



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

MINUTES • JUNE 3, 2021

Workshop

REMOTE/VIRTUAL

7:00 PM

Clement V. Sommers Municipal Building, 910 Oceanport Way, Oceanport, NJ 07757

- I. **Meeting Called to Order:** Mayor Coffey called the meeting to order at 7:00 PM
- II. **Statement of Compliance with Open Public Meetings Act:** This meeting complies with the Open Public Meetings Act by adequate and electronic notification on January 13, 2021 of this virtual/remote meeting and its location, date and time to the Asbury Park Press and Two River Times and by the posting of same on the municipal bulletin board and Borough's Web Site. Mayor Coffey then read the virtual/remote meeting advisory advising the public how to attend and participate during public portions of the meeting.
- III. **Flag Salute:** Mayor Coffey led attendees and members of the Council in the flag salute.
- IV. **Invocation:** Borough Chaplain Stacy Deerin was unable to attend.
- V. **Roll Call:**

Attendee Name	Title	Status	Arrived
Jay Coffey	Mayor	Remote	
William Deerin	Councilman	Remote	
Richard Gallo	Councilman	Absent	
Bryan Keeshen	Councilman	Remote	
Michael O'Brien	Councilman	Remote	
Thomas Tvrdik	Councilman	Remote	
Meghan Walker	Councilwoman	Remote	
Jeanne Smith	Borough Clerk	Present	
Scott Arnette	Board Attorney	Remote	
Donna M. Phelps	Borough Administrator	Remote	
Catherine D. LaPorta	Chief Financial Officer	Present	

VI. Resolutions:

#2021-116 Resolution authorizing payment of BILL LIST for June 3, 2021

RESULT: ADOPTED [UNANIMOUS]
MOVER: William Deerin, Councilman
SECONDER: Michael O'Brien, Councilman
AYES: Deerin, Keeshen, O'Brien, Tvrdik, Walker
ABSENT: Gallo

#2021-117 Resolution authorizing contract to Iamello Architects for Old Wharf House renovations

RESULT: ADOPTED [UNANIMOUS]
MOVER: William Deerin, Councilman
SECONDER: Michael O'Brien, Councilman
AYES: Deerin, Keeshen, O'Brien, Tvrdik, Walker
ABSENT: Gallo

- VII. **Administrator's Report:** Ms. Phelps reported that she was working on a clean communities project before end of year in conjunction with Chris Macioch; compliance items for green acres inspection including removal of encroaching structures in Maria Gatta Park; progress on outstanding items for the municipal building including panels installed in court room, technology setup, issues with HVAC system and receipt of close-out documents.

- VIII. Clerk's Report:** Ms. Smith reported on items including upcoming Shredding Day event, implementation of online payments for Borough services, permits, etc. and integrated with online permit processes; reported bid results for Special Liquor Licenses for Dance Hall and Allison Hall which came in for the minimum bid amount of \$250,000 and were under legal review and background checks.

Ms. Smith next brought up topic of change order for 2020 road program request. Council President O'Brien discussed the issue of curb replacement on Turf Drive with original plan calling for spot rehabilitation of the curbs and paving of road not necessarily taking into consideration the final appearance – some of the curbing being 40+ years old. The proposal is to change the scope of work to include redoing all the curbs on Turf Drive as well as pave the roadway. There is funding in the road program for the new scope of work but because contractor is on-site this week approval is being sought to approve now to eliminate costs of remobilizing the contractor.

Bill White, Borough Engineer, joined the online meeting and explained that the code places the burden of maintenance and replacement of curbs and sidewalks on the abutting property owner, however, the road program typically takes out structurally deficient sections that would impact the roadway itself or involves the installation of handicap ramps – a best practice intended to keep the cost of road program down in order to increase lane miles each year. In this particular neighborhood a number of residents have contacted him and the Borough about replacing all of the curbs. Mr. White believes doing so will help with the longevity of the road and the request is to increase the Fiore contract by \$50,000 in order to replace all of the curbs. Discussion ensued regarding funding, the number of lineal foot and how to authorize after which the Clerk would draft a resolution during the meeting for action later in the meeting.

Regular Meeting Items:

2. Resolution Approving 2021-2022 Liquor Licenses
3. Mayor & Council - Workshop - May 6, 2021 7:00 PM
4. Mayor & Council - Regular Meeting - May 20, 2021 7:00 PM

As there were no questions on the regular meeting items they were moved to regular meeting for action.

IX. Discussion Items:

1. Extension of Sidewalk on Myrtle Ave to Gooseneck Point Road, Mayor Coffey
Mayor Coffey advised of a resident request to appeal to the County to extend the sidewalk along Myrtle Ave to the corner of Gooseneck Point Road. The County does not install sidewalks which would need to be done by the borough with the County relocating the guardrail to accommodate. Discussion ensued on whether to pursue the request. Mr. White commented that the Borough has installed sidewalks on other county roads through grant programs. He added that it was his opinion that it would be a benefit to extend the sidewalk to the intersection with Gooseneck but not north of the intersection on the bridge side. Councilman Tvrdik responded that he had been contacted by a new resident from that neighborhood who expressed concern with kids not having safe access to the traffic light in order to cross over Myrtle and enjoy Charles Park. He agreed that the extension of the sidewalk would be a benefit to the residents. Mr. White estimated that it was about 220' around the corner. Mayor Coffey stated then it could be included in next year's capital program. Mr. White will look into best location for the sidewalk – behind or in front of the guardrail. Council President O'Brien commented that he thought it would improve safety to have the sidewalk behind the guardrail. Mr. White will investigate further as slope of sidewalk would also need to be taken into consideration. Majority of Council agreed that it would be good to look into it further.
2. Planning Board Review of Ordinance #1039 - Prohibiting Operation of all Classes of Cannabis Business – Ms. Smith reported that the Planning Board promptly responded to Council's referral and had submitted their resolution supporting the Ordinance as consistent with the Master Plan.
3. Instagram Social Media for Recreation Committee – Ms. Phelps provided feedback from members of Police Department that manage their Instagram account, posts should be community based and set for no comments and no personal following, cautioned no photos of children without parental permission to post, government pages must be kept public. Recreation Committee has a new member Alexa Hetzel interested in taking it on and suggested that Joanne Hunt monitor posts. Ms. Smith added the results of her research for software that monitors social media and archives materials posted with costs to provide being exorbitant; spoke with the Clerk in one of the larger towns in NJ and they have their accounts set up so they don't allow any commenting or editing or deleting. In order to have multiple users and an administrator to oversee the records, the platform requires an account with Facebook which the Clerk as Records Custodian would oversee to monitor retention of records along with the Clerk's Administrative Assistant who is familiar with social media and was willing to take on that role if the Council wanted to go that route. Mayor Coffey

commented that OPRA's reach effects everything including electronics and it should be set up for no comments and oversight is handled actively. The Clerk was given the direction to proceed with setting up the media accounts as discussed.

4. Bid Results - Court Refurbishments for Pickle Ball Courts – Ms. Smith reported that bid results were received, with lowest apparent responsive bid coming in more than budgeted but were under review by the Borough Engineer. Decision for next meeting would be whether to award, reject all bids or go another route. There was discussion on the initial estimate of costs and where the difference came in.
5. Bid Results - Lawn Maintenance Program – Ms. LaPorta reported that as directed a bid was put out for the lawn maintenance program, provided unofficial bid results with and without service to the schools, review of the numbers with DPW Superintendent and consideration being made to return to performing the work in-house which will depend on results of negotiations with the schools. Further analysis to be made for next meeting. In the interim the contractor was no longer cutting the grass and public works will cut the grass and provide a model to base analysis. Councilman Keeshen commented that he was a part of a meeting with public works and based on staff feedback they seem eager to do the work again and thinks they take great pride in it and they should be given the opportunity over the next two weeks to show that. Councilman O'Brien added that he had faith that public works would provide a quality product and that there was something to be said about qualitative versus quantitative. Consensus was to have public works cut the grass including the schools.

X. Mayor's Report:

1. Blackberry Bay Park Pool – Mayor Coffey provided update on the inspection of the pool which was not conclusive as the inspector said the pool would need to be drained and then refilled so that filter systems could be evaluated; a committee of residents has been working on the matter and invited Pauline Poyner and Kyle Clayton who were in attendance to join and contributed to the update and next steps. Discussion covered topics including quotes to be obtained to professionally drain, scrub and refill pool; a resident in town that is an electrician offered his services; donations being sought as well as town support, project will need funding to get in working order, pool cover not properly installed, approximate costs being gathered, who would operate the pool, liability and risk management, the need to develop a business plan, YMCA's operation. Committee will take next steps and bring back to Council.
2. Re-Opening and Dedication of Municipal Building – Mayor Coffey commented that with the lifting of COVID restrictions the Borough ready to open the building with exception of the meeting room, and time to set a date to dedicate the building sometime after July 4th and include the family of Clem Sommers. Discussion ensued on what ceremony should entail, publish notice to public, status of flag pole install, clean up of old equipment items on the property through online auction, and date selected for Saturday, July 24th.

Mayor Coffey reminded the public to please stop blowing grass clippings into streets and storm drains, thanked Kim Parent, Historical Committee, Al DeSantis as Grand Marshal, the volunteers and all who helped to make Memorial Day event a success.

#2021-119 Resolution authorizing 2020 Road Program Change Order #1 - *Added*

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bryan Keeshen, Councilman
SECONDER:	Thomas Tvrdik, Councilman
AYES:	Deerin, Keeshen, O'Brien, Tvrdik, Walker
ABSENT:	Gallo

XI. Petitions from the Public: Mayor Coffey opened the meeting to the public and provided the participation information.

Laura Godlesky, Superintendent for Oceanport Schools, introduced herself in the new positions and one of her responsibilities was to manage the school referendum which requires the coordinated efforts of many and challenging when scheduling around the school hours and needed the project to be completed this summer so that school could open back up on September 8th on time and in person. She expressed concern about obtaining construction permits in a timely fashion for the tight timeline projects. They are not asking for special treatment but asking that their applications be responded to in a timely manner.

Pauline Poyner, 38 Tecumseh Ave, she asked questions about the Instagram page requested by Recreation and supports that but asked shouldn't the paid employee for the committee have the oversight and monitoring in

coordination with the Borough Clerk rather than a new volunteer; she asked if it was public information what parties had bid for the special liquor license which Mayor Coffey responded were Fort Monmouth Business Center LLC and the other was the Loft Partnership. Ms. Poyner asked if the Borough knew would be operating. Ms. Smith provided a summary of the two sites and the Planning Board approvals for both site plans and projects to be underway this year. Ms. Poyner next spoke about pickleball courts and the availability of other sites as they are playing on the tennis courts in town and doesn't need a whole lot except realigning – she was advised that the courts have already been striped for both tennis and pickleball use. Ms. Poyner asked if tours would be given during the dedication ceremony which Mayor Coffey advised that was a part of the plan. Ms. Poyner suggested ordering a small tent for the outside for those impacted by the heat. She also commented that the Community Center had grass cut that day and was it an error or scheduled cut and was told it was a mistake. She pointed out that the servicers took liberty to park the truck on the grass and the park is looking poorly and while it is scheduled to be refurbished it would be good to bring it to public's attention in the meantime. Councilman Deerin added that Joanne Hunt, the Recreation Coordinator would be involved with the social media.

Mark Patterson, 40 Itaska Place, member of the Board of Education, echoed the comments of Superintendent Godlesky's comments and strongly urged that it be addressed; as a resident and a Board member it wasn't his first experience with the department which hasn't been the best, there's really no open communication and difficult to get in touch with that department; and suggested establishing public hours that the Construction Official be accessible to the public; thanked the Mayor and various Council members who have assisted in getting them to the point that they are at; gave an example of no contact in May, contacted DCA, reviewed the statutory timelines not met, and it wasn't a standalone problem but reoccurring. He expressed concern that the problems were not unique to the school project and stressed that the Board would contact the DCA if the permits were not issued on time as they could not tolerate the school not opening on time in the Fall and could potentially have an impact on the referendum. He thanked Mayor Coffey, Councilman O'Brien, Tvrdik and Keeshen and Walker for their assistance with the grounds keeping agreement being reviewed and opined that he thought Public Works would take pride in getting the job done well. He also offered input on the event for Clem Sommers and the family's desire to have a large celebration for the memorial which they weren't able to have because of COVID.

Mayor Coffey commented that they would be working to do whatever was necessary on the Borough's side to do and work together for what had to be done to ensure school opened on time. Mr. Patterson added that if there was something on their end needed to let them know and they will comply as quickly as possible.

Dan Peltz, 57 Werah Place, member of the Board of Education, wanted to echo the sentiments expressed by his colleagues, was disappointed and didn't understand how the multi-million dollar taxpayer funded referendum should take priority and expressed concern with the lack of timely communication and follow up.

Mayor Coffey reiterated the Borough's commitment to make sure the project was done timely and with respect to the anecdotal things about the construction department reminded everyone that this is a small town with part time inspectors and the Borough was in the process of trying to provide the tools needed for them to succeed. – not making excuses but explaining what the Borough is up against including the redevelopment of 430 acres at the Fort dropped in their lap and being in the midst of a construction boom. The governing body is acutely aware of the shortcomings and ability to meet the demand and they are taking steps to deliver a better product.

Mr. Peltz requested on another topic reconsideration of the request to convert the 2-way stop at Werah and Itaska to a 4-way stop to make the neighborhood safer.

As there was no one else from the public, Mayor Coffey closed that portion of the meeting.

XII. Executive Session:

#2021-118 Resolution authorizing an Executive Session

At 8:50 PM Council President O'Brien made a motion to adopt the resolution to enter Executive Session which was seconded by Councilman Deerin and received the following roll call.

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

FMERA /Contract Negotiations

Potential Litigation - 60 Shore Road

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael O'Brien, Councilman
SECONDER:	Meghan Walker, Councilwoman
AYES:	Deerin, Keeshen, O'Brien, Tvrdik, Walker
ABSENT:	Gallo

At 9:34 pm, the Mayor & Council returned from Executive Session and the regular meeting was reopened on a motion by Council President O'Brien and seconded by Councilwoman Walker and approved by Council.

- XIII. Adjournment:** As there was no further business, the meeting was adjourned at 9:38 PM on a motion by Councilwoman Walker, seconded by Council President O'Brien and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK