



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

MINUTES • MAY 20, 2021

Regular Meeting

REMOTE/VIRTUAL

7:00 PM

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

- I. **Call 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 gave the invocation.
- V. **Roll Call:**

Attendee Name	Title	Status	Departed
Jay Coffey	Mayor	Remote	
William Deerin	Councilman	Absent	
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	Present	
Scott Arnette	Board Attorney	Remote	
Donna M. Phelps	Borough Administrator	Remote	
Catherine D. LaPorta	Chief Financial Officer	Remote	
William Swisher	Borough Auditor	Remote	8:10 PM

- VI. **GUEST: FMERA Staff Monthly Update:** Mayor Coffey provided an update which included a presentation of the Open Space Review and Projection for the Oceanport portions of the former Fort; available passive and active open space for each development site; Oceanport's request and effort to procure Greeley Field and Cowan Park; development parcels currently under contract are Allison Hall, Lodging Parcel and Barker Circle; waterfront walkway; progress continues on Squier Hall with planned opening for Fall semester. Mayor advised there has been no response to topic of roads; there will be a microbrewery in the former commissary site which comes with its own unique license apart from the 4 specials assigned to the Borough – two of which are out to bid presently. The microbrewery at the commissary site has requested a letter from the Borough acknowledging there will be outside consumption area as part of the ABC license process to which there was no objection to the Mayor providing same. There was discussion on how that license worked, what would be permitted for the type of use.
- VII. **Administrators Report:** Ms. Phelps report included updates on issues with Verizon services and improper charges; investigation by Board of Public Utilities and after 2 years has finally been resolved and reimbursements made to the Borough; Recreation Committee is seeking to start an Instagram account, will involve some legal and public record impacts to be considered but first wanted to discuss with Council; Ms. Smith commented that there are software tools to capture social media for records retention and would look into it; police have an Instagram account and Ms. Phelps will touch base with them to see how they handle it; Clean Communities program and the need to have one clean up this year as part of the Borough's program – the upcoming river cleanup was an eligible event in the future to contribute to and will work them for next year but requested suggestions for ideas for this year; discussed quote provided by Iamello Architects to prepare, design, develop construction documents and bidding for Old Wharf House improvements and asked if action could be taken at the 6/3 workshop in order to move the project along especially in light of material prices increasing in the

market with no objections; reported on sign needed to be posted for the use of federal funds at Community Center; advised of issue with vehicles, storage containers and equipment on parts of the Maria Gatta Park funded by green acres and the State has advised that those items need to be removed – she will work with Code Enforcement and police to address; there is also a structure of tree limbs at back of soccer fields that she has spoken with Public Works about its removal; Old Wharf Park had 4 game tables part of green acres funding that were removed but not replaced – vendor that provided was no longer in business, she is working with Recreation to find alternatives such as concrete corn hole, ping pong and welcomed additional ideas; items need to be addressed back to Green Acres by May 31; FEMA awarded grant to Borough for flood mitigation assistance to elevate private structures in 2016 – only 1 of 8 eligible properties responded to participate but failed to meet the required deadlines and provide necessary documentation so the Borough has requested to close the project and be reimbursed for administrative expenses in the amount of \$1,700 of which 75% has been received; Tina DeAngelis with Girl Scout troop has asked about installing a little free library box at Blackberry Bay Park – discussed in 2019 by Councilman Deerin – looking to install at the park and would like to know where, she will work with DPW for mark outs for the post, there was discussion on where to place and majority recommended to the right of the tennis courts near the playground.

- VIII. Clerk's Report:** Ms. Smith reminded that there remains some who need to file their annual financial disclosure; reported on the upcoming primary election – back to 5 polling locations, no longer able to bring a mail in ballot to the polling location and they are in need of poll workers if anyone is interested; bids out for 2 special liquor license sales for Fort Monmouth. Ms. Smith reported on steps being taken to handle archival records at the Old Wharf House, significant number of documents approved for shredding destruction and would like to suggest a mobile shredding service to come and provide additional time for residents to also use the service and provide a Paper Shredding Day for residents only; costs; recycling funds available, overall consensus was great idea and move forward with setting up a Saturday in July. Current OPRA request totals for 2021 are 94 to date and many thanks to Kim Parent for all her help with it.

IX. Consent Agenda:

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| #2021-97BL | 1. | Resolution authorizing payment of BILL LIST |
| #2021-98 | 2. | Resolution authorizing Tax Sale Redemption #18-00009 |
| #2021-99 | 3. | Resolution amending the Borough's Dress Code Policy |
| #2021-100 | 4. | Resolution affirming pay differential for Officer Petrucelli |
| #2021-101 | 5. | Resolution authorizing permits for Facility Use - Spring 2021 |
| #2021-102 | 6. | Resolution awarding contract to Colliers Engineering - 2022 CDBG Application |
| #2021-103 | 7. | Resolution authorizing permit for Facility Use - Speed Camp/Our Team Fitness |
| #2021-104 | 8. | Resolution authorizing mailing of 3rd QTR Estimated Tax Bills |
| #2021-105 | 9. | Resolution authorizing purchase of body cam equipment for the police department |
| #2021-106 | 10. | Resolution approving Special Event Permit for Residents of Horicon Ave for a Block Party |
| #2021-107 | 11. | Resolution authorizing Special Event permit for Oceanport PTO Summer Blast Event |
| | 12. | Approval of Fire Department Membership, Patrick W. McSorley |
| | 13. | Receipt & Acceptance of Minutes, Parks & Recreation Committee, 03/10/2021 |
| | 14. | Receipt & Acceptance of Minutes, Historical Committee, March 25, 2021 |
| | 15. | Receipt & Acceptance of Minutes, Parks & Recreation Committee, 02/10/2021 |

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

X. Minutes:

1. Mayor & Council - Workshop - Mar 4, 2021 7:00 PM

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

2. Mayor & Council - Regular Meeting - Mar 18, 2021 7:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Richard Gallo, Councilman
SECONDER:	Michael O'Brien, Councilman
AYES:	Gallo, Keeshen, O'Brien, Tvrdek, Walker
ABSENT:	Deerin

3. Mayor & Council - Workshop - Apr 1, 2021 7:00 PM

RESULT:	ACCEPTED [3 TO 0]
MOVER:	Richard Gallo, Councilman
SECONDER:	Thomas Tvrdek, Councilman
AYES:	Gallo, O'Brien, Tvrdek
ABSTAIN:	Keeshen, Walker
ABSENT:	Deerin

4. Mayor & Council - Regular Meeting - Apr 15, 2021 7:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Michael O'Brien, Councilman
SECONDER:	Richard Gallo, Councilman
AYES:	Gallo, Keeshen, O'Brien, Tvrdek, Walker
ABSENT:	Deerin

XI. Resolutions:

#2021-108 Resolution authorizing release of performance guarantee to AcuteCare Health Systems

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

#2021-109 Resolution authorizing an emergency temporary appropriation – WITHDRAWN on a motion by Council President O'Brien and second by Councilwoman Walker and approved by Council.

#2021-110 Resolution authorizing participation in Passaic County Cooperative

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

#2021-111 Resolution reassignment of Code Enforcement Duties & Obligations

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

#2021-112 Resolution confirming appointments of SLEO II to the Police Department

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

XII. First Reading Ordinances:**#1039** Introduction of an Ordinance Prohibiting Any Class of Cannabis Business

Councilman Tvrdek called for the introduction of "AN ORDINANCE BY BOROUGH OF OCEANPORT IN COUNTY OF MONMOUTH, STATE OF NEW JERSEY PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES AND AMENDING CHAPTER 390 OF THE CODE OF THE BOROUGH OF OCEANPORT" and then asked the Clerk to read the proposed ordinance by title only, after which Councilman Tvrdek moved to approve the Ordinance upon first reading and to hold the public hearing on the proposed ordinance at the Council meeting of June 17, 2021 and to advertise same in accordance with the law, which was seconded by Councilman Deerin.

RESULT:	APPROVED OF FIRST READING [UNANIMOUS]	Next: 6/17/2021 7:00 PM
MOVER:	Thomas Tvrdek, Councilman	
SECONDER:	Michael O'Brien, Councilman	
AYES:	Gallo, Keeshen, O'Brien, Tvrdek, Walker	
ABSENT:	Deerin	

XIII. 2021 MUNICIPAL BUDGET:**#1037** Ordinance Establishing a CAP Bank for CY2021

Councilman Tvrdek called for the 2nd reading and Public Hearing of an ordinance amending liquor license fees and asked the Clerk to read the affidavit of publication of the proposed ordinance by title only. "AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS FOR 2021 CALENDAR YEAR" was published one time in the Two River Times on April 29, 2021.

PUBLIC HEARING: Mayor Coffey opened the meeting for public comment for this ordinance and gave the means by which to participate. As no one from the public presented to be heard, the public hearing was closed on a motion by Council President O'Brien and seconded by Councilman Keeshen.

Councilman Tvrdek made a motion to adopt the ordinance and advertise in accordance with law, which was seconded by Council President O'Brien.

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

2. OPEN PUBLIC HEARING - 2021 INTRODUCED MUNICIPAL BUDGET

The public hearing on the 2021 Introduced municipal budget was opened on a motion by Council President O'Brien, seconded by Councilman Keeshen and approved by Council. Mayor Coffey provided the participation details.

3. CLOSE PUBLIC HEARING - 2021 INTRODUCED MUNICIPAL BUDGET

As no one from the public presented, Mayor Coffey closed the public hearing on a motion by Councilman Gallo, second by Council President O'Brien and approved by the Council.

#2021-113 Resolution amending the 2021 municipal budget

Ms. LaPorta briefly explained the purpose of the amendment was to cover expenses to clean up the waterways for the fish kill, it is anticipated that the Borough will be reimbursed, but in the meantime needed to provide for the appropriation. It results in no net impact to the taxpayers and is being funded with surplus.

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

#2021-114 Resolution Adopting the 2021 Municipal Budget as Amended - *Added*

Ms. Smith advised that this had been added late and confirmed that members of Council had an opportunity to review and that the resolution had been posted for public inspection. Ms. LaPorta explained that the State had not assigned a budget examiner until earlier that day, she and the auditor responded and addressed questions and subsequently the State granted permission to proceed with adoption.

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

#1038 2021 Capital Bond Ordinance

Councilman Tvrdek called for the 2nd reading and Public Hearing of an ordinance amending liquor license fees and asked the Clerk to read the affidavit of publication of the proposed ordinance by title only. **"BOND ORDINANCE PROVIDING FOR VARIOUS 2021 GENERAL CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$2,252,500 THEREFOR (INCLUDING A GRANT FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$150,000) AND AUTHORIZING THE ISSUANCE OF \$2,157,380 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF"** was published one time in the Two River Times on April 29, 2021.

PUBLIC HEARING: Mayor Coffey opened the meeting for public comment for this ordinance and gave the means by which to participate. As no one from the public presented to be heard, the public hearing was closed on a motion by Councilman Gallo and seconded by Council President O'Brien.

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

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

Mr. Swisher exited the meeting at 8:00 PM

XIV. Committee Reports:

1. Councilman Deerin, Parks and Recreation - Absent
2. Councilman Gallo, Public Works and Engineering – Reported on items including the completed paving of Main Street over the 3 year project; Bridgewater Drive paving completed; 2020 Road Program should be completed within the next couple weeks including Turf Drive, Ithaca, Winhar, Genesee, Blackberry Drive, Mohawk Ave. Also, with the passing of the capital budget, there is a large program for next year that will include all of Gooseneck Point and Shore Road, Fairfield, Pocano, Pemberton Ave.
Councilman Tvrdek commented that because of roadwork some recycling/trash did not get picked up today but garbage contractor would pickup tomorrow.

3. Councilman Keeshen, Public Safety – Reported water company is aiding mains and there will be new hydrants in town for fire department use; police department continues to urge residents to lock homes and cars; First Aid is seeking new members for EMTs and first responders; OEM has begun preparing for hurricane season.
4. Councilman O'Brien, Finance and Administration – Reported that estimated tax bills will be sent out for 3rd quarter; final payment schedule once tax rate set; recognized Ms. LaPorta for her hard work on completing the budget; also acknowledged and thanked Ms. Phelps, Ms. Smith, Chief Kelly, Chief Van Brunt, Buzz Baldanza and Fred Filippone. Lastly reminded everyone to be mindful of speeding in the neighborhoods and to stay off cell phones with the good weather and increased outdoor activities.
5. Councilman Tvrdik, Planning and Development Liaison – Reported on Planning Board business, thanked all the members for their volunteering, extra hours and reviews for major site plans including Allison Hall complex recent approval; phase one of the commissary approval with warehouse and post office parcel redevelopment details under review.
6. Councilwoman Walker, Health and Human Services Liaison – Reported on the shoreline clean up from the fish kill, efforts for cleanup of more than 6,000 lbs of dead fish, thanks to Tom Tvrdik, Dave Gruskos and Donna Phelps for their efforts to make the clean up a success; updates on schools – proms and graduations and back to normal in the fall.

XV. Mayor Coffey's Report: Mayor Coffey reported on items including details for the upcoming Memorial Day Parade with Grand Marshal Al DeSantis; and in light of the lifting of COVID restrictions there would be a commemorative service held at the new municipal complex with monuments and ceremonies; important to acknowledge those that have lost their lives in service. Mayor Coffey also provided details on a community river cleanup being coordinated by resident Chris Macioch and thanks to the fish cleanup would be able to get to the garbage that accumulates over the winter; West Long Branch is looking to re-engage a Bocci ball tournament and suggested inviting them for a return match with "Mr. Eagle" at mini-golf (Councilman O'Brien). Provided details on a charity event paddling from Oceanport to Manhattan and looking for sponsors to raise money for good causes. Next issue likely to be addressed is cleaning up of large amounts of dead seaweed.

#2021-115 Resolution appointments to Boards & Committees, Recreation

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

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

Ms. Smith read comment submitted by Annie DiDomenico thanking everyone for their dedication and efforts for making Oceanport a great place to raise a family.

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

XVII. Adjournment: As there was no further business, the meeting was adjourned at 8:21 PM on a motion by Council President O'Brien, seconded by Councilman Gallo and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK