



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

MINUTES • OCTOBER 19, 2023

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 7:01 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 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, Statement to the Public:** Mayor Coffey led attendees and members of Council in the flag salute.

IV. **Roll Call:**

Attendee Name	Title	Status	Arrived	Departed
Jay Coffey	Mayor	Present		
William Deerin	Councilman	Present		
Richard Gallo	Councilman	Present		
Bryan Keeshen	Councilman	Present		
Michael O'Brien	Councilman	Present		
Keith Salnick	Councilman	Present		7:50 PM
Thomas Tvrdek	Councilman	Late	7:33 PM	
Jeanne Smith	Borough Clerk	Present		
Andrew Bayer	Borough Attorney	Present		
Donna M. Phelps	Administrator	Present		
Catherine D. LaPorta	Chief Financial Officer	Present		7:37 PM

V. **MAYOR'S PROCLAMATIONS::**

1. Presentation & Proclamation for Joanne Hunt – Councilman Deerin praised Ms. Hunt for her service that kept the rec programs moving smoothly and that the town owes her a debt of gratitude for all of the fun and activities over the years.
Mayor Coffey read a Proclamation declaring October 19, 2023 as "Joanne Hunt Day" in the Borough of Oceanport.
2. Proclamation - Halloween Curfew 2023 – Mayor Coffey declared the curfew hours for Halloween dates through proclamation to be posted on the website and distributed.

VI. **PUBLIC COMMENT - Action Items Only:** Mayor Coffey opened the meeting for comments from the public on action items only. As no one appeared, the comment period was closed.

VII. **Administrators Report:** Ms. Phelps reported on items including FEMA reimbursements; progress with the Borough's participation in the program to improve the Borough's CRS rating – possibly up to a "6" and outlined various items to be accomplished; summarized continuing work with the Multi-Jurisdictional Public Information program that will assist with CRS rating; recent employee assistance program presentation and thanked the governing body for participating in the program; provided an update on the creation of a Wall of Honor tribute in time for Veteran's Day and welcomed everyone to join on November 11th at 11 am in Borough Hall

VIII. **Clerk's Report:** No report

IX. **Consent Agenda:**

- | | | |
|-----------|----|--|
| #2023-235 | 1. | Resolution authorizing payment of BILL LIST 10-19-2023 |
| #2023-236 | 2. | Resolution authorizing purchase of shed through State Contract |
| #2023-237 | 3. | Resolution awarding a contract to Sunbelt Rentals for temporary lighting at Gatta Park |
| #2023-238 | 4. | Resolution authorizing Tax Sale Redemption #23-00011 |
| #2023-239 | 5. | Resolution authorizing Tax Sale Redemption #20-00006 |
| #2023-240 | 6. | Resolution authorizing Change Order #1 decreasing the contract for Pickleball Courts Project |
| | 7. | Receipt & Acceptance of Minutes, Historical Committee, 07/13/2023 |
| | 8. | Receipt & Acceptance of Minutes, Historical Committee, 08/10/2023 |
| | 9. | Receipt & Acceptance of Minutes, Parks & Recreation Committee, 8/16/2023 |

RESULT: ADOPTED [UNANIMOUS]

MOVER: Michael O'Brien, Councilman

SECONDER: Keith Salnick, Councilman

AYES: Deerin, Gallo, Keeshen, O'Brien, Salnick

ABSENT: Tvrdek

X. Minutes:

1. Minutes of Jan 19, 2023 7:00 PM - Tabled
2. Minutes of Jul 20, 2023 7:00 PM - Tabled
3. Mayor & Council - Regular Meeting - Sep 21, 2023 7:00 PM

RESULT:	ACCEPTED [4 TO 0]
MOVER:	William Deerin, Councilman
SECONDER:	Richard Gallo, Councilman
AYES:	Deerin, Gallo, Keeshen, O'Brien
ABSTAIN:	Salnick
ABSENT:	Tvrdik

4. Mayor & Council - Workshop - Oct 5, 2023 7:00 PM

RESULT:	ACCEPTED [3 TO 0]
MOVER:	William Deerin, Councilman
SECONDER:	Richard Gallo, Councilman
AYES:	Deerin, Gallo, Salnick
ABSTAIN:	Keeshen, O'Brien
ABSENT:	Tvrdik

XI. Resolutions:

- #2023-241** Resolution authorizing release of performance guarantee to Fort Partners Group

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

- #2023-242** Resolution amending Personnel Policy to reflect new JIF requirements

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

XII. First Reading Ordinances:

- #1084** Introduction of Ordinance Amending Land Development Chapter 390-27 "Portable On Demand Storage"

Councilman Keeshen called for the introduction of "AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING LAND DEVELOPMENT CHAPTER 390, SECTION 27 "PORTABLE ON DEMAND STORAGE" and then asked the Clerk to read the proposed ordinance by title only, after which Councilman Keeshen moved to approve the Ordinance upon first reading and to hold the PUBLIC HEARING on the proposed ordinance at the Council meeting of November 2, 2023 and to advertise same in accordance with the law, which was seconded by Councilman O'Brien.

RESULT:	APPROVED OF FIRST READING [UNANIMOUS]	Next: 11/2/2023 7:30 PM
MOVER:	Bryan Keeshen, Councilman	
SECONDER:	Michael O'Brien, Councilman	
AYES:	Deerin, Gallo, Keeshen, O'Brien, Salnick	
ABSENT:	Tvrdik	

- #1085** Introduction of Ordinance Repealing Chapter 35, Public Contracts

Councilman Keeshen called for the introduction of "AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING CHAPTER 35 "CONTRACTS PUBLIC" ARTICLE I "PUBLIC CONTRACTS" AND ARTICLE II PROFESSIONAL SERVICE CONTRACTS REPEALING SECTIONS 35-1 TO 35-8

LOCAL PAY-TO-PLAY RESTRICTIONS IN CONFORMANCE WITH THE ELECTIONS TRANSPARENCY ACT" and then asked the Clerk to read the proposed ordinance by title only, after which Councilman Keeshen moved to approve the Ordinance upon first reading and to hold the PUBLIC HEARING on the proposed ordinance at the Council meeting of November 2, 2023 and to advertise same in accordance with the law, which was seconded by Councilman Deerin.

RESULT:	APPROVED OF FIRST READING [UNANIMOUS]	Next: 11/2/2023 7:30 PM
MOVER:	Bryan Keeshen, Councilman	
SECONDER:	William Deerin, Councilman	
AYES:	Deerin, Gallo, Keeshen, O'Brien, Salnick	
ABSENT:	Tvrdik	

XIII. Second Reading & Public Hearing Ordinances:

#1083 Ordinance Amending Special Event Fees for First Aid/Fire Standby

Councilman Keeshen called for the 2nd reading and Public Hearing of an ordinance amending the fees for Special Events First Aid & Fire Standby 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 204 FEES FOR SPECIAL EVENTS REQUIRING FIRST AID/FIRE DEPARTMENT STANDBY"** was published one time in the Two River Times on October 5, 2023.

PUBLIC HEARING: Mayor Coffey opened the meeting for public comment for this ordinance. As no one else from the public presented to be heard, the public hearing was closed on a motion by Councilman O'Brien and seconded by Councilman Keeshen.

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

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

XIV. Council Standing Committee Reports:

1. Councilman Deerin, Parks & Recreation – Reminded residents of the upcoming Trunk or Treat and Veteran's Day events.
2. Councilman Gallo, Public Works & Engineering – Reminded residents of leaf collection schedule and to follow the zones, no branches which should be bundled separately.
3. Councilman Keeshen, Public Safety – Reported that the Fire Department is currently working on 5, 10 and 20-year plans and thanked them for taking that on; Police Department is advertising for a 17th police officer and School Resource Officer – costs for which will be shared with Board of Education; congratulated Sergeant Perrulli on his retirement.
4. Councilman O'Brien, Finance & Administration – Thanked Ms. Hunt for her years of service and Ms. Phelps work on the personnel manual.
5. Councilman Salnick, Health & Human Services – No report from environmental committee standpoint; did not have an opportunity to meet with BOE President who was present in the audience and invited him to share any updates in public comment section.
6. Councilman Tvrdik, Planning & Development - Absent

- ### XV. Mayor Coffey's Report:
- Reported on items including the planned \$27 million dredging project to begin on November 1st in the Shrewsbury and will also go down Branchport Creek to Casa Comida and completion anticipated for end of December, there was a proposal to have the dredge material to go down Comanche which is a newer street so the new plan is to have it go through Shrewsbury Sailing and Yacht Club for staging before shipping out; ongoing work on Center Street due to concrete curbing settle time which has become an issue with scheduling and thanked residents for their patience; the new restaurant Baseline Social is open and seems to be busy every night; Oceanport was the only town in Monmouth County selected for funding to provide Pre-K classes on a lottery system and the benefits to Oceanport, the ongoing improvements at both schools looking great and the ability to handle additional students should any developments necessitate that. Mayor Coffey also advised that he received notice that the FMERA Plan Amendment #20 for Netflix was forthcoming and would be posted and distributed for comment within the 45-day period required by law. Mayor Coffey further commented in the past year there's been a lawsuit that was engendered by Sea Bright in connection with the sending of children to Shore Regional and the movement in Sea Bright to pull students out of Shore Regional because it costs a lot of money – they send their kids there because of how the State calculates school funding which is based on real property values

and they have a very few number of kids coming to Shore Regional and they feel they are overpaying but that's not how the calculation works. They attempted to join in with Atlantic Highlands, Highlands, and Henry Hudson School District which effort failed and ended up being an application to the State on the part of Hendry Hudson, Atlantic Highlands, and Highlands to come up with a combined district from the 3 different schools in those towns. This was only about money as there was not one parent that wishes to take their student out of Shore to go to Henry Hudson or any athlete; Henry Hudson has 312 students for grades 7-12 but if the idea is to have school consolidation, Shore Regional has 4 towns, so it doesn't make sense to him how it is a better consolidation other than it makes it financially better for people who live in Sea Bright. Mayor Coffey further commented on the successful referendum to combine the 3 school districts which Sea Bright fought against it so they would have an opportunity to leave Shore Regional. Over the next year it is anticipated that they will seek to withdraw again.

Councilman Tvrdik entered at 7:33 PM

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

Mark Patterson, 40 Itaska Place, appeared at the suggestion of Councilman Salnick, commended the Mayor for his knowledge on the school's business and that he had pretty much covered it.

Councilman Tvrdik took the opportunity to report that Port Au Peck Ave would have disturbances while NJNG replaced gas lines in advance of the Borough's road program work and wished a Happy Birthday to Lee Wersinger, 92.

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

XVII. Adjourn to Executive Session: At 7:36 PM Councilman Tvrdik made a motion to adopt the resolution to enter Executive Session which was seconded by Councilman Salnick and received the following roll call.

#2023-243 Resolution authorizing an Executive Session, October 19, 2023

☒ N.J.S.A. 10:4-12(b)(7)	<i>Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege</i>
	- <i>Shared Services Proposal</i>
	- <i>Potential litigation - 60 Shore Road</i>
☒ N.J.S.A. 10:4-12(b)(8)	<i>Matters Relating to the Employment Relationship</i>
	- <i>Special Labor Counsel Investigation Report</i>

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

At 8:02 PM, Ms. Smith re-entered the meeting.

XVIII. Return from Executive Session: At 8:03 PM, the Regular Meeting was re-opened on a motion by Councilman Deerin, seconded by Councilman Tvrdik.

XIX. Adjournment: As there was no further business, the meeting was adjourned at 8:04 PM on a motion by Council President Gallo, seconded by Councilman Deerin and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK