



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

MINUTES • MARCH 19, 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 7:01 p.m.
- II. **Statement of Compliance with Open Public Meetings Act:** Mayor Coffey stated "Adequate notice of this meeting has been provided by notice to the Asbury Park Press and The Link News on January 6, 2020, 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 as detailed on the meeting agenda.

- 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	Present	
William Deerin	Councilman	Remote	
Richard Gallo	Councilman	Present	
Bryan Keeshen	Councilman	Present	
Michael O'Brien	Councilman	Remote/Present	7:38 PM
Thomas Tvrdik	Councilman	Present	
Meghan Walker	Councilwoman	Present	
Jeanne Smith	Borough Clerk	Present	
Donna M. Phelps	Borough Administrator	Remote	
Scott Arnette	Board Attorney	Present	
Catherine D. LaPorta	Chief Financial Office	Present	

- VI. **Administrators Report:**

1. Fire Prevention Services

Ms. Phelps reported the shared services agreement with Eatontown is progressing, however, later on the Agenda is the introduction of an ordinance designating same as required by the State which ordinance must first be provided to the State and recommends holding off on introduction. There was discussion on whether to postpone the introduction or introduce while waiting to hear back from the State and should changes be necessary re-introduce at that time. With no objections it was decided to introduce that evening.

Ms. Phelps next reported on progress at the municipal buildings including field report from Mr. Iamello, delay in containers needed for the relocation of Borough items from the rear portion of the police building in order to move forward with the demolition of the interior.

- VII. **Clerk's Report:** Ms. Smith provided updated information on new elections legislation that now requires petitions for candidacy to be filed electronically through form provided by the State which is to be available by tomorrow.

1. Receipt of Mayor's Appointments to Office of Emergency Management

Ms. Smith stated receipt is acknowledged of Mayor Coffey's appointments to the Office of Emergency Management in concert with the Public Safety Committee's recommendations:

Mauro Baldanza

OEM Director

3yr Term expiring 12/31/22

Chris Baggot	1st Asst. Director	1yr Term expiring 12/31/20
Wes Sherman	2nd. Asst. Director	1yr Term expiring 12/31/20
Chief Michael Kelly	3rd Asst. Director	1yr Term expiring 12/31/20

VIII. Consent Agenda: Ms. Smith stated there are 9 items on Consent Agenda which was moved by Councilman Deerin and seconded by Council President Gallo

- #2020-90** 1. Resolution authorizing payment of BILL LIST 03-19-2020
- #2020-91** 2. Resolution accepting the Tax Collector's Annual Report for 2019
- #2020-92** 3. Resolution authorizing Tax Sale Redemption #19-00007
- #2020-93** 4. Resolution appointing Acacia Financial Group as Financial Advisor for 2020
- #2020-94** 5. Resolution supporting increase of funding for Shore Protection Fund
- #2020-95** 6. Resolution authorizing permits for Facility Use - Spring 2020
- 7. Receipt & Acceptance of Minutes, Environmental Advisory Committee, Dec. 9, 2019
- 8. Receipt & Acceptance of Minutes, Recreation Committee, Dec. 10, 2019
- 9. Receipt & Acceptance of PAP Captain's Report for February 2020

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

IX. Minutes:

1. Mayor & Council - Workshop - Feb 6, 2020 7:00 PM

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

2. Approval of Executive Session Minutes, Feb. 6, 2020

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

3. Mayor & Council - Regular Meeting - Feb 20, 2020 7:00 PM

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

4. Approval of Executive Session Minutes, Feb. 20, 2020

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

X. Resolutions:**#2020-96** Resolution appointing an Interim Fire Official

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

#2020-97 Resolution appointments to Boards & Committees, Recreation

RESULT:	ADOPTED [5 TO 0]
MOVER:	Bryan Keeshen, Councilman
SECONDER:	William Deerin, Councilman
AYES:	Deerin, Gallo, Keeshen, O'Brien, Tvrdik
ABSTAIN:	Walker

#2020-98 Resolution authorizing contract for Field Maintenance/Renovation Improvements

RESULT:	TABLED [UNANIMOUS]	Next: 4/2/2020 7:00 PM
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#2020-99 Resolution accepting donation from the Oceanport Baseball Association

RESULT:	TABLED [UNANIMOUS]	Next: 4/2/2020 7:00 PM
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#2020-100 Resolution authorizing Change Order #9 to Benjamin Harvey Co. Contract

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

#2020-101 Resolution authorizing Change Order #10 to Benjamin Harvey Co. Contract

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

#2020-102 Resolution authorizing Change Order #11 to Benjamin Harvey Co. Contract

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

#2020-103 Resolution authorizing Change Order #12 to Benjamin Harvey Co. Contract

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

#2020-104 Resolution authorizing an emergency temporary appropriation

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

XI. First Reading Ordinances:**#1022** Introduction of An Ordinance Limiting Use of Single Use Plastics

Councilman Tvrdek called for the introduction of "AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER X, 'POLICE REGULATIONS', NEW SECTION X-Y ENTITLED "LIMITING USE OF SINGLE-USE PLASTIC BAGS, PLASTIC UTENSILS, POLYSTYRENE FOAM CONTAINERS, AND PLASTIC STRAWS BY BUSINESSES" 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 April 23, 2020 and to advertise same in accordance with the law, which was seconded by Councilman Keeshen.

RESULT:	APPROVED OF FIRST READING [UNANIMOUS]	Next: 4/23/2020 7:00 PM
MOVER:	Thomas Tvrdek, Councilman	
SECONDER:	Bryan Keeshen, Councilman	
AYES:	Deerin, Gallo, Keeshen, O'Brien, Tvrdek, Walker	

#1023 Introduction of An Ordinance to Amend Chapter 223 designating Eatontown Fire Bureau as the local enforcement agency

Councilman Tvrdek called for the introduction of "AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING CHAPTER 223 "FIRE PREVENTION" TO DESIGNATE THE BOROUGH OF EATONTOWN BUREAU OF FIRE SAFETY AS THE BOROUGH OF OCEANPORT'S LOCAL ENFORCEMENT AGENCY" 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 April 23, 2020 and to advertise same in accordance with the law, which was seconded by Councilman Keeshen.

RESULT:	APPROVED OF FIRST READING [UNANIMOUS]	Next: 4/23/2020 7:00 PM
MOVER:	Thomas Tvrdek, Councilman	
SECONDER:	Bryan Keeshen, Councilman	
AYES:	Deerin, Gallo, Keeshen, O'Brien, Tvrdek, Walker	

GUEST: Mayor Coffey recognized Senator Declan O'Scanlon attending by phone. Senator O'Scanlon extended thanks, commended efforts for their first meeting and levels of participation, reassured everyone that we would all get through this time together, updated work on opening additional testing centers, encouraged the public to stay home; expressed everyone's concerns for economic impacts and efforts to minimize to the extent possible and conveyed his availability and contact information.

Councilman Deerin asked about the PNC site, was there a priority. Senator O'Scanlon advised that there would be a website with information, steps being taken to minimize wait times, entreated the public to utilize if they were genuinely showing symptoms but due to limited resources, emphasized the need to stay home and minimize the strain on resources.

Mayor Coffey expressed appreciation for the Senator taking time to join the Borough's first time remote meeting.

Mayor Coffey instructed the public on how to participate in the public hearing for the next item and to begin submitting their request to be heard through the “raise hand”, chat and question features where they would be put on live or read the question/comment.

XII. Second Reading Ordinances:

#1021 An Ordinance for Hazardous Substance Cleanups

Councilman Tvrdik called for the 2nd reading and Public Hearing of an ordinance to amend 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, STATE OF NEW JERSEY AMENDING CHAPTER 295 "PROPERTY MAINTENANCE" TO PROVIDE FOR THE REIMBURSEMENT OF COSTS RELATED TO HAZARDOUS MATERIAL CALLS**" was published one time in the LINK News on February 27, 2020.

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 Councilwoman Walker, which was seconded by Councilman Keeshen and approved by Council.

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

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

XIII. Committee Reports:

1. Councilman Deerin, Parks and Recreation

Councilman Deerin reported not a lot to report with events on hold, parks remain open for families to use.

2. Councilman Gallo, Public Works and Engineering

Council President Gallo reported DPW still working, spring cleanup begins next month, encouraged everyone to enjoy their families and listen to the rules.

3. Councilman Keeshen, Public Safety

Councilman Keeshen reported on a missing person incident, 4hr operation, subject found safe, team effort and gave special thanks to Oceanport OEM, First Aid, Fire Department, MC Prosecutor Office Child Abduction Response Team, MC Sheriff's Canine, NJ Transit Police, West Long Branch Police, Little Silver Police, Holmdel Police whom assisted with OEM drone launch as licensed operator; access to Police Headquarters closed for the time being due to coronavirus with information on how to access; NJ Marathon race cancelled and Drug Take Back Operation for this month cancelled. It has been his pleasure to work with and operate with the Fire Chief and Chief Kelly; staff at Borough Hall keeping business going and their support to first responders, First Aid on the front lines, OEM team and putting out credible information and documenting for future responses, to the doctors, nurses – the backbone of the system, putting themselves in the crosshairs; the people he mentioned are what make America great and challenges one to find a neighborhood in Oceanport that doesn't have one or more of those people; commitment to service makes Oceanport a great place. That said, public cooperation is needed with the following: maintain social distancing – not sending kids to the park to play with other kids, check on neighbors, if you call 911 they will ask specific questions which should be answered honestly in order to facilitate first responders; sign up for CodeRed system. This “storm” is not like usual and we are learning as we go through.

4. Councilman O'Brien, Finance and Administration

Councilman O'Brien reported they continue to work through the budget process; various inputs from departments for capital budget; and pointed out some secondary/tertiary effects on the budget – with closure of Monmouth Park, sports betting revenue will be down and delays in events could be important; federal government is exploring ways to get funding to municipalities, declaration of emergency first step

in getting funds reimbursed, other expenses indirectly related; they are also researching alternative means for financing should the borough need to.

5. Councilman Tvrdik, Planning and Development Liaison

Councilman Tvrdik's report was brief due to being out for back surgery and had missed the last Planning Board meeting and Council meeting; included additional information regarding the municipal complex, removal of sheetrock and tiles impacted by mold; consideration of roof systems for the two buildings; the building department presently closed to public, applications can be left in the foyer at Borough Hall; currently not doing CO's for occupied buildings but looking at alternatives to get back on track and urged the public to be patient.

6. Councilwoman Walker, Health and Human Services Liaison

Councilwoman Walker's report provided information including Board of Health – best resources are CDC and NJ Department of Health which are prominently posted on the borough's website; Monmouth County Health Department has opened a hotline for those needing crisis counselling; read letter from Oceanport Board of Education Superintendent Anne Facendo with update on schools; updates on Shore Regional High School closure and event cancellations. Councilwoman Walker commented that she was a parent of high school students and could attest to the work and process in place. Councilwoman Walker further reported on resources for those with addiction/substance abuse issues including website, phone apps and online AA meetings. Councilwoman Walker also reported on meetings of Water Watch and Environmental Committees, efforts continue for water testing, regional group being established to unify towns bordering Shrewsbury River and water testing; reinstatement of the Environmental Committee as a Commission; libraries are closed but a local book store was offering pickup and drop off of books.

XIV. Mayor Coffey's Report: Mayor Coffey's report included comments on current circumstances regarding coronavirus, need to help one another as a community as this was world-wide event no one was coming to help like they did during Sandy, important that we use this to prepare better for future events; impacts of Governor Murphy's executive order EO-105, closure of certain businesses, social distancing protocols, expect more closures as the numbers rise; recommends information be obtained from the CDC website and NJ Department of Health, links available on the Borough website; OEM Facebook page for updates and school websites for Oceanport information. Mayor Coffey added that the Borough's risk management is recommending closure of playgrounds and courts and practicing social distancing while using the parks; should a failure of maintaining the social distancing protocols, the playgrounds, recreation facilities will be closed. Please keep hands washed, maintain groups less than 10.

XV. 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.

Cullin Wible, 67 Wolf Hill Ave, thanked everyone for their time, never thought we would get to the point of this level of digital engagement without legislative change of the Open Public Meetings Act and hopes that it will continue. Mr. Wible asked questions on topics including compensation for tax losses, losses from Monmouth Park (Mayor Coffey responded that a local declaration of emergency was in place that allows the Borough to avail itself of COVID19 expenses); does the plastics ordinance apply to Monmouth Park? (Mayor Coffey answered he didn't know as they are a State-owned property); indicated his support for banning of straws but not the single use bags as it actually causes people to buy bags of higher density plastic; concluded with thanks to Mr. Abboud for his assistance in pulling all of this together and those who are serving the Borough.

As no one else presented for comment or questions, Mayor Coffey closed that portion of the meeting.

Mayor Coffey added an emergency resolution #2020-111 "Resolution declaring actions for COVID10 emergency" which was moved by Councilman Deerin, seconded by Councilman Keeshen.

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

Mayor Coffey added that he had spoken with residents at Oceanport Gardens regarding supply problems and things being put in place for those who wished to help. Thanked Mike Abboud for all his help.

Mayor Coffey acknowledged one additional "raised hand" from the public:

Dan Czermak, 1075 Stephenson Ave, Beacon of Life CEO, offered their assistance to the Borough in anyway needed included hot meals delivered to homes and a drive up testing site if found necessary. Mayor Coffey thanked him for his offer of assistance.

- XVI. Adjournment:** As there was no further business, the meeting was adjourned at 8:13 PM on a motion by Council President Gallo, seconded by Councilman Tvrdik and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK