



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

MINUTES • OCTOBER 21, 2021

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 June 29, 2021 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:** Mayor Coffey led attendees and members of Council in the flag salute.
- IV. **Roll Call:**

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

- V. **GUEST: FMERA Staff Monthly Update:** Bruce Steadman, FMERA Executive Director, participating by phone, provided an update on Oceanport parcels and redevelopment projects approved – Barker's Circle, Allison Hall and lodging parcels, in planning or out for bid; advised that FMERA was able to payoff its obligation on time with the Monmouth County Improvement Authority.
- VI. **Engineer's Report:**
- 2021 Road Program – Borough Engineer William White provided an overview of the Gooseneck Point Road and Shore Road improvements planned as part of the 2021 road program. NJ American Water replacement of the water mains was contingent upon paving the entrance to Gooseneck Point Road which is why the partial re-pavement had been done for the section up to Blackberry Drive. The remainder of Gooseneck Point, about 1800 feet, will be reconstructed with all new curbs, storm drainage being replaced, remove old corrugated metal pipe that are failing inlets; some improvements required right of access entries that a couple residents have not responded to; not changing the profile, maintaining same road width; cul-de-sac will remain same size but will have curbs and new inlets, new drainage system.

Councilman Tvrdik asked what is the anticipated completion time. Mr. White responded about 4 months as long as there are no material delays and includes both roads.

Councilman Keeshen asked if they were using RCP or ADS and was told RCP – reinforced concrete pipe which will last longer and is more available currently.

Mayor Coffey asked what was the planned start date and the next steps. Mr. White responded that they would finalize plans after comments from this meeting and get it out to bid with start time in March/April, possibly February if winter is mild. Also dependent on the asphalt plant being open. Councilman Tvrdik commented that the original plan was to do these projects over 3 years but the plan now is to do it all in one project taking 4 months.

Mayor Coffey asked Mr. White to explain the process and approach to Shore Road. Mr. White responded that the section of road along the water needs to be elevated which will vary depending on the grades at each property. They have done a cap over it a couple times to make it passable for school bus, there's been a lot of construction in that area. The road is shot. Mr. White also discussed catch basins on Shore Road explaining that the east side of Shore Road had been upgraded and a new outfall put in and oversized it specifically to tie into the west side; there were 6 basins not working at all and there will be a total of 8 new catch basins installed.

Mayor Coffey opened the meeting to provide residents an opportunity to comment and ask questions.

Linda Kelly, 76 Gooseneck Point Road, asked questions about the length of time it's taken to get this project going, why the delays, applauded DPW for their efforts keeping potholes filled, expressed concern on the hazards of the road and the unsafe conditions and why can't it start now and not wait for the spring. It was explained that the project has to go out to bid, the timeframes involving bids and the available funding for the project based on the bid results.

Robert Portman, 29 Shore Road, expressed frustration on the issue which was not a new issue; recognizes that it is a low-lying area, complimented the road department; large timbers that float up onto roadway during flooding along with the potholes has made for a dangerous condition; commented that COVID played some part, but this has been going on since 2017 and earlier; he recounted various events of flooding, collapse of the check valves, roadway. Mayor Coffey commented that the Borough has been and continues to pursue grant funding to replace the check valves – something being discussed later in the meeting as part of ARP funds for this type project. Mayor Coffey added that this Council has expedited the project to get it done sooner. Mr. White added that the Borough purchased a jet truck in conjunction with Shrewsbury and have been regularly cleaning out the storm drains.

Robert Kelly, 76 Gooseneck Point Road, affirmed Mr. Portman's comments; commented that Shore Road in a storm at night is dark, you can't see the water coming up and difficult to know when to leave; he asked questions about the width of the road – currently narrow at end near cul-de-sac but will be made consistent width with rest of roadway. Mr. Kelly also expressed concern about how contractor trucks ride up on lawns because the road is too narrow; asked if there would be sidewalks that would make the roadway even more narrow on Gooseneck? Councilman Tvrdik responded that there was no sidewalks, just curbing. There was discussion about what involves widening the roadway and the challenge with property owners.

Michael Dale, 44 Shore Road, commented that they've been living with this for a long time; asked if Shore Road would have concrete curbing and was told yes, it would be curb with a concrete swale/gutter; discussions held with the town for efforts to get the water to flow; didn't want the grades raised if not necessary. There was discussion on the challenge of raising the grade and the Borough Engineer's reluctance to raise the road too high which creates other issues. Mayor Coffey commented that he's not sure to what extent the Borough could individualize the grade but if the Borough can assist it should.

Steve Draper, 68 Gooseneck Point Road, having lived there for 40 years, discussed his unique situation being on the site of the original pumping station; the lagoon access and the history of Gooseneck Point being an area given to tides and storms. He commented that most of the trucks are voluntary – service trucks; commented at length on the road width complaints and didn't want to see more encroachment, there will always be wood, pieces of docks, etc. and doesn't know of a way to limit that, it is just the way it is. He also commented that the 25 miles an hour signs seem inconsequential to the next generation.

Lindsay Orosz, 49 Gooseneck Point Road, asked why these conversations were happening now when this was discussed back in 2020; many young families moving in; metal has come up in the flooding; and knows that the law provides for exigency procurements and why isn't this done yet; what is wrong and how can the residents help to get this moved along more quickly? She feels all she's hearing are a lot of excuses and wants to know what assurance do they have that this project will be done. Mayor Coffey responded that the plan is to have it done this Spring 2022; but there are no assurances because other emergencies may come up that funding may need to be reallocated but as it stands now, the project is planned and budgeted for this spring and this governing body has dedicated the resources to fix it, delays in the past may have been because it is such a large project. Ms. Orosz reiterated that they are willing to do what needs to be done to get the project done and is concerned that the project not be delayed any longer.

Chris Johnson, 67 Gooseneck Point Road, commented his frustration on the poor roadway and asked what can be done to get the one individual holding off on permissions in order as he knows legal matters take a long time. Mr. White responded that Mr. Johnson's site was on a separate system.

There was discussion on Mr. Kelly's comments that Shore Road was dark and whether a streetlight be put in – some residents do not want a light on the darkness view as well as no electrical wiring to there.

Mitch Ross, 8 Shore Road, expressed his concerns on the safety of the road, his wife who has torn her knee while walking on the road; and his family's inability to walk the neighborhood. He urged the Borough to get the project done sooner than later.

Marianne Pederson, 69 Gooseneck Point Road, spoke on behalf of a neighbor who wasn't able to attend because she had hurt her leg and was unable to walk; Ms. Pederson urged everyone that this is more than just water and curbs, this was about people and urged that the Borough get the project done quickly.

Mitch Weiner, 189 Comanche Drive, stated he wasn't part of the group but asked when his road was scheduled to be done. Mr. White answered it was a part of the same project to be done in the spring.

Peter Tsairas, 80 Gooseneck Point Road, new to the neighborhood, commented on the speeding that is happening on the road despite the potholes and asked why couldn't a 15 MPH sign be put up. Mayor Coffey commented that it was a town-wide issue, the Borough had 2 signs donated this year and more to be purchased next year, but the problem is from Oceanport residents, not those cutting through, told of his own experience with a resident tailgating. There was additional discussion on the issue.

Mr. Tsairas also appealed to the Governing Body to limit maintenance crews from working on Saturdays.

Councilman Tvrdik advised for the residents, like previous road programs, they have allowed the contractor to begin at 7am in order to get the project finished sooner and wanted the residents to be aware.

VII. Administrators Report:

1. 2021 Best Practices Questions – Ms. Phelps explained the purpose of the best practices questionnaire used by the State to score municipalities with amount of State aid impacted by the score. Based on questions answered by Ms. LaPorta, Ms. Smith and herself, the Borough scored a 20.5 out of possible 23 points. The Borough did not score for on items related to exempt employees using comp time in same period; an accumulated absence policy, an anti-nepotism policy and no public electric vehicle charging stations on municipal property. State requirements are that the questions be discussed by the Governing Body. Mayor Coffey asked the Council if they had looked at the content and had an opportunity to review it which all present affirmed.

Ms. Phelps also reported on recent inspection by PEOSHA who met with DPW Superintendent. The inspector was impressed with the public works garage and the area containing the vehicles and plow equipment, overall nothing glaring.

Ms. Phelps advised that in response to Councilman Gallo's requests, she provided photos of the deteriorating curbing and sidewalks on Oceanport Avenue to Rt. 36 to the County to see if they could be of assistance in conjunction with the milling and paving project the county will be doing in the spring. There has been no word but she will keep them posted.

The County has notified that the Borough's application for the pickle ball courts and community garden project is complete, notice of awards usually comes out in January.

Two bids were received for the Community Center Park project – they came in higher than anticipated – originally estimated for \$350,000 with a portion covered by a \$150,000 grant from the county; the lowest base bid came in at \$416,835 by Precise Construction and the other by Vulcan Construction at \$433,512. Councilman Keeshen asked if the bid was done as lump sum or unit prices – and was told unit prices. Prices for materials have gone up due to shipping problems. Discussion ensued on whether to modify the project at all and rebid or find the funding to do the project the right way. Ms. LaPorta advised that there were projects planned for this year that did not happen so there was sufficient funding available from the Open Space Fund for the base bid. Discussion ensued after which it was decided to award the base and do the dugout roofs another time.

Councilman Tvrdik brought up a resident question that was raised about portable bathroom or community center to have a bathroom and was there anything in the bid for that. Mr. White answered no, the community center already has an ADA outdoor accessible bathroom. Ms. Smith confirmed there are keys available to use that bathroom.

- ## **VIII. Clerk's Report:**
- Ms. Smith reminded everyone of the upcoming Veteran's Day ceremonies and that invitations were going out. Confirmed receipt of monthly report from the DPW Superintendent. Ms. Smith also reviewed the proposed rates for health insurance renewal for 2022 with an overall reduction of 1.52%, and the issuance of a dividend is anticipated in the amount of \$129,382.

IX. Consent Agenda:

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| #2021-206 | 1. | Resolution authorizing payment of BILL LIST |
| #2021-207 | 2. | Resolution Approving Issuance of Liquor License for The Loft Partnership |
| #2021-208 | 3. | Resolution authorizing an MOU for Ballot Box Security Camera |
| #2021-209 | 4. | Resolution approving Special Event Permit for Residents of Oneida Ave for a Block Party |
| #2021-210 | 5. | Resolution cancelling capital grant balances |
| #2021-211 | 6. | Resolution cancelling capital improvement authorization |
| #2021-212 | 7. | Resolution authorizing cancellation of grant balances |
| #2021-213 | 8. | Resolution authorizing membership application with Keystone Purchasing Network |
| #2021-214 | 9. | Resolution authorizing purchase of garbage truck from Shrewsbury Boro |
| | 10. | Approval of First Aid Membership Application, Crochet, Darlene |
| | 11. | Approval of First Aid Membership Application, Crochet, Kyle |
| | 12. | Receipt & Acceptance of Minutes, Historical Committee, Aug. 12, 2021 |
| | 13. | Receipt & Acceptance of Minutes, Historical Committee, Sept. 9, 2021 |
| | 14. | Receipt & Acceptance of Minutes, Historical Committee, Sept. 23, 2021 |
| | 15. | Receipt and Acceptance of Minutes, Parks & Recreation Committee, August 11, 2021 |

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

X. Minutes:

1. Mayor & Council - Workshop - Sep 2, 2021 7:00 PM

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

2. Mayor & Council - Regular Meeting - Sep 16, 2021 7:00 PM

RESULT:	TABLED UNTIL NEXT MEETING
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XI. Resolutions:

- #2021-215** Resolution authorizing NJSAGE Grant application for Fish Kill expenses

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

- #2021-216** Resolution amending Personnel Policy for updated JIF policies

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

- #2021-217** Resolution appointing Chris A. Henry, Jr. as Patrolman I

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

- #2021-218** Resolution appointing Relief Crossing Guard Darlene Crochet

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

#2021-219 Resolution appointing Brian Trivett as seasonal labor for the Public Works Dept

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

#2021-220 Resolution appointing Tyler Poyner as seasonal labor for the Public Works Dept

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

#2021-221 Resolution authorizing competitive contracting for 2022 services

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

XII. First Reading Ordinances:**#1046** Introduction of An Ordinance Providing for Investigative Procedures for Liquor Licensing

Councilman Tvrdik called for the introduction of "AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING CHAPTER 115 "ALCOHOLIC BEVERAGES", LAST REVISED MARCH 18, 2021 FOR THE ESTABLISHMENT OF INVESTIGATIVE PROCEDURES"" 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 November 4, 2021 and to advertise same in accordance with the law, which was seconded by Councilwoman Walker.

RESULT: APPROVED OF FIRST READING [UNANIMOUS] **Next: 11/4/2021 7:30 PM**
MOVER: Thomas Tvrdik, Councilman
SECONDER: Bryan Keeshen, Councilman
AYES: Gallo, Keeshen, Tvrdik
ABSENT: Deerin, O'Brien, Walker

XIII. Second Reading & Public Hearing Ordinances: None**XIV. Committee Reports:**

1. Councilman Deerin, Parks & Recreation - Absent
2. Councilman Gallo, Public Works & Engineering – Reminded residents to follow the leaf schedule and to be sure to keep sticks separate for the trash collector
3. Councilman Keeshen, Public Safety – Welcomed and congratulated Chris Henry aboard; reported that a multi-agency drill was held this month thanks to Councilman Tvrdik which was successful; reminded residents to watch their speed, especially as clocks changes and less light when schools get out.
4. Councilman O'Brien, Finance & Administration - Absent
5. Councilman Tvrdik, Planning & Development – Welcomed Chris Henry as well as Brian Trivett and Tyler Poyner; provided an update on development including the Loft building nearing completion with the developer beginning a new project – Barker's Circle before the Planning Board next month; the Board has approved the Site Plan for the Warehouse parcel development project after

2 meetings – includes (3) units just under 30,000 sf. each with warehouse space and flex space; the last phase of the site will include 2 1-story buildings for office and tech research.

6. Councilwoman Walker, Health & Human Services – Absent. Mayor Coffey read her provided report which included Oceanport schools seeking public participation for strategic planning of the district, construction continues into the school year with windows complete at Maple Place and interior doors near completion; back to school night details; Environmental and water watch committees are looking forward to updates on the check valve project for flood mitigation – an important project for public health and safety as well as property values; looks forward to discussion of reinstating the environmental commission at the 11/4 workshop and perhaps first reading at the regular meeting later that same night; water watch and Oceanport paddle club have been connected to keep apprised of water quality issues and both committee have been strongly encouraged to submit minutes to the Borough Clerk.

XV. Mayor Coffey's Report:

1. Planning Board Appointment: Maura Kelly, Alternate II, unexpired term ending 12/31/2021 – Mayor Coffey announced his appointment of Maura Kelly to the Planning Board. Councilman Tvrdik welcomed her as did Ms. Smith.
2. Check-Valve Project – Mayor Coffey discussed the available ARP funding and his belief that the money is available and an appropriate project would be the check valve project as flooding impacts 40% of the streets in the Borough and invited Mr. White's input/analysis for the areas of most impact – Genesee, Monmouth Boulevard, Seneca, Driveway, Shore Road to name some. Mayor Coffey commented that he would like to expedite the project as the funds are available and do 6-8, maybe 10 as a test run for the larger overall project. He questioned Councilman Gallo who had expressed concern about the project. Councilman Gallo advised he didn't have a problem with the project but wanted to revisit the total of 37. Mayor Coffey continued that there's \$300,000 and with the change in material costs, it may cover 7 and recommended that they bid it out as (1) valve for the base bid with an alternate for #s 2-10 and if there's enough money do the 10. Councilman Keeshen asked if there were multiple vendors. Mr. White responded there are 2 main vendors but some other off shoots. He recommended that they also pursue the valve type that makes it accessible to DPW for regular maintenance. Councilman Keeshen asked if the Borough could buy the valves and just bid out the installation. Mr. White responded they would likely need to be bid out as well unless State contract used. Mayor Coffey added they just want to do it right.

Mayor Coffey announced that Recreation was still looking for trunkers for the Trunk or Treat event and provided details for the event coming up on Saturday.

Mayor Coffey lastly commented on what appears from Facebook, 1000 cats in town and 6,000 dogs but licenses for cats and dogs don't reflect that. The fees coming in for licenses are used to fund programs for animal control and he would be bringing more attention to it in his Mayor's message this month.

Mayor Coffey also reminded residents that leaf pickup is just for leaves as mandated by the Borough's compost permit; branches should be bundled for the garbage contractor and urged residents to keep the storm drains clear to avoid flooding.

Reminder – metal and bulk pickups need to be scheduled by contacting Borough Hall.

XVI. Petitions from the public: Mayor Coffey opened the meeting to petitions from the public.

Sheryl Fordin, 1075 Stephenson Avenue, appealed to the Council to aid with a TNR program for cats due to the large population of feral cats.

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

XVII. Adjournment: As there was no further business, the meeting was adjourned at 9:11 PM on a motion by Councilman Keeshen, seconded by Councilman Tvrdik and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK