



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

MINUTES • APRIL 2, 2020

Workshop

Maple Place School

7:00 PM

2 Maple Place, Oceanport, NJ 07757

- I. **Meeting Called to Order:** Mayor Coffey called the meeting to order at 7:08 p.m.
- II. **Statement of Compliance with Open Public Meetings Act:** Mayor Coffey advised that "This meeting complies with the Open Public Meetings Act by notification on March 31, 2020 of the remote location, date, time and URL address to the Asbury Park Press and the LINK News and by the posting of same on the municipal bulletin board and Borough website".

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 was unable to attend.

- 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	Present	
Donna M. Phelps	Borough Administrator	Remote	
Scott Arnette	Board Attorney	Remote	
Catherine D. LaPorta	Chief Financial Officer	Remote	

- VI. **RESOLUTIONS:**

#2020-105 Resolution authorizing payment of BILL LIST 04-02-2020

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

#2020-106 Resolution authorizing a Lease Agreement for Bldg 116 with FMERA

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

#2020-107 Resolution authorizing Change Order #13 to Benjamin Harvey Co. Contract

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

#2020-108 Resolution authorizing Change Order #14 to Benjamin Harvey Co. Contract

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

#2020-109 Resolution authorizing Change Order #15 to Benjamin Harvey Co. Contract

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

#2020-110 Resolution authorizing Change Order #16 to Benjamin Harvey Co. Contract

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

VII. Administrator's Report:

Ms. Phelps provided an update on conference calls and updates on COVID-19; department heads and employees are working together to make the best of an awful situation, the borough has filed a request for public assistance with FEMA in conjunction with any costs or expenses incurred as a result of COVID-19 and a separate line item for same has been setup within each department to track the borough's costs; she will be spearheading all of the filing and with covid-19. The Borough also submitted a request for reimbursement in the amount of \$1.258 million on February 5th for expenses paid in conjunction with the municipal complex, which has received no response but will continue to follow up on. Ms. Phelps reported on the status of the title check valve grant - previously reported the borough's initial application was denied based on insufficient information, the Borough was told that this grant would open again this year, however in light of what's going on, she was not sure when and if that will occur.

Ms. Phelps further reported that the figures for the mold remediation were now available and along with the figures previously received for the asbestos remediation, she is preparing a scope change with the hopes of the borough being reimbursed. Initial calculations put these costs at approximately \$770,000.

VIII. Clerk's Report:

April 23, 2020 Meeting Items:

1. Receipt of Minutes, Recreation Committee, Jan. 8, 2020
2. Receipt of Minutes, Recreation Committee, Feb. 12, 2020
3. Receipt of Minutes, Historical Committee, Feb. 13, 2020
4. Mayor & Council - Workshop - Mar 5, 2020 7:00 PM
5. Regular Minutes of March 19, 2020
6. First Aid Membership Application, Douglas Goldsmith

Ms. Smith reported on receipt of petitions for the June primary, number of OPRA requests received to-date, thanked everyone for their patience with the new system, and asked for questions on the regular

meeting items. Ms. Phelps advised that she may need an item for the tonnage grant on for that meeting. Ms. Smith lastly reminded all of two ordinance hearings scheduled for the next meeting.

IX. Discussion Items:

1. Resolution authorizing contract for Field Maintenance/Renovation Improvements

Ms. LaPorta advised that the original price exceeded local purchasing thresholds and unable to award it the way it is. Therefore, there is no place to apply the Sports Foundation donation. She did reach out to a state contract vendor and is evaluating their proposal. The quote received exceeded some bid threshold that should have been advertised. Additionally, there's an issue regarding use of prevailing wage or not because it exceeds that threshold. With COVID status it will be evaluated at a later date.

2. Resolution accepting donation from the Oceanport Baseball Association

Mayor Coffey commented that if the Borough is unsure what to do with the field project then the check should be returned until its decided and then contact them to see if they're still willing to donate to the project.

3. Bulkhead Repair Werah Place

Councilman Tvrdik discussed the matter of the Werah Place street end and bulkhead; previously discussed a request to vacate the street which was decided not in the best interest of the Borough; resident is now proposing to pay for the bulkhead replacement on the borough property. He and Council President Gallo met with resident, Mr. Schmidt, who would like the Borough to cover the permits with DEP or whatever was necessary. They advised Mr. Schmidt to put his proposal in writing to the Mayor and Council via the Borough Clerk which was included with Council's agenda package. Before open discussion he requested that the Mr. Arnette provide guidance on some of the legal aspects. that I would like to turn over to our Borough attorney and talk about with this bulkhead. Mr. Arnette spoke to concerns for the engineering component as that done for Borough property differs from those done in the private sector; the estimate was \$40-50,000 and in exchange the Borough would cover permit fees so with Borough involvement the project likely would involve prevailing wage which would likely impact the contractor's quote; liability concerns should there be some issue and contractor walks off job before completed with no performance bond in place and moreover the legal issue as to whether or not the borough could enter this type of agreement. His initial thought was that this was beyond what the Borough had the ability to but would like the opportunity to do a little more legal research on the issue if that's what the Council wants him to do.

Discussion ensued on the topic including the need for additional legal research, the need for proper process, the need for further discussion with the property owner's professionals, Council President's Gallo's comments on options being whether to consider the agreement or wait until the bulkhead could be included in a road program, Councilman Tvrdik queried whether it was an option for the resident to make a donation to the town towards the project to make it simpler in order to expedite the project. Council President Gallo stated he would speak with the engineer and Councilman Tvrdik would talk to the property owner; and once logistics were worked out some more, additional time could be spent on making sure it was done in compliance with law.

4. Roof at New Municipal Complex, Councilman Tvrdik - *Added*

As there were no objections, Councilman Tvrdik presented for discussion the roof replacements at the new municipal complex. Councilman Trdik provided details concerning two different specs for the roof replacements for proposals from contractor Ben Harvey's vendor Patwood, the different roof types proposed, warranties and a comparison of the alternatives. Quote from Patwood through Ben Harvey for TPO roof came in with overhead and profit all and 35-yr warranty at \$600,875. Now, there were five alternates requested with different warranties and costs with the modified roof with 25-hr warranty coming in just under \$800,000. Councilman Tvrdik questioned Council if they wanted to go with Patwood and Harvey's price as a change order? Or should it be put out for bid?

CFO Katie LaPorta interjected that she believes a look needs to be taken of where the Borough stands with regard to the 20% as the roof change order brings the project over the 20%. There was discussion on the process to address the administrative aspects of going over the 20%.

Mayor Coffey asked if there were any questions.

Councilman Deerin commented that he didn't believe the Borough should just accept this like its okay as he doesn't believe it is ok. As conversation proceeded Mr. Arnette interrupted and advised that this was something that they could talk about at the next meeting in an executive session or something like that rather than talk about potential litigation.

5. COVID-19 Expenses CFO LaPorta - *Added*

Ms. LaPorta spoke to the addition of a separate line item for each Department in the budget to track covid-19 expenses in order to track for reimbursement initially. (75% eligible for reimbursement). New guidance has come from the State recommending that line item be included for appropriations. Currently there is no place in the budget to spend against, known and unknown, as this continues. She requested Council's approval to add a resolution to the next meeting to authorize a line item for covid-19 to be added to the temporary budget until the budget is adopted. She will discuss with the departments estimates for a reasonable number to appropriate.

Ms. LaPorta also discussed delays due to the State of New Jersey extending their budget through September 30th for their year-end which will not be June 30th. As a result, there are impacts to the Borough's budget introduction and adoptions and estimated tax bills will need to be sent for the August 1st. In speaking with the tax collector, its not a big deal to send them out and when actual numbers come out send again. The downside is expenses for printing and mailing bills, postage, envelopes, etc. and estimates \$2500 dollars for the process. Ms. Phelps added that would be considered a covid19 expense. The good news is that the Garbage Contract are due on the 14th of April. Ms. LaPorta also brought to their attention discussions concerning extending grace periods, which would be something Council would have to do with regard to any interest that would be charged, nothing to do now but everybody should be aware of it.

6. Update on Old Borough Hall Site, Councilman Tvrdik - *Added*

Councilman Tvrdik addressed concerns regarding public comments on Facebook regarding trees at the old borough hall site, development is proceeding and while they took down all of the trees they are put back 195 new trees and 22 shrubs all along the berm and on the properties in order to not disturb the osprey nests. They are building the berm around the Osprey nests getting everything set so that they can work on the rest of the area and minimize the disruption around the nest.

Councilman Deerin then offered comments concerning current situation, everyone struggling and anxiety is incredibly high, commended the OEM, the Mayor and the Borough's Representatives that are keeping everyone really well informed. He has seen some things occasionally on Facebook criticizing these guys. Politely, keep your criticism to yourself. If you have some help or solutions, please share those. This town is doing a wonderful job supporting one another and they're going to continue to do that. Keep it in a positive manner, support our restaurants, support our stores, support one another. If there's a legitimate criticism, share it, but if it's just a divide, please keep to yourself.

X. Mayor's Report:

Mayor Coffey commented in general on those working hard, we are blessed to be a small town, the Borough has system in place for Oceanport Gardens senior building and meeting those needs, spoke to the numbers of positive tests in Oceanport are only reflective of those that have actually been tested, 19 positive in Oceanport who are self quarantined and many who are testing but waiting for results to come back. So the numbers from the County are 5-6 days behind.

Mayor Coffey spoke highly of the Borough's OEM group, communications, day to day affairs like they did back during Sandy.

Mayor Coffey commented that he sees a lot of people out walking and complying with social distancing, believe that mental health is a huge component of this and being outside and socializing in compliant ways is helpful.

Councilwoman Walker echoed Councilman Deerin's remarks – and acknowledged that a lot of people are contributing and do want to help and highlighted one person in town. Resident Amy Stark has started a

group called F.L.A.G. "which stands for Frontline appreciation group, and she's accepting donations from people to provide meals to nurses and doctors at both Riverview and Monmouth Medical.

Mayor Coffey adding to that another group of volunteers is working together to show the community cares called OCHO – Oceanport Caring and Helping Others, has a Facebook page and hotline if you need assistance or want to help.

- XI. Petitions from the Public:** Mayor Coffey opened the meeting to petitions from the public and asked the Clerk if anyone had submitted a request to speak.

Mark Patterson, 40 Itaska Place, thanked everyone especially Council, the Mayor and OEM director. He has seen eight or nine updates thus far with regards to this pandemic and knows that all are working hard. Not speaking as part of the organization's he belongs to, but through those organizations, they've been in constant contact with the Borough and the Borough has been keeping us in the loop. It's much appreciated.

As no one else from the public sought to be heard, Mayor Coffey closed that portion of the meeting.

- XII. Adjournment:** As there was no further business, the meeting was adjourned at 8:02 PM on a motion by Councilman Tvrdik, seconded by Councilwoman Walker and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK