BOROUGH OF OCEANPORT

MAYOR & COUNCIL

MINUTES ● AUGUST 19, 2021

Workshop | **Clement V. Sommers Municipal Building** | **7:00 PM**

910 Oceanport Way, Oceanport, NJ 07757

I. **Meeting Called 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. **Invocation:** Borough Chaplain Stacy Deerin was unable to attend.

V. **Roll Call:**

Attendee Name	Title	Status	Arrived
Jay Coffey	Mayor	Present	
William Deerin	Councilman	Present	
Richard Gallo	Councilman	Present	
Bryan Keeshen	Councilman	Absent	
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. **Administrator's Report:** Ms. Phelps reported on items including opening of the 2021 Hazard Mitigation grant program and resurrecting the check valve application that was previously submitted along with the Borough Engineer; updated numbers for eligible reimbursements for tropical storm isiais resulting in an additional $13,000 to the Borough; changing vendor for the Borough's postage machine from Pitney Bowes to Jersey Mail systems resulting in additional savings to the Borough; all items from the GovDeals online auction have been picked up; partial payment received of $3,770 with pending future payments of $21,700; geese issue at the municipal complex and options considered to address the problem such as hazing (eggs) or dog patrols with funding available in buildings/grounds – direction was to try a 3-month trial after seeing details of a contract which Ms. Phelps will put together. Mayor Coffey asked about the door buzzer system. Ms. Phelps is working with the contractor who has started the install but a few details being worked out. Councilman O'Brien asked for a rough cost of the system was $14,000 which included system materials and fobs for one door and a foundation to add fobs for additional doors. Mayor Coffey added that the buzzer system will provide a level of security like someone ringing the doorbell at a home – residents will no longer need to be escorted.

VII. **Clerk's Report:** Ms. Smith reported that 150 OPRA requests received to date and extended huge thanks to the construction department staff which handles a lot of the requests as well as Clerk's Office staff, Kim and Kelle; concrete pad has been installed for the mandatory ballot box to be placed on site – thanked DPW Rich Arlt for expediting that with the County scheduled to install the box the following week – security camera in place and the Borough in compliance with the new law. Reports received from Police and DPW which were distributed. Meetings with SDL to improve online services, expand to use public works module and establishment of the online credit card system; new feature for residents to be able to submit bulk/metal requests through the SDL portal online.

Regular Meeting Items:

1. Resolution authorizing payment of BILL LIST for August 19, 2021
2. Resolution authorizing a fireworks display at 2021 Summer's End

3. Resolution authorizing Tax Sale Redemption #17-00015
4. Resolution approving Tax Exemption for Leslie Tuthill
5. Resolution authorizing permits for Facility Use - Summer/Fall 2021
6. Resolution approving Special Event Permit for Bike New York
7. Resolution authorizing cancellation of Wedding Trust Fund
8. Resolution authorizing renewal of shared service agreement for MOD IV System
9. Resolution authorizing Main Street Phase III & Bridgewaters Drive Change Order #1 & Final Payment
10. Resolution authorizing contract for Intron Technology for IT Services
11. Resolution authorizing the purchase of a generator for the municipal building
12. Resolution appointing Carolyn Eckert as a Technical Assistant to the Construction Official
13. Resolution confirming shared services agreement with City of Long Branch for OEM Copier
14. Resolution accepting resignation of Max Lopez
15. Receipt & Acceptance of Minutes, Parks & Recreation Committee, May 12, 2021
16. Receipt & Acceptance of Minutes, Parks & Recreation, June 9, 2021
17. Mayor & Council - Workshop - Jul 15, 2021 7:00 PM
18. Mayor & Council - Regular Meeting - Jul 15, 2021 8:00 PM

Ms. Smith asked for any questions or corrections to the items on for the regular meeting to which there were none and moved to regular meeting for action. Of note were the field use resolution which the Clerk's office was able to accommodate all requests as requested by the Council last meeting, however, the request by Trinity for tennis needs to be removed which was approved; later in the agenda proposed ordinance to amend field use and the permitting process.

VIII. Discussion Items:

1. Resolution for temp. permission for alcoholic consumption at Summer's End – Ms. Smith presented for discussion rather than consent due to past comments about permitting it by the Borough, met with no objections and added to consent.
2. Request from 75 Horseneck Point regarding adjacent Borough Right of Access Easement – Ms. Smith advised that the owner pursued variance relief through the Planning Board – one of the conditions was to obtain approval from the governing body for permission to clean up stones, debris on the Borough's right of way adjacent to the property. Councilman Tvrdik added that part of that area was being used for driveway unknowingly and would be removed. Councilman Gallo asked the right of way provides access to the river – yes. Consensus was that the owner would be improving the area and approved to proceed.
3. Portable Sound/Recording System Donation – Ms. Smith advised that the Borough and Board of Education had been sharing recording/sound system equipment for meetings since Sandy and with the Borough's meeting room being completed, no need for the Borough to use any longer. However, the Board of Ed still using the equipment. As there were no objections, Ms. Smith to prepare resolution donating equipment for next month's meeting.
4. Location of Electronic Sign Board – Councilman Gallo led discussion on proposed location of sign board – original location was planned at the entrance to Gatta Park on Port Au Peck Avenue; DPW Superintendent Steve Briskey had suggested considering the triangle park at Wolf Hill and Eatontown Blvd. as the siren system located there and would eliminate the need for added electric service at Gatta Park. There was discussion on pros/cons of each site, the traffic at the triangle and next to residential area after which it was decided that the sign should be installed at the Maria Gatta Park location.
5. Resolution approving Claimant Certification Policy – Ms. LaPorta explained that before all payments are made that certifications that service/goods were provided are required, there are several types of transactions that are eligible under recently adopted legislation that permits a policy to no longer require certification for those types of transactions. No objections to move to regular for action.
6. Results of RFP for Engineering Design Services for Maria Gatta Park Improvements Phase II – Council President O'Brien outlined the purpose of the proposal request; provided results of the Committee's scoring of responses received with the recommendation being to award a contract to F&P Engineers provided the best price and met the other technical requirements for the project. Ms. LaPorta spoke to the available funding for the contract as a result of holding off on the pickleball court project and community garden project while seeking grant funding in order to certify the funds. Once the Borough has determined to fund the actual project, the engineering costs can be added to the bonding for the project per discussion with the Borough Auditor. Ms. Smith would distribute the resolution provided before the regular meeting which had been certified by the CFO and with no objections was added to the regular meeting for action.
7. Resolution authorizing membership application with H-GAC National Cooperative – Ms. LaPorta advised that Councilman Keeshen had requested that she seek requirements to participate in the cooperative which provides access to various equipment and services that the Borough may wish to utilize. As there was no detriment to participating, there were no objections to add to regular meeting for action.

8. An Ordinance Amending Parks & Recreation 279 - Permits for Facility Use – Ms. Smith provided a summary of the proposed changes that would streamline the application process with submission, review and approval now to be through the Clerk's office, change to two seasons and dates for submittal of applications, change of rate structure to a per/2hr use rather than separate fees for games, practices, camps, etc., and provide for an appeal process to the governing body should there be a disagreement with the Clerk's assignment of fields and prioritizations based on ordinance standards; designate authorized officials to enforce permits and use of facilities. As there were no objections or changes, moved to the regular meeting for introduction.
9. Ordinance Amending the Land Development Ordinance Concerning Nonconformities – Mayor Coffey directed attention to the document which would provide for existing conditions in certain situations to maintain. Ms. Smith added that the amendment would also provide the process for applying for a certificate of nonconformity and when a certificate was necessary and not required. Ms. Smith advised that when it was mentioned to the Planning Board, there were recommendations for additional amendments that were not able to be incorporated with this amendment and would be brought forth at a later date. With no objections or changes, it was added to regular meeting for introduction.
10. Amendment to Property Maintenance Code for Housing & Commercial Certificates of Continued Occupancy – Ms. Smith reviewed meetings with the housing inspector and proposed changes to expand the Borough's code to require CCOs for commercial units; adds language advising of Statutory requirement to file Landlord registration and registration of rental units that provided details about the occupants and will assist with addressing short-term rental violations. New language also provides standard that owners are responsible for resolving open permits before application. No changes to the application fees as the Borough implemented additional inspection required for fire inspection with a fee. Ms. Smith asked for guidance on action steps to address issue of expiring self-reporting certificates. Councilman Tvrdik added that discussion resulted that the self-reporting co's would be considered final inspections with no need for additional inspection or issuance of a final unless requested. Discussion also covered whether a fixed date could be set for "look-backs" on open permits. Mayor Coffey advised that a review of DCA directives would not provide for setting a date and would entail a visual inspection only. Ms. Smith advised that that language was also included under the liability statement of the ordinance. Ms. Smith will prepare resolution to confirm the decision on self-reporting certificates for next month's meetings and the proposed ordinance was added to the regular meeting for introduction with no objections or changes.
11. Award of Special Liquor Licenses for Allison Hall Parcel and Dance Hall Parcel – Mayor Coffey advised that the Borough had received one response for each site for the minimum bid amount of $250,000, requirements had been met and ready to be awarded. There was discussion concerning the remaining two special licenses, which fort sites may use and likely will need for next meeting to add authorization to request proposals for the commissary parcel.

    Ms. Smith took opportunity to discuss recent 2020 Census results of an increase in population in the borough now making it eligible to sell another plenary consumption license. Once census numbers certified the Borough would be able to pursue for use in any area in the Borough permitting same.
12. Proposal for Colliers Engineering to Prepare 2021 MCOSG Application – Ms. Smith advised that the proposals were in their folders and with no objections was added to the regular meeting for action.

IX. **Mayor's Report:** Mayor Coffey reported that two new speed signs have been received and installation was waiting for poles for mounting but in the interim would be put out another way; units were donated. Mayor Coffey commented on the great turnout for the Borough's dedication ceremonies last month for the municipal complex with in excess of 200 people in attendance and hopefully the Seniors will be able to return to the Old Wharf House soon.

X. **Petitions from the Public:** Mayor Coffey opened the meeting for petitions from the public.

Ron Sickler, 45 Morris Place, congratulated everyone for their service and a job well-done. Mr. Sickler then asked about the temporary permission for alcohol at Summer's End and asked was it possible for the fire department or first aid to sell at the event for fund raising or was it a liability. Mr. Arnette opined that there are always liabilities that arise out of personal action, whether beach, town, at home; and other towns may have club license or its served on firemen's grounds, etc. Mr. Sickler commented it was only a suggestion. Mayor Coffey added that the fire or first aid could do it but would purchase event insurance and not sure they wanted to get into that. Councilman Tvrdik commented that he was putting together fundraiser event for fire department with a cornhole tournament and had looked into the alcohol booth but with the amount of ticket funds anticipated they decided to not do the booth and avoid the liability concern. Mayor Coffey added that there's also the need to police it too.

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

XI. Executive Session:

At 8:08 PM Council President O'Brien made a motion to adopt the resolution to enter Executive Session which was seconded by Councilman Tvrdik and received the following roll call.

#2021-157 Resolution authorizing an Executive Session

Litigation, Negotiations and the Attorney Client Privilege N.J.S.A. 10:4-12(b)(7)
Fort Monmouth Redevelopment Housing Obligations
Developer's Agreement - Block 110.04, Lot 1 (Commissary)
Municipal Boundary with Eatontown
Police Chief's Contract - tabled to a future meeting

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

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

At 9:02 pm, the Mayor & Council returned from Executive Session and the workshop meeting was reopened on a motion by Council President O'Brien and seconded by Councilman Tvrdik and approved by Council.

XII. Adjournment: As there was no further business, the meeting was adjourned at 9:03 PM on a motion by Council President O'Brien, seconded by Councilwoman Walker and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK