



# BOROUGH OF OCEANPORT

## MAYOR & COUNCIL

MINUTES • MAY 21, 2020

Regular Meeting

Maple Place School

7:00 PM

2 Maple Place, Oceanport, NJ 07757

I. **Call to Order:** Mayor Coffey called the meeting to order at 7:25 p.m.

II. **Statement of Compliance with Open Public Meetings Act:** This meeting further complies with the Open Public Meetings Act by notification on March 31, 2020 of this virtual/remote meeting, its 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.

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 the audience and members of the Council in the flag salute.

IV. **Invocation:** Borough Chaplain Stacy Deerin gave the invocation.

V. **Roll Call:**

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

VI. **GUEST: FMERA Staff Monthly Update:** Mayor Coffey advised that a FMERA representative was not available for this meeting. However, he stated they approved a redevelopment plan for Oceanport to amend the plan. Squier Hall, the entertainment venue is moving slowly, and it will be another month or so before any progress is made on the 400 area.

VII. **Administrators Report:** I continue to look at funding opportunities for past and future COVID-19 expenses. Unfortunately, Ms. Phelps learned last week that the Borough is not eligible to apply individually for the Dept. of Justice grants. The State of NJ has been allocated almost \$12 million for this particular grant; however, of that \$12 million, \$6 million has already been earmarked to particular counties and municipalities within the state. The grant application is being administered by the NJ AG's office and they will be putting together a spending plan based on needs throughout the State and they are in the process of gathering that information. Funding is limited and the only way the Borough would be eligible is if the State AG's office issues subgrants. Based on that, it may be best to purchase what the Borough needs and get reimbursement from the FEMA Declaration, which is at 75% reimbursement.

The County is in receipt of \$108 million through the CARES funding act. Ms. Phelps participated in a conference call on Monday regarding this funding which is a REIMBURSEMENT program. The first step was to execute the County's reimbursement agreement. That was received on Tuesday evening and returned,

signed by the Mayor, within an hour after receipt. The 1<sup>st</sup> round of funding will be for COVID expenses from March 1 through June 14. Ms. Phelps is compiling that information. There will be two additional funding periods. The grant process is a very complicated one and the CARES program is very similar to the FEMA reimbursement program. There are no guarantees on reimbursements. Ms. Phelps thanked OEM, Police and 1<sup>st</sup> Aid for putting together their spending information and also providing future needs. There will be a resolution prepared memorializing the execution of the Reimbursement Agreement with the County for the June 4<sup>th</sup> meeting.

The Borough's Owner Rep., Bob Iamello, issued a field report on May 18<sup>th</sup> in conjunction with the new municipal complex. Progress continues, and Councilman Tvrdik will be discussing this during his report. Ms. Phelps met with the project manager Bill Coyne to address some questions raised regarding tile in the locker rooms and the bathrooms in both buildings.

Ms. Phelps expressed her thanks to Little Silver's Administrator/Clerk, Kim Jungfer, who agreed to allow the Oceanport/Sea Bright court the use of Little Silver's court facilities for the court to resume on a remote basis with a Zoom account, which is the AOC's directive for remote sessions. The Borough's Court Administrator, Carol Smith, will be working with Little Silver's Court Administrator to move forward with remote sessions. This is a great example of a "good neighbor" during difficult times, and again expressed thanks for Ms. Jungfer's help and cooperation. Little Silver's Court Administrator Janice Swaggerty will be assisting Carol Smith with Court. A resolution to place Ms. Swaggerty on the Oceanport payroll will be prepared for approval. This will also need action this evening since Municipal Court Judge John Patti advised of the possibility of a June 1<sup>st</sup> court date.

- VIII. Clerk's Report:** Ms. Smith advised that a street opening permit application had been made by the developer for 282 East Main Street which the Clerk's office denied due to moratorium status. The developer submitted a letter of appeal to the Governing Body requesting a waiver of the moratorium. The standard requirements of repaving from curb to curb would be a condition of approval. A resolution provided in advance was added to the agenda for action with no objection from Council.

Ms. Smith reminded everyone that while the deadline had been extended, please be sure to file the Annual Financial Disclosure Statement if not done already.

**IX. Consent Agenda:**

- #2020-126** 1. Resolution authorizing payment of BILL LIST 05-21-2020
- #2020-127** 2. Resolution authorizing participation in the County CDBG Program
- #2020-128** 3. Resolution authorizing grass cutting services through State Contract
- #2020-129** 4. Resolution authorizing Tax Sale Redemption #19-00008
- #2020-130** 5. Resolution authorizing Tax Sale Redemption #17-00021

|                  |                                                 |
|------------------|-------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                      |
| <b>MOVER:</b>    | Richard Gallo, Councilman                       |
| <b>SECONDER:</b> | Meghan Walker, Councilwoman                     |
| <b>AYES:</b>     | Deerin, Gallo, Keeshen, O'Brien, Tvrdik, Walker |

**X. Minutes:**

1. Mayor & Council - Workshop - Apr 2, 2020 7:00 PM

|                  |                                                 |
|------------------|-------------------------------------------------|
| <b>RESULT:</b>   | <b>ACCEPTED AS AMENDED [UNANIMOUS]</b>          |
| <b>MOVER:</b>    | Thomas Tvrdik, Councilman                       |
| <b>SECONDER:</b> | William Deerin, Councilman                      |
| <b>AYES:</b>     | Deerin, Gallo, Keeshen, O'Brien, Tvrdik, Walker |

## 2. Mayor &amp; Council - Special Meeting - Apr 13, 2020 4:00 PM

**RESULT:** ACCEPTED [5 TO 0]  
**MOVER:** Meghan Walker, Councilwoman  
**SECONDER:** Richard Gallo, Councilman  
**AYES:** Gallo, Keeshen, O'Brien, Tvrdik, Walker  
**ABSTAIN:** Deerin

## XI. Resolutions:

## #2020-131 Resolution authorizing mailing of 3rd QTR Estimated Tax Bills

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

## #2020-132 Resolution approving the Borough's Home Improvement Program

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

## #2020-133 Resolution authorizing purchase of radio tower equipment for the police department

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

## #2020-134 Resolution authorizing contract to remove &amp; relocate police radio equipment

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

#2020-137 Resolution authorizing waiver of Street Opening Moratorium for 282 E. Main Street - *Added*

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

#2020-138 Resolution authorizing hiring of Janice Swaggerty to assist with Municipal Court - *Added*

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

**XII. 2020 Municipal & Capital Budget:****#2020-135** Resolution authorizing an emergency temporary appropriation

|                  |                                                 |
|------------------|-------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                      |
| <b>MOVER:</b>    | Michael O'Brien, Councilman                     |
| <b>SECONDER:</b> | Thomas Tvrdik, Councilman                       |
| <b>AYES:</b>     | Deerin, Gallo, Keeshen, O'Brien, Tvrdik, Walker |

**#2020-136** Resolution Approving Introduction of the 2020 Municipal Budget

Councilman O'Brien provided details regarding appropriations, expenditures, State aid, Open Space tax, and Capital Budget impacts on the budget. As there were no questions, Councilman O'Brien moved to approve the introduction of the 2020 municipal budget which was seconded by Councilman Deerin.

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|------------------|-------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                      |
| <b>MOVER:</b>    | Michael O'Brien, Councilman                     |
| <b>SECONDER:</b> | William Deerin, Councilman                      |
| <b>AYES:</b>     | Deerin, Gallo, Keeshen, O'Brien, Tvrdik, Walker |

**#1025** Ordinance Establishing a CAP Bank for CY2020

Councilman Tvrdik called for the introduction of "**AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY ESTABLISHING A CAP BANK FOR 2020 CALENDAR YEAR (N.J.S.A. 40A:4-45.14)**" and then asked the Clerk to read the proposed ordinance by title only, after which Councilman Tvrdik moved to approve the Ordinance upon first reading and to hold the public hearing on the proposed ordinance at the Council meeting of June 25, 2020 and to advertise same in accordance with the law, which was seconded by Councilman Keeshen.

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|------------------|-------------------------------------------------|--------------------------------|
| <b>RESULT:</b>   | <b>APPROVED ON FIRST READING [UNANIMOUS]</b>    | <b>Next: 6/25/2020 7:00 PM</b> |
| <b>MOVER:</b>    | Thomas Tvrdik, Councilman                       |                                |
| <b>SECONDER:</b> | William Deerin, Councilman                      |                                |
| <b>AYES:</b>     | Deerin, Gallo, Keeshen, O'Brien, Tvrdik, Walker |                                |

**#1026** 2020 Capital Bond Ordinance

Councilman Tvrdik called for the introduction of "**BOND ORDINANCE PROVIDING FOR VARIOUS 2020 GENERAL CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$2,354,938 THEREFOR (INCLUDING A GRANT FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$205,000) AND AUTHORIZING THE ISSUANCE OF \$2,051,554 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF**" and then asked the Clerk to read the proposed ordinance by title only, after which Councilman Tvrdik moved to approve the Ordinance upon first reading and to hold the public hearing on the proposed ordinance at the Council meeting of June 25, 2020 and to advertise same in accordance with the law, which was seconded by Councilman Keeshen.

|                  |                                                 |                                |
|------------------|-------------------------------------------------|--------------------------------|
| <b>RESULT:</b>   | <b>APPROVED ON FIRST READING [UNANIMOUS]</b>    | <b>Next: 6/25/2020 7:00 PM</b> |
| <b>MOVER:</b>    | Thomas Tvrdik, Councilman                       |                                |
| <b>SECONDER:</b> | Michael O'Brien, Councilman                     |                                |
| <b>AYES:</b>     | Deerin, Gallo, Keeshen, O'Brien, Tvrdik, Walker |                                |

**XIII. Second Reading Ordinances:****#1024** Ordinance Adopting Redevelopment Plan for Squier Hall

Borough Redevelopment Attorney, Matt Jessup, appeared and provided a summary of the process to declare

an area in need of redevelopment, the referral to the Borough's Planning/Zoning Board and its recommendation to the Governing Body to approve the area as an area in need of redevelopment. Elizabeth Lainey, FMERA's planner appeared and summarized her findings and plans for the parcel. There was discussion between Council President Gallo and Mayor Coffey regarding the use of the building as a satellite college campus.

**PUBLIC HEARING:** Mayor Coffey opened the meeting for public comment for this ordinance. Acknowledged there were no comments or questions submitted or requests to be heard, Mayor Coffey closed the public hearing on a motion by Councilman Deerin, which was seconded by Councilman O'Brien and approved by Council.

Councilman Tvrdik called for the 2nd reading and Public Hearing of an ordinance adopting the redevelopment plan for Squier Hall and asked the Clerk to read the affidavit of publication of the proposed ordinance by title only. **"AN ORDINANCE OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR PROPERTY LOCATED IN THE BOROUGH WITHIN THE FORMER FORT MONMOUTH AND IDENTIFIED AS THE "SQUIER HALL" PARCEL PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW N.J.S.A. 40A:12A-1 et seq."** was published one time in the Asbury Park Press on May 12, 2020.

Councilman Tvrdik made a motion to adopt the ordinance and advertise in accordance with law, which was seconded by Councilman Keeshen.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                      |
| <b>MOVER:</b>    | Thomas Tvrdik, Councilman                       |
| <b>SECONDER:</b> | Bryan Keeshen, Councilman                       |
| <b>AYES:</b>     | Deerin, Gallo, Keeshen, O'Brien, Tvrdik, Walker |

#### **XIV. Committee Reports:**

1. Councilman Deerin, Parks and Recreation. Councilman Deerin reported that Action Camp, baseball and T-ball will be cancelled this year due to COVID-19. He expressed his thanks to Mike MacStudy and Bill MacRae, who will be resigning from the baseball program this year, for their years of volunteerism and dedication to the Borough. The Memorial Day parade will be cancelled and laying of the wreaths was impossible because florists were not open. Movies in the park may be viable, possibly working something out with Monmouth Park. Councilman Deerin expressed his pleasure with residents using the tennis and basketball courts responsibly.
2. Council President Gallo, Public Works and Engineering. Council President Gallo advised that the 2020 CDBG Grant for Wolf Hill Ave. was approved. However, the Board of Education is planning construction there. The Committee determined that it wasn't practical to pave the road while construction is going on. He spoke with Ms. Phelps, who advised that the Borough can cancel that grant and reapply next year for another grant, possibly to increase/improve the parking lot at the Old Wharf House. Ms. Phelps advised that CDBG requested a formal letter informing them of the Borough's intentions and was given authorization to prepare and submit said letter with no objections from the Council.
3. Councilman Keeshen, Public Safety. Councilman Keeshen advised the first responders are following CDC guidelines and being vigilant regarding COVID-19. He reported that there were 2 fires that the Fire Dept. responded to, one to assist and one in town. He commended the Department for its response.
4. Councilman O'Brien, Finance and Administration. Councilman O'Brien reported the Finance Committee has been working on the budget for introduction. He thanked Ms. LaPorta and Ms. Phelps for their assistance and guidance. He stated the tax receipts were at 95.83%, which was below normal. He reminded residents that the Borough did not extend the deadline date for the 2<sup>nd</sup> quarter and asked residents who have not submitted their tax payments to do so. Councilman O'Brien also stated that there is a proposal at the State level to extend the property tax appeal deadline to July 1<sup>st</sup>.
5. Councilman Tvrdik, Planning and Development Liaison. Councilman Tvrdik reported that Borough Hall remains closed to the public, but the Building Dept. staff still working. Construction Official, John Johnson, has requested that if property owners are planning construction, to please call to determine which permits are required, and that a full package is delivered. Councilman Tvrdik advised the Planning/Zoning Board is in full operation. He thanked Ms. Smith for her efforts in coordinating the meetings. Councilman Tvrdik advised work continues at the old borough hall site and framing will happen soon. He also provided an

update on work at the new Municipal Complex. After meeting with the contractor Ben Harvey, Mayor Coffey and Councilman Keeshen, the Borough requested the Police Dept. building by the end August and the municipal building ready for the swearing in ceremony in January 2021.

6. Councilwoman Walker, Health and Human Services Liaison. Councilwoman Walker reported on the number of positive COVID-19 cases in Monmouth County, with 59 confirmed cases in the Borough. She advised there are a variety of mental and behavioral health support services through the County. Councilwoman Walker stated the RWJ COVID-19 convalescent plasma program is ongoing, and encouraged anyone who has recovered from the virus to reach out to them. Restricted public access to County buildings has been extended to May 31<sup>st</sup>. She reported that the Water Watch Committee conducted tests on May 14<sup>th</sup>, which showed low water levels and brown and murky water throughout, which could be attributed to an algae bloom. Clean Ocean Action will assist in monitoring. Councilwoman Walker stated that the Borough will finish the school year on line, in accordance with Gov. Murphy's order. She attended last Board of Education virtual meeting, where the district architect, bond council and financial advisors stated the schools' construction project are on track and scheduled to begin this summer. Councilwoman Walker also reported on possibilities for graduation ceremonies. She expressed her disappointment about the cancellation of many end of year ceremonies and events. Councilwoman Walker noted that 6 families in Oceanport have dual graduates from Maple Place and Shore Regional: the Santi, Portella, Whiteman, Italiano, Whitaker and Sears families. She wished them congratulations and much success.

**XV. Mayor Coffey's Report:**

Mayor Coffey discussed the cancellation of Action Camp, Memorial Day Parade, baseball and softball. He advised that members of the Board of Education and PTO submitted a 20 page presentation to the Governor's Office for graduation from Maple Place. After discussions with Freeholder Arnone and Sen. Gopal, there is some hope that there will be an overall response from the Governor's Office by next week regarding graduation protocols. Mayor Coffey recognized Jonas Sussman, a 16 year old High Tech High School student, printed 28 3-d face shields and provided them to OEM for distribution. Mayor Coffey also recognized individuals at Oceanport Gardens by keeping the Borough advised of any issues within the building. He thanked Toni Sverapa, Enzo's Pizzeria and Restaurant, Ilvento Builders for their support at Oceanport Gardens. Mayor Coffey discussed the proposal for outdoor movies being held at Monmouth Park. He also commended the Fire Dept. for their response to the 2 fires in the past week. Mayor Coffey discussed the need for guidance from the Governor's Office regarding school openings, his review of the brown water issue, which is not just the Shrewsbury River, updates to the Borough's website with the Governor's Executive orders, information from the County and the place to sign up for participation in the virtual meetings.

**XVI. Petitions from the public:** Mayor Coffey opened the meeting to petitions from the public. Public was advised to click button on "raise hand" to want to speak, email to [publiccomments@oceanportboro.com](mailto:publiccomments@oceanportboro.com) or call the meeting line at 732.272.8337.

The Clerk read comments from Richard Barnes, 95 Paddock Ct., and Linda Kelly, 76 Gooseneck Pt. Rd., into the record, which are attached.

Mayor Coffey added further information about the reporting of positive COVID-19 cases being reported by town of residence, not necessarily where exposed. Police Chief Michael Kelly reported that the Borough has 19 active cases.

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

**XVII. Adjournment:** As there was no further business, the meeting was adjourned at 8:50 PM on a motion by Councilman Deerin, seconded by Council President Gallo and approved by Council.

Respectfully submitted,

Jeanne Smith  
BOROUGH CLERK