



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

MINUTES • OCTOBER 7, 2021

Workshop

Clement V. Sommers Municipal Building

7:00 PM

910 Oceanport Way, Oceanport, NJ 07757

- I. **Meeting Called to Order:** Council President O'Brien 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:** Council President O'Brien led attendees and members of Council in the flag salute
- IV. **Invocation:** None
- V. **Roll Call:**

Attendee Name	Title	Status	Arrived
Jay Coffey	Mayor	Absent	
William Deerin	Councilman	Absent	
Richard Gallo	Councilman	Present	
Bryan Keeshen	Councilman	Late	07:09 PM
Michael O'Brien	Councilman	Present	
Thomas Tvrdik	Councilman	Present	
Meghan Walker	Councilwoman	Present	
Jeanne Smith	Borough Clerk	Present	
Scott Arnette	Board Attorney	Present	
Donna M. Phelps	Borough Administrator	Present	
Catherine D. LaPorta	Chief Financial Officer	Present	

VI. RESOLUTIONS:

#2021-201 Resolution authorizing payment of BILL LIST

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

#2021-202 Resolution authorizing solicitation of bids for Old Wharf House Renovations

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

- VII. **Administrator's Report:** Ms. Phelps reported on items including Shore Regional school bussing agreement for 2021-2022 and the amount of increase, changes in formula and that document would be updated to reflect Borough official signatures; opportunity to purchase a used garbage truck that needs some repairs from Shrewsbury that they were sending to auction for \$15,000 but have offered to Oceanport for \$10,000 – funds are available and would be useful for DPW's use; hiring process underway for administrative assistant in the court office and a recommendation for

appointment would likely be ready for the next meeting agenda; County road projects in Oceanport had a pre-construction meeting with work completion expected in Spring 2022. Ms. Phelps also reported that Oceanport's application for Community Development Block Grant funding for Old Wharf Park parking lot project had ranked #6 which typically results in funding – request had been for \$200,000 and CDBG representatives allocated \$189,392 which was the highest amount allocated out of all the projects. MEL JIF survey of buildings and parks and job safety observation of public works; some areas to address include surface cracks in Blackberry basketball court and Community Center tennis courts; eye protection signage and new eyewash bottles at DPW and secure vertical ladders; tree limbs to be cut back from play equipment at Community Center Park and grass to be removed from cushion material at Charles Park – she will work with the appropriate personnel to correct deficiencies; reported steps taken to apply for reimbursement of the fish kill expenses with a resolution requested for the next meeting to authorize the grant application.

Councilman Gallo asked where the County is paving along Oceanport Avenue, if the Borough could petition the State or Monmouth Park to redo the curbs and sidewalks along Oceanport Avenue which are atrocious. Ms. Phelps offered to reach out to the Borough Engineer to see what could be done.

Ms. Phelps invited Ms. LaPorta, CFO to provide an update on various finance items.

Ms. LaPorta advised that the State had approved the Borough's request for the dedicated trust funds for the fire prevention bureau; at the recommendation of Councilman O'Brien, she investigated membership and use of the Keystone Purchasing Network which she also had reviewed with the Borough Attorney and would request a resolution to approve participation at the next meeting. She also reported that the State had released the 2021 best practices questionnaire which she was working on with Ms. Phelps and Ms. Smith to complete for due date in November, poor scoring results impact the amount of State aid a town receives.

VIII. Clerk's Report:

1. Parks & Recreation Committee Resignation – Ms. Smith advised that Spencer Carpenter had resigned from the Committee and that they would be looking for new member. Call to Service application is available on the website for those interested in serving.
2. Correspondence from Board of Education – Ms. Smith advised that the Borough had received a thank you letter for the donated equipment and for the great working relationship over the 7 years sharing of the equipment.
3. General Election Update – Ms. Smith advised of recent updates including pay increases for poll workers and the need for poll workers, where to apply online; new in-person early voting at select locations from 10/23 to 10/31 – nearest location was in Little Silver.
4. **#2021-204** Resolution approving Special Event Permit for Residents of Burnt Mill Circle for a Block Party - *Added on Late*

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

5. **#2021-205** Resolution approving Special Event Permit for PTO Fall Festival - *Added on Late*

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

Regular Meeting Items:

1. Resolution Approving Issuance of Liquor License for The Loft Partnership
2. Resolution authorizing an MOU for Ballot Box Security Cameras
3. Resolution approving Special Event Permit for Residents of Oneida Ave for a Block Party
4. Resolution authorizing cancellation of grant balances
5. Resolution cancelling capital improvement authorization

6. Resolution cancelling capital grant balances
7. Approval of First Aid Membership Application, Crochet, Darlene
8. Approval of First Aid Membership Application, Crochet, Kyle
9. Receipt & Acceptance of Minutes, Historical Committee, Sept. 9, 2021
10. Receipt & Acceptance of Minutes, Historical Committee, Aug. 12, 2021
11. Receipt and Acceptance of Minutes, Parks & Recreation Committee, August 11, 2021
12. Mayor & Council - Workshop - Sep 2, 2021 7:00 PM
13. Mayor & Council - Regular Meeting - Sep 16, 2021 7:00 PM

Ms. Smith reviewed the regular meeting items. Councilman Gallo asked if the liquor license was for one of the ones already approved. Ms. Smith advised, yes, that was for the sale and this would be for the issuance. With no additional questions or objections, items were moved to the regular meeting for action.

IX. Discussion Items:

1. Telecommunication Installations - Environmental Advisory Committee – Councilwoman Walker asked to table the discussion on this item for her report at the Oct. 21, 2021 meeting.
2. Reinstatement of Environmental Commission, Councilwoman Walker – Councilwoman Walker led discussion on consideration of re-establishing the commission; reviewed the history of the change from a commission to a committee and respectfully requested that the Council consider reinstatement. Back in 2019 there was a huge outcry from the public opposing the change and with no real case made to dissolve the commission. A committee can be dissolved at anytime with no ordinance protecting it and requires no public hearing to do so; the Environmental Committee has expressed strongly that they do not receive site plan application until later in the process – really too late for them to weigh in on anything. Surrounding towns all have commissions. She doesn't know the reasoning as to why it happened and it doesn't seem reasonable and asked the Council to reconsider the matter.

Ms. Smith asked if she could offer some comments on the matter and given the ok. Ms. Smith expressed appreciation for the volunteers but cautioned that if it were considered to reinstate the commission that their role needed to be taken more seriously including compliance with sunshine law for meetings which commissions are required to comply including notices, agendas, minutes, etc. – something that was not being provided for on a regular basis; the annual report was also not being provided; there were occasions where commission member(s) would visit a planning board application site and represent themselves on behalf of the Borough. There was discussion on past practice, current preparation of agendas which are now being provided at the pressing of the Clerk and the need to train the new commission. Ms. Smith added that she's heard the complaint about the applications not being received timely but the commission only meets once a month and an application may sit there for a while until their next meeting right before a hearing takes place in a couple of weeks. There are some applications that really don't need environmental oversight such as shed which the Board moves through quickly but the environmental committee is given a courtesy copy because of the ordinance. Mr. Arnette added that being a commission does make available certain funding for education and programs not available to a committee. Discussion ensued after which it was decided that the Clerk and Borough Attorney would work together to draft an ordinance, distribute for possible introduction at the November meetings.

3. JIF Personnel Policy Updates, Borough Administrator – Ms. Phelps recounted her efforts to prepare an updated personnel policy in compliance with the Borough's insurance provider's requirements; thanked Councilmen O'Brien and Tvrdik for their assistance and thanked Ms. Smith for assistance with formatting the document; she asked that the Council review the document previously distributed to them before the next meeting with the hope that they would adopt the final version. She urged the importance of completing and having in place by November 1st to avoid problems and additional costs in the event there is some type of suit.
4. Check Valve Project & Grant Sources Further Discussion, Borough Administrator – Ms. Phelps led discussion on the check valve grant project; Millennium Strategies not available to prepare the cost/benefit analysis for the FEMA Hazard Mitigation Assistance Grant application but had recommended another firm for a cost of \$17,500; the grant is a cost-share program with approximate Borough costs of \$300,000; alternatively the Borough has funding from the American Rescue Act available – approximately \$600,000 leaving the Borough's cost for the balance of about \$500,000. There was discussion on which route to pursue, whether to proceed with the cost/benefit analysis, timing and deadlines, funding availability, whether ARA funds could be used for another project, was there value still for doing the check valve installations; 37 locations originally proposed; whether both grant programs could be used to fund the project and look at doing a smaller number of check valve installations.
5. Ordinance for Electrical Vehicles – Ms. Smith advised that the Mayor wanted the Council to have an opportunity to view the sample ordinance provided for Council's review which is being mandated by the State to be implemented and listed for discussion at next workshop meeting.
6. An Ordinance Providing for Investigative Procedures for Liquor Licensing – Ms. Smith summarized the request from the Police Department to adopt ordinance language providing rules and guidance for investigation of liquor license applications and applicants and consider introduction at the 10/21 meeting.

7. Potential Shared Service with County for Digital Tax Map Services, Borough Clerk – Ms. Smith summarized the potential program being offered by Monmouth County for a shared service to update the Borough's tax maps, discussed with Tax Assessor and would benefit the Borough in the short term to address issues with Fort Monmouth parcels and tax map updates. The County covers the costs except for custom requests by the municipality. It's a 5-year program but can be terminated early with notice. There were no objections and scheduled for regular meeting.
- X. **Mayor's Report:** Council President O'Brien reminded everyone of the upcoming Centennial Gala and encouraged residents to get there tickets now – some are still available. Also reminded residents to check the website for leaf collection schedule and to be sure that leaves do not have anything else in them such as tree branches.
- XI. **Petitions from the Public:** Council President O'Brien opened the meeting for petitions from the public. As there was no one from the public, Council President O'Brien closed that portion of the meeting.
- XII. **Executive Session:** At 8:04 PM Councilman Tvrdek made a motion to adopt the resolution to enter Executive Session which was seconded by Councilman Keeshen and received the following roll call.

#2021-203 Resolution authorizing an Executive Session

Personnel Matters - N.J.S.A. 10:4-12(b)(8)

Staffing

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

At 8:06 pm, the Council returned from Executive Session and the workshop meeting was reopened on a motion by Councilman Gallo and seconded by Councilman Tvrdek and approved by Council.

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

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK