

The Regular Meeting of the Hazlet Township Open Space Advisory Council scheduled for March 27, 2014 was called to order by Vice Chairman Pobega at approximately 8:00 p.m. with a Salute to the Flag followed by a Moment of Silent Prayer and a Reading of the Letter of Compliance.

ROLL CALL: Mr. Bucci, Mr. Cullen, Mr. Pobega, Mrs. Eng, Mr. Tyler, Mr. Pekarsky

ABSENT: Mr. Pisano, Deputy Mayor Belasco, Mayor DiNardo

Summary of Discussion Items:

- Approval of Previous Minutes- February 27, 2014

Offered by Mr. Pobega and seconded by Mr. Bucci

Yes- Mr. Cullen, Mr. Pobega, Mr. Bucci, Mr. Tyler,

Absent- Mayor DiNardo, Deputy Mayor Belasco, Mr. Pisano,

UPDATES:

- Hazlet Township's Revitalization Plan

Mr. Pobega- I think everyone got a copy of the Revitalization Plan and last month we had the Township attorney talk to us about this in some detail. This is basically what CME has drawn up that shows we qualify for this rehabilitation status. It went to the Planning Board and is back with the Township Committee. The week after I did go to the Township Committee meeting on behalf of this board in support of it and that's where it's at. It all depends on how many people will want to come forward and want to be part of this rehabilitation study and get potential tax benefits. Rehabilitation seems to be an easier status to get because of our housing stock and it makes the township eligible to do things to attract rateables that make sense.

- Point Comfort Marina

Chairwoman Eng- The next item on the agenda is the marina and through some contacts of mine I was able to speak to a woman who works with NJDEP Coastal and Land Use compliance and Enforcement she did indicate she knows the marina and our waterways well. She did say that the marina had exchanged hands a number of times over the past 18 years so what she agreed to do was I had requested that she requisition all of her files from Trenton and it will take about a week. She also suggested that I file an OPRA request which I did. She said the benefit of that is they can get copies of files from all of the departments of DEP. She also said that by filing the OPRA request we can also get documents from the Bureau of Underground Fuel Tanks and Tideland Water Enforcement department.

Mr. Pobega- Do we have to go down there and view it?

Chairwoman Eng- She said we could view it in Trenton, Toms River, or we could just say we will pay for copies and have them send it over. She suggested we do a soil sampling.

Mr. Pobega- Typically if there was a phase 1 the people who own the bank that own the marina now said they did a phase 1 and that's when they wanted the non-disclosure agreement signed and as the mayor and attorney said we cannot sign a non-disclosure and keep things secret.

Chairwoman- I asked if she remembered some of the things that they were not in compliance with and she said it had to do with Tidelands Water and that the bulk heads did need repair.

Mr. Tyler- It's water front property that's usable. I received the referendum on the blue acres and this property is perfect for that.

Mr. Pobega- There are 2 bills so what we'd like to do is make a motion to the Township Committee to pass a similar resolution.

Chairwoman Eng- Blue acres did reach out to us for confirmation that we would still be interested in participating in the Blue Acres program which is the hazard mitigation for any properties that are in the flood zone that has had severe loss or repetitive loss.

Mr. Tyler- I believe we can get money to perform improvements to the property not just money to purchase the property.

Mr. Pobega- There are multiple grants out there that are available and more than any other property that wouldn't be on the coast because it is coastal.

Mr. Tyler- They suggested a soil test so if we go to that thing I put together in terms of what phase we're at we are at phase 1.

*Discussion about Phase 1.*

- **Recommendation to Township Committee for Alternate #2- copy of letter**

Chairwoman Eng- As everyone can see by the copy of the letter we forwarded a recommendation to the Township Committee for an alternate #2 to be established on the Open Space Council and I think that's going to be done in April.

Chairwoman Eng- I would like to welcome Mr. Greg Remaud.

Mr. Pobega- Greg is the deputy director of conservation for the New Jersey Baykeeper Area and has been the special advisor to this board so we thought it would be nice for him to come in and talk about current events. NY/NJ Baykeeper's mission is to protect, preserve and restore the ecology integrity and productivity of the Hudson- Raritan estuary.

Mr. Remaud- This is the 3<sup>rd</sup> or 4<sup>th</sup> attempt to get a sustainable source of open space so that they don't have to keep going to referendum every few years and putting it to the voters. The idea was to come

up with a sustainable source of funding. There has been a lot of ideas floating around and the notion of a water tax which some folks argued made sense because a lot of it is (inaudible) but the general public says 'you're going to tax our water what's next?'. We looked at the sales tax which poled pretty favorably but it didn't get onto the ballot last year because it was held up in the legislature. Middlesex Senator Smith recently put out another proposal SCOR 84. Currently 4% of business tax is dedicated to environmental programs, clean up and different environmental programs. What this bill does is takes 4 and moves it to 6 percent to environmental programming and shifts that over to acquire open space. The problem that Bay Keeper and other groups particularly around Raritan Bay and the northern areas had was they were going to use Natural Resource Damage funds and shift those over from their existing pot. I went down to the senate and Environment Committee last Monday and testified. We opposed the legislation because we thought it was essential to take this out. What we heard Senator Smith say at the land trust rally to a lot of key officials is that is going to come out.

Mr. Pobega- Has that happen?

Mr. Remaud- So it was in the Senate Environment Committee which Smith did without taking he passed it onto to the Appropriations Committee but there seems to be strong support and we will support the bill as long as they take out the NRD. It seems like to be the first bill with a strong consensus on where the funds will come from that corporate business tax. Regarding the Port Authority money is that there were some very tricky times because of Bridge Gate and some of the guys that were involved all that has caused a little over site on the program but everything on the program is fine. The Port Authority money came 10 years ago from a pot 30 million for New York and 30 million for New Jersey and that's been renewed for the next 10 years. There are also sites on Waackaack Creek you have a leg up because this is a project that's already running. The money that was set aside for McNamee is still there.

*Discussion about Aberdeen open space property and the town Rehabilitation plan.*

Mr. Remaud- Any word on Mahoras?

Chairwoman Eng- I called over to look for Michael Dealy who works for NJDEP Brownfields Reuse Department and every time I call I get his voicemail.

Mr. Pobega- And this is to get our application amended to find out what was wrong but also for the funding to remediate what was wrong.

Mr. Bucci-Does Greg know about the marina project we're looking at?

Mr. Pobega- It's the old Captain's Cove Marina on Thorne.

Mr. Remaud- I know what you're talking about.

Mr. Bucci- There's also the Wobito's property on Thorne's Creek. It would be nice to be able to acquire some of the properties along the creek and maybe put some bulk heads in to protect some of the homes and a place for people to go.

Mr. Remaud- Has there been any environmental?

Mr. Pobega- We did a presentation last June I guess the bank bought it and thought they would flip it. We asked if they did a phase 1 and they said sure but we need to sign a non-disclosure agreement and as a township we can't keep that from anyone. We do have a big interest because it is on the water.

*Discussion about the marina.*

Mr. Tyler- The property by the high school it might be an opportunity to buy and it won't be around long. We might want to focus our attention on that especially if money comes and goes.

Mr. Bucci- We don't have an official entrance to NATCO Park but this could be that.

Mr. Tyler- We haven't really created a zone or designated an area that we would put an overlay on.

Mr. Pobega- We don't want to be in court for spot zoning.

Mr. Remaud- I usually rely on help from our attorney.

- **Pflegler**

Chairwoman Eng- We are still waiting to hear about the Green Acres reimbursement.

- **Waackaack**

Mr. Pobega- It's still in litigation and we are waiting for motion for summary judgement.

- **Recommendation to Township Committee to pass a Resolution in support of the establishment of a long term dedicated source of state funding- copies of Monmouth County Planning Board's Resolution distributed.**

Mr. Pobega- I think it's important that we do something but I don't think it needs to be done tonight. This may be something to talk about at Hazlet Day this year.

Mr. Cullen- When do you think they are going to vote on this bill?

Mr. Pobega- They are trying to move quickly.

Mr. Cullen- If we don't do anything until next meeting it's going to be like 2 months before the township committee even gets this. Why don't we just make a recommendation to endorse it tonight with the changes?

Mr. Pobega- Ok so the motion we are looking for is to support the 2 bills SCR-84 and ACR-112.

- Motion to support the 2 bills:

Offered by Mr. Tyler and seconded by Mr. Pekarsky

Yes- Mr. Cullen, Mr. Pobega, Mr. Bucci, Mr. Tyler, Mrs. Eng, Mr. Pekarsky,

Absent- Mayor DiNardo, Deputy Mayor Belasco, Mr. Pisano

Citizen Hearing:

Motion to Adjourn:

Offered: Mr. Pekarsky 2<sup>nd</sup> : Mr. Tyler Voice Vote : Yes

Next Meeting: April 24, 2014 at 8:00 p.m.

Respectfully Submitted,

Trish Cullen

Administrative Officer