



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

MINUTES • FEBRUARY 17, 2022

Regular Meeting

Clement V. Sommers Municipal Building

7:00 PM

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 5, 2022 of this 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.
- III. **Flag Salute:** Scouts Kyle Nagy, Kyle Stenicks and Thomas George McDermott led attendees and the Mayor & Council in the flag salute.
- IV. **Roll Call:**

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

- V. **GUEST: FMERA Staff Monthly Update:** Mayor Coffey gave a brief update on the status of remaining parcels in Oceanport section of Fort Monmouth redevelopment including the expected closing date for the sale of Allison Hall parcel in early March; the Lodging parcel closed a couple months ago and they have begun to demolish the buildings not going to be utilized, Barker's Circle which will be converted to 75 condo units for sale, 15 of which will be for affordable housing; currently published "mega-parcel" RFOTF for all parcels remaining unsold and the Nurse's Quarters. The bridge at Oceanport Ave and Main Street was closed a couple of days, put in a Jersey barrier and limited the weight and will be doing work in April with traffic being re-routed through the fort area.
- VI. **Administrators Report:** Ms. Phelps sought guidance on whether to go back out to bid on the solid waste and recycling contracts or take the option to extend the contract for 1 year. There was discussion after which it was decided that based on the current expenses it was best to continue with the current contract and act on a resolution at the next meeting extending both contracts. Ms. Phelps next reported on meetings with the Recreation Coordinator concerning this year's action camp and the logistics to be worked out including relocating to Blackberry Bay Park while Community Center park is under construction, and establishing a code of conduct for workers and background checks for regulation compliance. Ms. Phelps reported that she is working with DPW Superintendent setting up policies and procedures, office files, training, maintenance records that need to be put together and advised that this department is need of an administrative assistant. Borough Engineer Bill White has begun the process of putting together the bid documents for the 10 title check valves to be installed using the American Recovery Act funding, the CFO has confirmed that funding is still encumbered for the work; she requested input on selection of 10 locations before the next meeting.
- VII. **Consent Agenda:**
- #2022-46 1. Resolution authorizing payment of BILL LIST 02-17-2022
- #2022-47 2. Resolution authorizing a contract with Shore BOE for Student Transportation 2021-2022
- #2022-49 3. Resolution authorizing an Agreement with MCSPCA for Animal Control Services 2022

- #2022-50 4. Resolution accepting grant and amended terms for the 2021 MC Open Space Grant Program
- #2022-51 5. Resolution authorizing renewed agreement 2022-2023 with Sea Bright for Court Facilities
- #2022-52 6. Resolution awarding contract to Sodon Electric for 2022 electrician services
- #2022-53 7. Resolution appointing Acacia Financial Group as Financial Advisor for 2022
- #2022-54 8. Resolution amending appointments for Special Projects Engineers
- #2022-55 9. Resolution appointing CGP&H for Affordable Housing Adm Agent Services
- #2022-56 10. Resolution accepting the Tax Collector's Annual Report for 2021
- #2022-57 11. Resolution approving Special Event Permit for NJCU Vendorpalooza
 - 12. Receipt of 2021 Annual Report - Fire Prevention Bureau
 - 13. Approval of Fire Membership Application, Cigalia, Michael, Jr.

Mayor Coffey stated there were 14 items on the Consent Agenda. Ms. Smith requested that #3 be taken separately to discuss an amendment. Councilman O'Brien made a motion to approve the remaining 13 items which was seconded by Councilman Gallo.

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

VIII. Minutes:

1. Mayor & Council - Regular Meeting - Jan 20, 2022 7:00 PM

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

IX. Resolutions:

- #2022-48 Resolution approving Special Event permit for Girl Scouts.

Ms. Smith advised the Council that due to a supply chain delay, the Girl Scouts had requested to move the requested dates to March 12-13 and March 19-20th. Councilman Keeshen made a motion to approve the amendment to the resolution which was seconded by Councilman Tvrdek and unanimously approved by Council. Councilman Keeshen then made a motion to approve the Resolution as amended which was seconded by Councilman Tvrdek.

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

- #2022-58 Resolution authorizing Change Order #1 to Intron Technology Contract

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

#2022-59 Resolution authorizing Change Order #1 to Main Street Phase II & Oceanport Ave Contract

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

#2022-60 Resolution for Reduction in Guarantees for FM Partners LLC (Fort Athletic Club)

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

#2022-61 Resolution authorizing the public sale of a plenary retail consumption license

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

#2022-62 Resolution Setting the Fees for 2022 Summer Action Camp

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

#2022-64 Resolution approving certified LOSAP lists for 2021 – Ms. Smith advised that the First Aid List had not been submitted and requested a motion to amend the resolution and a motion to adopt it as amended.

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

X. First Reading Ordinances:**#1048** Introduction of An Ordinance to Increase Fees for Liquor Licenses

Councilman Tvrdik called for the introduction of "AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY AMENDING CHAPTER 115 OF THE CODE OF THE BOROUGH OF OCEANPORT, ENTITLED "ALCOHOLIC BEVERAGES" FOR THE INCREASE IN FEES FOR LIQUOR LICENSES" 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 March 17, 2022 and to advertise same in accordance with the law, which was seconded by Councilman O'Brien

RESULT:	APPROVED OF FIRST READING [UNANIMOUS]	Next: 3/17/2022 7:00 PM
MOVER:	Thomas Tvrdik, Councilman	
SECONDER:	Michael O'Brien, Councilman	
AYES:	Gallo, Keeshen, O'Brien, Tvrdik	
ABSENT:	Deerin, Walker	

#1049 Introduction of Amendment to Chapter 64 "Vehicles and Traffic"

Councilman Tvrdik called for the introduction of "**AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING CHAPTER 64 "VEHICLES AND TRAFFIC" PROHIBITING PARKING ON THE UNIMPROVED EASTERN TERMINUS OF WERAH PLACE**" 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 March 17, 2022 and to advertise same in accordance with the law, which was seconded by Councilman O'Brien.

RESULT:	APPROVED OF FIRST READING [UNANIMOUS]	Next: 3/17/2022 7:00 PM
MOVER:	Thomas Tvrdik, Councilman	
SECONDER:	Michael O'Brien, Councilman	
AYES:	Gallo, Keeshen, O'Brien, Tvrdik	
ABSENT:	Deerin, Walker	

#1050 Introduction of Ordinance amending Chapter 204-17 "Development Application Fee Schedule"

Councilman Tvrdik called for the introduction of "**AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING CHAPTER 204-17, "DEVELOPMENT APPLICATION FEE SCHEDULE" MORE SPECIFICALLY THE FEE CHARGED FOR INFORMAL APPLICATIONS**" 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 March 17, 2022 and to advertise same in accordance with the law, which was seconded by Councilman O'Brien

RESULT:	APPROVED OF FIRST READING [UNANIMOUS]	Next: 3/17/2022 7:00 PM
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SECONDER:	Michael O'Brien, Councilman	
AYES:	Gallo, Keeshen, O'Brien, Tvrdik	
ABSENT:	Deerin, Walker	

XI. Committee Reports:

1. Councilman Deerin, Parks & Recreation - Absent
2. Councilman Gallo, Public Works & Engineering – Councilman Gallo thanked Public Works under the direction of Superintendent Steve Briskey for the great job on the last snow storm; as well as the ice this past weekend; training classes are being taken advantage of.
3. Councilman Keeshen, Public Safety – Urged residents to keep their vehicles and homes locked; First Aid and Fire are in the process of yearly updates and annual training and continue to respond to calls.
4. Councilman O'Brien, Finance & Administration – They are in the midst of the budget process with more to come over the next couple of months.
5. Councilman Tvrdik, Planning & Development – Reported on items including Planning Board's approval for Barker's Circle redevelopment, residential units will no longer be rentals but for-sale; first meeting of the Planning Board's Development Review Committee for the Informal Application for RPM Development regarding the Nurse's Quarters; coordinating communication between East Gate and Pulte Homes for the construction of the lodging parcel units and traffic flow patterns and demolition removals.
6. Councilwoman Walker, Health & Human Services – Unable to attend being away on business but provided report through Mayor Coffey including attendance of the Eagle Scout Aidan Weiss ceremony; library will now be open 2 days per week and thanked the Administrator and DPW for the assistance with COVID related requirements imposed by the County; met with library staff to discuss the need for installation of new sewage pipe and removal of old oil tank both initiatives are underway; both Water Watch and

Environmental Commission met for the first time this year – she was unable to attend due to a funeral out of town but great to see them back up and running; the next wave of referendum related to construction projects underway for conversion of the Wolf Hill cafeteria to classrooms, new Board offices, installation of new fire alarms and sprinklers, nurse's office, main office, staff bathrooms, new STEM lab and more; as of March 7th masks will be optional for all students; and the school district is seeking substitute teachers – apply on the district website.

- XII. Mayor Coffey's Report:** Mayor Coffey advised that the Fort Athletic Club would be repainting the water tower and asked Council if they were supportive of placing the name Oceanport on the tower with no objections.
- XIII. Petitions from the public:** Mayor Coffey opened the meeting to petitions from the public.

Cub Scout Thomas George McDermott, asked questions of the Mayor and Council including age requirement to be a councilman, what are their terms, and is there a limit to their terms. He also asked if Action Camp would be returning this summer and was told yes.

Tom Cox, 18 Hunters Run, requested that the Council address concerns related to the Blackberry Bay Pavilion and safety concerns due to lack of lighting and possible solutions. Ms. Phelps advised that she had visited the site with DPW and they are looking into the lighting. There was additional discussion on a solution to stop persons from walking out the door don't walk straight out and down over the retaining wall. Ms. Phelps will continue to look into solutions including a railing or sign or landscaping such as boxwoods. Councilman Tvrdik requested that DPW also address the tripping issue near the men's bathroom.

Barbara Scerbo, Senior Citizens Club Representative, 3 Whitehall Circle, appeared on behalf of the Seniors and advised that they would be appearing before them every month. They are very upset that the library is only open 1 day a week. There was discussion concerning the library hours, the amount of funding paid to the County for the library resources. She also asked what was the financial decision that involved not cleaning the library additional times so that the County would open the library additional days. The Borough evaluated the cost of additional cleaning days with DPW being able to do the work. Ms. Phelps advised though that they needed to replace the sewage pipe so they were limiting the open days to 2 until the pipe was repaired to minimize the demand on the old pipe. She asked why the opportunity was missed to have a library in the new building. Mayor Coffey explained the decisions of the previous Council back in 2019 that the library could stay where it was in order to keep the municipal complex budget of \$11 million and not go above it.

Ms. Scerbo also discussed the perception by the seniors that they have been forgotten and that nobody cares about what happens. She revisited the history of the senior center, the Borough's conversion of it for offices and that 10 years later they still do not have their building back. The Blackberry Bay Pavilion does not work for them because the handicap ramp is troublesome. There is a card playing group that has moved several places and the last place is at the Port Au Peck firehouse but heating recently went out and its too cold. There is one player who is extremely handicapped and is too difficult to get into the Pavilion. Discussion towards the clean up at the Old Wharf House so they could get their building back – the project went out to bid but came back much higher than expected - \$240,000 to redo bathrooms, flooring, paint, ceiling tiles, front door when budgeted was \$50,000 and there was only 1 bid. Ms. Phelps advised that steps being taken to get some of the work to be done including relocating files to storage unit, DPW can replace ceiling tiles, paint walls. It was discussed whether to go back out to bid, what items could be done by DPW. The process is started.

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

- XIV. Adjournment:** As there was no further business, the meeting was adjourned at 7:54 PM on a motion by Councilman Deerin, seconded by Councilman Gallo and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK