



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

MINUTES • JANUARY 21, 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 7:01 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 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	7:13 PM
Michael O'Brien	Councilman	Remote	
Thomas Tvrdek	Councilman	Remote	
Meghan Walker	Councilwoman	Remote	
Jeanne Smith	Borough Clerk	Remote	
Scott Arnette	Board Attorney	Remote	
Donna M. Phelps	Borough Administrator	Remote	
Catherine D. LaPorta	Chief Financial Officer	Remote	

- VI. **GUEST: FMERA Staff Monthly Update:** FMERA Executive Director Bruce Steadman advised not many changes since last meeting; Somerset project waiting for DEP CAFRA and SHPO issue to be resolved but would be appearing before the Planning Board this month; Allison Hall project is proceeding with various approvals; NJ City University striving to have students in building by July; provided an update on matters concerning Oceanport parcels; RFOTP being issued for Route 35 parcel; large water project coming in off of Anson moving west through the Fort as well as connection of Route 35 and Oceanport Ave; Barker's Circle still in review; Plan Amendment process underway for Nurse's Quarters in order to address some of the comments received. Council President O'Brien asked if the border issue with Eatontown had to be resolved before the McAfee project was sold. Mr. Steadman advised that only a small sliver falls within Eatontown and would be the preference to be located in one town. Mayor Coffey advised that it was being worked out with Eatontown.

Mayor Coffey thanked again FMERA and Staff for all their assistance in moving into the new municipal building. Mr. Steadman commented that they are truly proud to have the Borough with such a presence on the Fort and looks forward to when they're able to take a tour of the completed buildings.

Councilman Keeshen entered the meeting at 7:13 PM by phone.

- VII. **Administrators Report:** Ms. Phelps reported that the Borough received notice from FEMA that the scope change request for reimbursement of the asbestos/mold/roof replacement work was denied which was not unexpected as it was made clear that the municipal complex project was capped once it became an improved project; discussed the option for

appealing the decision however, after a risk vs. award analysis was done with the Borough's State OEM Representative, it was determined that the risks were too great and an appeal was not filed. Ms. Phelps also advised that the Borough's 3rd round funding request through the Monmouth county Coronavirus Relief Fund was approved; while the CARES Act had been extended, the County advised their program had not been extended at this time but would keep the borough informed. Ms. Phelps reported that Sea Bright has advised they discussed at their January workshop and it appears they will be renewing the shared services agreement for court services. Ms. Phelps further reported that Borough staff are in the new building and up and running; special thanks to FMERA and particularly Regina McGrade for her assistance with furniture and office design; thanks to Construction Official John Johnson who literally brought in his table saw and retrofitted furniture to fit in the new offices; broke down old Borough Hall modular units; all staff worked on President's Day for the move and we had two "new" DPW workers – Councilmen O'Brien and Tvrdek who were wonderful in moving the construction office boxes; thanks to Jeanne Smith for coordinating IT needs with Intron which went so smoothly and Jason for assisting with unhooking all the computers at old borough hall; thanks to Katie LaPorta who managed to keep paying the bills and us and taking care of ordering stuff that was needed on such short notice; thanks to Carol Smith for cooking lunch and dessert; thanks to Kim and Bernadette for their assistance in packing and unpacking the Clerk's Office and Planning Board; Public Works was outstanding and stepped up to the plate; thanked the residents for their patience and hope they realize what wonderful employees the Borough has - everyone went above and beyond to get this done as quickly as possible, she was proud of each of them, and thanked the Governing Body for their support throughout this monumental move.

VIII. Clerk's Report: Ms. Smith extended appreciation to her staff and fellow employees, Borough Administrator, Mayor and Council and residents for their support and efforts to get into the new building. She also extended special thanks to IT provider – Intron Technologies for their tremendous work with the move and transition to new systems. She advised of 3 additional items distributed and with no objections those were added to agenda for action; results of LOSAP appeals and resulting resolution on for action; and concluded with a hello to Buddy Brocklebank watching that evening.

IX. Consent Agenda:

- #2021-42** 1. Resolution authorizing payment of BILL LIST 01-21-2021
- #2021-43** 2. Resolution appointing temporary laborers for the Public Works Dept
- #2021-44** 3. Resolution appointing 2021 CJHIF Commissioners
- #2021-45** 4. Resolution demanding action by the Legislature on the Affordable Housing Act
- 5. Acceptance of Minutes, Historical Committee, 11/12/2020

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

X. Resolutions:

#2021 – 46 Resolution authorizing permit for Facility Use - Girl Scout Troop 60710 - *Added on Late*

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

#2021 – 47 Resolution authorizing an exception of Chapter 267 "Noise" - *Added on Late*

Councilman O'Brien raised discussion on the item which included the limits of the approval, the benefits versus resident inconvenience. Borough Engineer Bill White was available and provided further explanation concerning

the supply times for materials and the plant's operating hours and ability to conduct a full day on the project to minimize number of days for completion. Project includes multiple sites so would not be impacting same residents each day. Afterwards Councilman Gallo moved to approve which was seconded by Councilman Deerin.

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

#2021 – 48 Resolution approving amended certified LOSAP list for 2019 - First Aid

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

XI. First Reading Ordinances:

Introduction of An Ordinance to Amend the Salary Ordinance

Councilman Tvrdek called for the introduction of "**AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY SETTING THE SALARY RANGES OF CERTAIN BOROUGH OFFICERS AND BOROUGH EMPLOYEES**" 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 February 18, 2021 and to advertise same in accordance with the law, which was seconded by Councilwoman Walker.

RESULT: APPROVED OF FIRST READING [UNANIMOUS] **Next: 2/18/2021 7:00 PM**
MOVER: Thomas Tvrdek, Councilman
SECONDER: Meghan Walker, Councilwoman
AYES: Deerin, Gallo, Keeshen, O'Brien, Tvrdek, Walker

Introduction of An Ordinance to Amend Chapter 223 "Fire Prevention"

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"**" 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 February 18, 2021 and to advertise same in accordance with the law, which was seconded by Councilwoman Walker.

RESULT: APPROVED OF FIRST READING [UNANIMOUS] **Next: 2/18/2021 7:00 PM**
MOVER: Thomas Tvrdek, Councilman
SECONDER: Michael O'Brien, Councilman
AYES: Deerin, Gallo, Keeshen, O'Brien, Tvrdek, Walker

Introduction of Ordinance Repealing and Replacing Chapter 328 "Stormwater Control" - *Added on Late*

Mayor Coffey asked Mr. White to provide the background on the new regulations. Mr. White explained the intent to implement more green infrastructure – treatment of runoff before it enters drainage systems and the

requirement to increase pollution control and mandated for compliance with the Borough's Stormwater Permit. Councilman Tvrdik called for the introduction of **"AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY REPEALING AND REPLACING CHAPTER 328 "STORMWATER CONTROL"** 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 February 18, 2021 and to advertise same in accordance with the law, which was seconded by Councilwoman Walker.

RESULT:	APPROVED OF FIRST READING [UNANIMOUS]	Next: 2/18/2021 7:00 PM
MOVER:	Thomas Tvrdik, Councilman	
SECONDER:	Meghan Walker, Councilwoman	
AYES:	Deerin, Gallo, Keeshen, O'Brien, Tvrdik, Walker	

XII. Committee Reports:

1. Councilman Deerin, Parks and Recreation – Councilman Deerin's report advised discussions had begun on pool evaluation and development of a plan; three residents interested in volunteering on the committee.
2. Councilman Gallo, Public Works and Engineering – Councilman Gallo reported that DPW is ready for next week's forecasted weather event.
3. Councilman Keeshen, Public Safety – Councilman Keeshen reported that Police Department is settling into their new building; new Fire Marshal has begun setting up the fire prevention bureau and is working with Fire Chief Van Brunt
4. Councilman O'Brien, Finance and Administration – Councilman O'Brien commented on the great efforts to get into the new buildings and work would begin on the 2021 budget shortly.
5. Councilman Tvrdik, Planning and Development Liaison – Councilman Tvrdik commented that the new complex is being settled into, sang the praises of the employees in every department; Planning Board has begun hearing Somerset Development application for the Lodging parcel – developer has been open to the Board's comments and suggestions; provided new contact information to reach departments and encouraged use of the SDL program online.
6. Councilwoman Walker, Health and Human Services Liaison – Councilwoman Walker thanked folks at Related Properties on efforts to obtain vaccinations for residents at Oceanport Gardens making 50 available; provided updates on COVID pandemic; encouraged everyone to continue following social distancing and masks even after being vaccinated; advised of free COVID testing locations; Water Watch continues to sample water quality and following the new stormwater ordinance; plastic bag ordinance not currently being enforced due to COVID to minimize strains on local businesses; provided updates on improvements to school buildings; interview process continues for selection of a new superintendent by end of school year.

- ## XIII. Mayor Coffey's Report:
- Mayor Coffey took time in his report to play video of drone footage of the new municipal complex available on the website; commented on the move into the new municipal complex with everyone enjoying their new home with the exception of court and Mayor & Council while courtroom is completed; the collaborative effort over several councils on completion of this project; several months before finishing touches are completed; commented on upcoming developments in surrounding area including improvements to commissary; thanked FMERA, Jeanne, John, Katie and Donna for coordinating the move; thanked Chief Kelly and police department staff; goals over next 3 years are additional infrastructure improvements and investments in town include the pool, roads, parks and more. He concluded his report with a hello to Buddy Brocklebank.

- XIV. Petitions from the public:** Mayor Coffey opened the meeting to the public and provided the participation information.

Jeff King, 24 Elizabeth Pkwy, Eatontown, congratulated the Borough on the new facilities and advocated for a medical cannabis dispensary and asked the Governing Body to consider the pros of such a use.

Police Chief Michael Kelly thanked FMERA and FMERA Staff Regina McGrade for hosting them in the firehouse for 6 years and help with the move and furniture for their new offices; thanked his staff for rolling up their sleeves and getting moved in so quickly and looking forward to being safe and secure now.

Mayor Coffey added a thank you to the school board for letting the Borough use their facilities for the last 7.5 years.

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

- XV. Adjournment:** As there was no further business, the meeting was adjourned at 8:06 PM on a motion by Councilwoman Walker, seconded by Councilman Deerin and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK