BOROUGH OF OCEANPORT

MAYOR & COUNCIL

MINUTES ● DECEMBER 3, 2020

Workshop **REMOTE/VIRTUAL** **7:00 PM**

Municipal Building, 315 E. Main Street, Oceanport, NJ 07757

I. Meeting Called to Order: Mayor Coffey called the meeting to order at 7 PM

II. Statement of Compliance with Open Public Meetings Act: This meeting complies with the Open Public Meetings Act by adequate notification on **November 2, 2020** of this virtual/remote meeting and its location, date and time to the Asbury Park Press and the Star Ledger 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 the members of Council in the flag salute.

IV. Invocation: Borough Chaplain Stacy Deerin gave an invocation.

V. Roll Call:

Attendee Name	Title	Status	Arrived	Departed
Jay Coffey	Mayor	Remote		
William Deerin	Councilman	Remote		
Richard Gallo	Councilman	Remote		7:49 PM
Bryan Keeshen	Councilman	Remote		
Michael O'Brien	Councilman	Remote		
Thomas Tvrdik	Councilman	Remote		
Meghan Walker	Councilwoman	Remote		
Jeanne Smith	Borough Clerk	Remote		
Donna M. Phelps	Borough Administrator	Remote		
Scott Arnette	Board Attorney	Remote		
Catherine D. LaPorta	Chief Financial Office	Remote		

VI. RESOLUTIONS:

#2020-248 Resolution authorizing payment of BILL LIST 12-03-2020

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

#2020-249 Resolution appointing an Administrative Assistant to the Construction Department

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

#2020-250 Resolution approving certified LOSAP list for 2019 - First Aid

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

#2020-251 Resolution authorizing waiver of Street Opening Moratorium for 284 E. Main Street

Councilman O'Brien asked a question on the motion concerning the repair requirements. Ms. Smith advised that per the ordinance it was done based on the Borough Engineer's recommendation – which typically entailed for full width of street but in this event the Borough Engineer had recommended otherwise as permitted by the Ordinance.

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

#2020-252 Resolution designating the approved NJDEP facility for the Borough's recyclables

RESULT:	**ADOPTED [5 TO 0]**
MOVER:	Meghan Walker, Councilwoman
SECONDER:	William Deerin, Councilman
AYES:	Deerin, Gallo, Keeshen, O'Brien, Walker
RECUSED:	Tvrdik

VII. FIRST READING ORDINANCES:

Capital Ordinance providing for Radio Tower and Assoc. Equipment

Councilman Tvrdik called for the introduction of "**CAPITAL ORDINANCE PROVIDING FOR THE ACQUISITION AND INSTALLATION OF A RADIO TOWER AND ASSOCIATED EQUIPMENT AT THE MUNICIPAL COMPLEX, BY AND IN THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING $91,998 THEREFOR ($91,998 FROM MONIES RECEIVED FROM THE SPORTS WAGERING ECONOMIC DEVELOPMENT AUTHORITY PROGRAM OF THE STATE OF NEW JERSEY) TO PAY FOR THE COST THEREOF**" 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 December 17, 2020 and to advertise same in accordance with the law, which was seconded by Councilwoman Walker.

RESULT:	**APPROVED OF FIRST READING [UNANIMOUS] Next: 12/17/2020 7:00 PM**
MOVER:	Thomas Tvrdik, Councilman
SECONDER:	Meghan Walker, Councilwoman
AYES:	Deerin, Gallo, Keeshen, O'Brien, Tvrdik, Walker

VIII. SECOND READING ORDINANCES:

#1030 Ordinance Codifying the Land Development Ordinance

Councilman Tvrdik called for the 2nd reading and Public Hearing of an ordinance adopting new Land Development Ordinance 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 ADOPTING AND CODIFYING THE LAND DEVELOPMENT ORDINANCE OF THE BOROUGH OF OCEANPORT**" was published one time in the Asbury Park Press on November 16, 2020 and notice was provided to the County Planning Board and adjacent municipalities in accordance with law.

Mayor Coffey recognized in attendance Borough Planner Kendra Lelie who provided an overview and summary of the new ordinance.

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 O'Brien and seconded by Councilman Gallo.

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

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

IX. **Administrator's Report:** Ms. Phelps reported that the JIF has advised that this year's dividend would be $14,658, down from 2019; confirmed receipt of the $100,000 grant reimbursement for the police generator; confirmed receipt of the Borough's share of the 2019 Sports Wagering betting tax as evidenced by the introduction of the capital bond ordinance earlier and will now begin working on the 2020 reimbursement; reported that the Borough has been awarded $150,000 for Comanche Drive Phase II improvements from the NJDOT 2021 program; reported on an issue with flooding on Monmouth Blvd near the intersection with Myrtle Ave, Borough Engineer working with the County to resolve issue with a manhole that may be the problem; reported on attendance at the NJLM virtual conference and CEUs earned.

Councilman O'Brien asked what was the total amount for Sports betting - $179,000? Ms. Phelps responded it was something around that and was told by the State that what the Borough had not submitted for reimbursement would roll over and be available for future projects.

Ms. LaPorta advised that the budget process was beginning, reaching out to department heads; also advised that there would be some routine financial resolutions for the year end at the next meeting; and with the change of the Reorganization meeting date she would be requesting authorization to make debt payments until the temporary budget was approved.

X. **Clerk's Report:** Ms. Smith also advised that Sergeant Tucci of the Police Department had contacted her regarding new law that requires the Police Department to provide means for the public to pay for fingerprinting services by credit card. Quote has been obtained from Municipay and working on getting second quote for action at the December 17th meeting so it was in place for the new year.

Dec. 17, 2020 Meeting Items:

1. Resolution setting the date for the 2021 Reorganization Meeting
2. Resolution awarding contract to V&B Auto Repair for 2020 services
3. Resolution authorizing Tax Sale Redemption #19-00002
4. Resolution authorizing Tax Sale Redemption #19-00012
5. Resolution authorizing refund for overpayment and tax court judgment
6. Resolution authorizing an Agreement with MCSPCA for Animal Control Services 2021
7. Receipt & Approval of Recreation Committee Minutes, Sept. 9, 2020
8. Receipt & Acceptance of Historical Committee Minutes, Oct. 8, 2020
9. Mayor & Council - Workshop - Jul 16, 2020 7:00 PM
10. Mayor & Council - Regular Meeting - Jul 16, 2020 7:30 PM
11. Mayor & Council - Workshop - Nov 5, 2020 7:00 PM
12. Mayor & Council - Regular Meeting - Nov 5, 2020 7:30 PM

Ms. Smith lastly invited questions or comments on the items for the 12/17 regular meeting and advised that the Workshop minutes for July 16th would be provided with that agenda. As there were no objections, those items were moved to the regular meeting agenda.

XI. Discussion Items:

1. Disposition of Recycling Materials – Mayor Coffey led discussion on the potential opportunity to save some money by disposing of recycling materials at another facility; discussion included topics on fluctuating markets and fluctuating prices per ton; securing a contract with a vendor that sets a ceiling on the costs should the markets rise; exception to the bidding laws; billing currently is about $5,000 per month and at 25% savings would amount to about $1,000 per month; pricing for single stream versus going back to separating types of materials, need to discuss with current collection contractor and re-educate the public; the current recycling collection contract was separate for this purpose – to allow the Borough to relook at this with changes where appropriate. Ms. Phelps will look into obtaining quotes from Mazza and Atlantic Fiber.

2. Resolution approving Eagle Scout Project - Fire Hydrants; Mayor Coffey briefly described the proposed project to refresh the identification of the fire hydrants. Consensus was that it was a good project and with no objections was moved to the 12/17 meeting for action.

XII. Mayor's Report: Mayor Coffey's .reported included updates on coronavirus orders and statistics; a recent Governor's order that exempted legislative and judicial bodies from the capacity limits but local agencies not permitted to set limits on their own; meetings virtually will likely to continue for the next 5-6 months; Federal government working on plans to disseminate the vaccine; tree lighting event was cancelled with the reduction in outdoor gatherings; acknowledged the passing of residents Jeff Oakes and Brian Ford and their contributions to the community.

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

Mark Patterson, 40 Itaska Place, asked a question about the bill list and the payment for Custom Care for lawn services charged to Open Space. Ms. LaPorta responded that only the portion for the maintenance of the Borough's parks was charged to open space – all other work, including the service done for the schools was paid through the operating budget.

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

XIV. Executive Session:

At 7:49 pm, the Mayor asked for a motion to approve Resolution #2020-253, authorizing the Governing Body to enter Executive Session, which was made by Councilman O'Brien, seconded by Councilman Keeshen. At Mr. Arnette's advise, the discussion could potentially involve the fire department so Council President Gallo would not join the executive session.

#2020-253 Resolution authorizing an Executive Session

Litigation, Negotiations and the Attorney Client Privilege N.J.S.A. 10:4-12(b)(7)
Length of Service Awards Program

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

At 8:47 pm, the Mayor & Council returned from Executive Session and the workshop meeting was reopened on a motion by Councilwoman Walker and seconded by Councilman Keeshen.

Motion to Reopen the Workshop Meeting

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

XV. Adjournment: As there was no further business, the meeting was adjourned at 8:48 PM on a motion by Councilman O'Brien, seconded by Councilman Tvrdik and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK