dato.

Dato-Yes, McLaughlin-No, Noble-Yes, Reilly-No, Gross-Yes

- b.) #19-2018- 2<sup>nd</sup> Reading ORDINANCE OF THE CITY OF SOUTH AMBOY, COUNTY OF MIDDLESEX, NEW JERSEY APPROVING APPLICATIONS FOR A LONG TERM TAX EXEMPTION AND AUTHORIZING THE EXECUTION OF A FINANCIAL AGREEMENT WITH SAMBOY PARTNERS URBAN RENEWAL, LLC

Council President Gross called for a motion to approve. Councilwoman Noble made a motion to approve, motion was seconded by Councilwoman Dato.

Dato-Yes, McLaughlin-No, Noble-Yes, Reilly-No, Gross-Yes

- c.) #20-2018- 2<sup>ND</sup> Reading AN ORDINANCE AMEDING AND SUPPLEMENTING SOUTH AMBOY CITY CODE, CHAPTER 19, ENTITLES

“POLICE REGULATIONS”, ARTICLE II, EMPLOYMENT OF OFF  
DUTY POLICE OFFICERS (ORDINANCE No. 13-92)

Council President Gross called for a motion to approve. Councilwoman Noble made a motion to approve, motion was seconded by Councilwoman Dato.

d.)        #21-2018-            2<sup>ND</sup> Reading            AN ORDINANCE AMENDING ORDINANCE NO.  
1036 ENTITLED “PARKING AND TRAFFIC  
REGULATIONS” FOR THE CITY OF SOUTH AMBOY,  
IN THE COUNTY OF MIDDLESEX AND STATE OF NEW JERSEY

Council President Gross called for a motion to approve. Councilwoman Noble made a motion to approve, motion was seconded by Councilwoman Dato.

e.)        #22-2018-            2<sup>ND</sup> Reading            AN ORDINANCE AMENDING ORDINANCE NO.  
1036 ENTITLED “PARKING AND TRAFFIC REGULATIONS” FOR  
THE CITY OF SOUTH AMBOY, IN THE COUNTY OF MIDDLESEX  
AND STATE OF NEW JERSEY

Council President Gross called for a motion to approve. Councilwoman Noble made a motion to approve, motion was seconded by Councilwoman Dato.

**COMMENTS:**

Each Council member made comment regarding the many events in town. (Comment section of recording was inaudible)

**ADJOURNMENT OF MEETING:**

Council President Gross called for a motion to adjourn. Councilwoman Noble made a motion to adjourn, motion was seconded by Councilwoman Dato.

ROLL CALL – Dato – YES, McLaughlin – YES, Noble – YES, Reilly – YES, Gross – YES

Respectfully Submitted,

Deborah Brooks  
Municipal Clerk  
Approved 2-3-2021