



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

MINUTES • JUNE 18, 2020

Regular Meeting

Maple Place School

7:00 PM

2 Maple Place, 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 further complies with the Open Public Meetings Act by notification on June 1, 2020 of this virtual/remote meeting, its location, date and time to the Asbury Park Press and the LINK News and by the posting of same on the municipal bulletin board and Borough 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 the attendees and members of the Council in the flag salute
- IV. Invocation:** Borough Chaplain Stacy Deerin gave the invocation and blessing over the Oceanport Police Department.
- V. Roll Call:**

Attendee Name	Title	Status	Arrived
Jay Coffey	Mayor	Remote	
William Deerin	Councilman	Remote	
Richard Gallo	Councilman	Remote	
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 Officer	Remote	

VI. GUEST: FEMERA Staff Monthly Update

Mayor Coffey provided a summary of parcel status including parcels sold: officers housing parcels (RPM), main post chapel, Russel Hall, the municipal complex, fitness center, dancehall and Family Promise building, and telecommunications tower; parcels under contract include Barker's Circle, Allison Hall, the lodging area and warehouse district, commissary, nurse's quarters; parcels not yet under contract were McAfee Center and the 400 area. Additionally, discussion held regarding boundary with Eatontown to accommodate the properties in the streets that are pre-existing there with further meetings necessary to discuss adjustments to the boundary.

Mayor Coffey next acknowledged representatives from Monmouth Park, Count Basie Theatre regarding outdoor concerts. Representatives advised of secured artists such as Southside Johnny and response from sponsors such as The Boss 107.1; recognition of first responders and health care workers from Robert Wood Johnson, Barnabas and Hackensack Meridian Health. Production of events, meetings at site with chief of police, EMS, Fire Marshal, parking staff, security, etc.; additional artists Almost Queen, comedians Eliza Schlessinger, Bert Kresischer and Trevor Noah, Front Bottoms jersey band and a variety of other artists.

Councilman Tvrdik asked there would be absolutely no drinking and was told they don't know if they can stop somebody from bring in their car but it doesn't appear that the racetrack has a desire to serve alcohol or if its even allowed but they are trying to get the parking lot a special permit to do food and beverage if they wanted that in

the future. There was lengthy discussion surrounding private use, people out of their vehicles; enforcement, social distancing.

VII. Administrators Report:

It is my understanding that the Recreation Committee has been thinking about some ideas for the Borough to apply for an Open Space Grant through Monmouth County's Open Space Program. Before we can apply for a new grant, we need to close out the grant that the Borough received for the acquisition of the Rec Building and property at the Municipal Complex. I am working with the company that did the survey and the title company as there are items that the County requires before they will make the grant payment and close out the grant. I am hoping this will all be finalized prior to our July meeting. Applications for 2020 funding from the County are expected to be mailed sometime this month.

2. JA Montgomery Consulting met with the Borough's DPW Foreman for the annual inspection pertaining to the Borough's Safety Program on June 1st. All of DPW's Safety and Health Programs are up to date and Public Works is in compliance with the Right to Know Program. A Loss Control Survey of the parks was done and there were very only 3 discrepancies and 2 of those have already been addressed. Currently, the only outstanding item is some rusted steps on the playground equipment at Blackberry that need to be replaced. This is being addressed by Public Works.

3. I have completed the Borough's Annual Tonnage Report and the Borough is eligible for a grant in the amount of \$8103.99.

4. The state has disbursed Clean Communities grants. The grant amounts have decreased this year because the revenue that funds the program is down. Oceanport will be receiving \$12,992.94.

5. I was notified by the County on Tuesday that the Borough's CARES funding submittal for reimbursement of Covid expenses in the amount of \$27,575.50 has been reviewed and approved for payment processing. This is the 1st round of reimbursement from the County and once they have processed all the requests, we will have a better idea of the amount of funding that will be available and I will be in a better position to determine if we need to move forward with FEMA reimbursement at 75% or we can stay with the County at 100%.

6. Finally, the Borough's Request for Reimbursement to FEMA for the municipal complex submitted on May 7th in the amount of **\$1,239,629.66** has moved through the review process and is continuing to be processed for payment. I am hoping we will receive the funds prior to the July 18th meeting.

VIII. Clerk's Report:

1. Request for Street Vacation - Mohican Ave

Ms. Smith advised of a request from a new purchaser in town of a lot adjacent to the terminus of Mohican Avenue; past requests have been declined but bringing this latest request. Intent is to appear before the Board in order to alleviate variance relief which requires them to attempt to purchase land to reduce the non-conformity. Councilwoman Walker asked if it was possible to sell them a portion Mr. Arnette advised that from a legal aspect the Borough could vacate all or a portion of it. Discussion ensued on the nature of the request and the need to be able to advise the zoning board of attempts to mitigate; neighbors previous requests to the Borough that they deny any requests to vacate as the site is used by the public to access the river.

Ms. Smith advised that comment had been received from Kathy Dougherty, 29 Mohican Ave, via the public comments line requesting the Borough deny the request as well with similar reasonings. Councilman O'Brien was not favorable for the request as did Council President Gallo and Councilwoman Walker. Councilman Keeshen commented he agreed with members of Council, as was Councilman Deerin and Tvrdik. Afterwards the Clerk was directed to advise the requestor that there was no interest in vacating a portion of the right of way.

2. Request to install curbing in Borough Right of Way - 46 Sagamore Ave

Ms. Smith advised that a request had been received to install curbing for the portion of 46 Sagamore which required Council approval in accordance with the zoning ordinance and a resolution and hold harmless agreement has been provided for the Council's consideration.

Ms. Smith advised that there would only be one polling location for the upcoming Primary Election; machines would only be available to those unable to utilize a paper ballot.

Ms. Smith next reported on technology improvements for the new municipal complex and police buildings, proposals from Intron Technology in which to provide those relocations, telephone, data and internet service. All of which had been provided to the Council for consideration. There were no objections or questions.

Ms. Smith sought clarification concerning previously approved field use permits that had been held due to the coronavirus restrictions and requested authority to allow those to proceed with no additional expense or approval now that restrictions have been somewhat lifted. There were no objections.

Ms. Smith lastly advised of a request from the Shore Regional High School parent advisory council seeking to hold a picnic for the 2020 class in place of their events that had been cancelled due to the health emergency. Plans included ice cream truck, food truck, inflatables and use of the building for restrooms, they would provide insurance, however the use of the inflatables would require approval from the Borough's risk insurance provider. Councilwoman Walker added that she had spoken with each member of Council and the mayor and that use of the inflatables had some concern but was assured that the vendor had been approved and would be implementing sanitation procedures throughout the use of the equipment. After some discussion it was decided to let the picnic proceed subject to obtaining the necessary insurance approvals and that any fee for use of the park would be waived. Councilman Tvrdik did ask that they be mindful of the ball field sprinkler systems when putting spikes in ground for the inflatables which was added as a condition.

Ms. Smith also reported that the Blu Grotto at the track had applied and had been approved for an expansion of their liquor license area to provide for the outdoor dining during the no indoor dining restrictions.

IX. Consent Agenda:

- #2020-144 1. Resolution authorizing payment of BILL LIST 06-18-2020
- #2020-145 2. Resolution authorizing waiver of the 2020 Budget Reading in Full
- #2020-146 3. Resolution authorizing self-examination of the 2020 Municipal Budget
- #2020-147 4. Resolution authorizing refund due to tax appeal - Block 41, Lot 2
- #2020-148 5. Resolution authorizing refund due to tax appeal - Block 74, Lot 17
- #2020-149 6. Resolution appointments to Boards & Committees, Water Watch
- 7. Receipt of Minutes from Recreation Committee, March 11, 2020
- 8. Receipt of Minutes from Recreation Committee, April 15, 2020
- 9. Receipt & Acceptance of March, April, May 2020 Monthly Report - Hook & Ladder

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

X. Minutes:

- 1. Mayor & Council - Regular Meeting - Apr 23, 2020 7:00 PM

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

Ms. Smith also reminded the Council and public that the municipal budget had been advertised and that a Special Meeting had been scheduled for June 25 along with the two ordinances.

- #### XI. PUBLIC HEARING: 2021 Community Development Block Grant Application:
- The Clerk advised that notice of a public hearing on the 2021 Community Development Block Grant Application was published in the Asbury Park Press on June 6, 2020.

Kelsey Howard and William White of Maser Consulting, Borough Engineer presented a proposed project to expand the existing parking at the Old Wharf House, The County's annual grant program would allow for the Borough to seek a maximum grant request of \$200,000 with no match required but all costs exceeding the grant award would be the Borough's responsibility. Project completion required in 12 months from County clearance to proceed. Ms. Howard gave an overview of what makes a project eligible including preference to those projects that serve low and moderate income communities or an area of the municipality that falls into the income eligible block group. The Old Wharf House & Park parking lot expansion project falls within an income eligible block group and it also serves a senior group, which meets another requirement for serving an assumed benefit population. The Old Wharf House is utilized by the senior group for meetings and gatherings and the existing parking lot isn't sized adequately to serve the people who use the building. There is a gravel and grass parking lot to the south on the same street but that represents a safety issue walking across the street. The expansion of the existing parking lot will include installation of new curb and sidewalk lighting, milling and paving, new striping and landscape enhancements.

Mayor Coffey opened the meeting to the public for questions or comments on the proposed project.

While waiting for those from the public to participate remotely, questions from Council were answered including considering overlaying the existing pavement versus milling and paving all at full depth with plan being to mill entire area to avoid problems with cold joints, two different base materials, floating and cracking over the years; number of handicap spaces proposed being two; project would entail removal of the existing bocce ball courts which could be moved somewhere else. Also discussed was the ingress/egress and why an additional entrance/exit was not included. Mr. White explained that the current entrance/exit is directly across from Pemberton Avenue and to install another exist they would want it to be at least 200 feet away because of conflicts with the traffic coming in and out of both areas as well as add additional impervious coverage.

PUBLIC:

Mark Patterson, 40 Itaska Place, stated that he knows the scope of the project is limited to \$200,000 covered by the county but had it been discussed or considered to pave the auxiliary lot across the street as well which seems to be used a lot. Mr. White answered that one of the concerns with doing that is enticing people to cross East Main Street which is one of the reasons for the proposed project.

Anne DiDomenico, 1 Leeward Court, asked what would be done with the bocce ball courts. Mayor Coffey answered that Councilman Gallo had sent that over to the Parks and Recreation Committee to look at Evergreen Park.

As there was no one else from the public with questions or comments, Mayor Coffey closed the public hearing.

XII. Resolutions:

#2020-150 Resolution authorizing submittal of CDBG application for improvements at Old Wharf Park

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

#2020-151 Resolution awarding contract to Intron Technologies - IT Services for New Police Building

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

#2020-152 Resolution awarding contract to Intron Technologies - IT Services for New Municipal Building

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

#2020-153 Resolution authorizing submittal of NJDOT Grant Application - Comanche Dr Phase 2

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

#2020-154 Resolution requesting waiver of 390-17(F) - 46 Sagamore Ave

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

#2020-155 Resolution approving Special Event Permit for Drive Up Concert Southside Johnny

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

#2020-156 Resolution approving Special Event Permit for Drive In Concert Comedian Jim Gaffigan

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

XIII. First Reading Ordinances:**#1027** Introduction of An Ordinance to provide for on-street parking for a portion of Crescent Place

Councilman Tvrdek called for the introduction of "ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AMENDING ORDINANCE § 64-3 AND §64-33 TO AUTHORIZE THE RECONFIGURATION AND CONSTRUCTION OF PUBLIC, ON-STREET PARKING ALONG THE WIDTH OF BLOCK 127, LOT 4 AND TO PERMIT PARKING DURING CERTAIN TIMES ON CRESCENT PLACE" and then asked the Clerk to read the proposed ordinance by title only, after which Councilman Tvrdek moved to approve the Ordinance upon first reading and to hold the public hearing on the proposed ordinance at the Council meeting of July 16, 2020 and to advertise same in accordance with the law, which was seconded by Councilman Keeshen.

RESULT: APPROVED OF FIRST READING [UNANIMOUS] Next: 7/16/2020 7:30 PM
MOVER: Thomas Tvrdek, Councilman
SECONDER: Bryan Keeshen, Councilman
AYES: Deerin, Gallo, Keeshen, O'Brien, Tvrdek, Walker

XIV. Committee Reports:

1. Councilman Deerin, Parks and Recreation

Councilman Deerin reported that the decision had been made to not hold an action camp this year due to the pandemic; advised of an alternative option for the kids being presented by an outside group to conduct a multi-sport/soccer camp that would be available for signup beginning next week; movie night to be held July 31st at Blackberry Bay Park – bring a blanket and/ or chairs and social distancing will be enforced; discussions held about possible painting lines on the old hockey rink for pickleball courts which was being looked at by the Engineer to see what would be needed to seal cracks and check the surface so not too slippery. Also being considered is the use of badges for the tennis courts which would give priority for use of them; set up a reservation and use fees to fund court maintenance. Also, Shrewsbury Sailing Yacht Club would be running their summer program

2. Councilman Gallo, Public Works and Engineering

Council President Gallo reminded residents that brush needs to be tied and bundled and put out with garbage; grass clippings are not taken and should be recycled back on one's lawn; public works has washed all park equipment, added new mulch and prepped them for re-opening. The new bulk pickup process has been going well.

3. Councilman Keeshen, Public Safety –

Councilman Keeshen reported that it had been pretty busy for the public safety agencies with COVID, fires and so forth. He encouraged everyone to continue to support the emergency services and if anyone has time and an interest to volunteer to be a fireman or an EMT, reach out to those departments and get involved. He also attended along with Councilman Tvrdik the First Aid meeting last night and a new member was added, Doug Goldsmith. Also they are asking for consideration to purchase a used ambulance and will be putting together a packet of information about the financing for it.

4. Councilman O'Brien, Finance and Administration

Councilman O'Brien reminded the public of the meeting next week for the municipal budget and that copy of the budget was available on the website or by request to Jeanne Smith. Councilman O'Brien also commented on the topic of the estimated tax bills, the moving parts and three things driving the numbers – the municipal budget which is proposing an increase of half a cent per \$100 assessed value, while not a decrease was a deduction in last year's increase; - the school budget which is an increase of about 9/10 of one cent per \$100 assessed value – and the third component is the effects of the change in assessment due to a change in the schedule of when the town has to do re-assessment of property values which reflects in the annual bill. He encouraged everyone to tune in next week's meeting as they review the details of the municipal budget being proposed.

5. Councilman Tvrdik, Planning and Development Liaison

Councilman Tvrdik reported on progress at the new municipal complex including the police station is 90% complete, paint and finishes have begun; curbing and site work being put in place to prepare for paving; municipal building has been laid out and framing to begin next week; looks like contractor is ahead of schedule with Police move to be sometime end of August and municipal building late November. Councilman Tvrdik reported that he had met with Mr. White with regards to getting costs together for the bulkhead on Smith Street and the adjacent property owner that is proposing to donate to the Borough to expedite the work in conjunction with the work he would be conducting on his own bulkhead. Lastly, Denholtz Construction was in the process of acquiring the commissary parcel at the former fort and were hoping to close sometime in September. Proposed redevelopment includes a business park of 7 buildings over 3 phases with the commissary being done first and has plans for a lot of green space; possibly a restaurant and fresh grocery store.

6. Councilwoman Walker, Health and Human Services Liaison

Councilwoman Walker reported on items including current numbers from the county on COVID cases; Water Watch is aware of and is making observations about the DEP confirmed brown algae bloom in the tide; also monitoring reports of dead fish in local waters. Councilwoman Walker also announced that the \$1,000 Sal Gentile Library Scholarship had been awarded to Jimmy Donahoe; she also gave details on the County's Summer reading program. Councilwoman Walker gave an update on both schools, appointments for students to return to retrieve personal items left behind, Wolf Hill held a drive-through clap out with the help of the police and thanked Chief Kelly and the department for their help; Maple Place has graduation scheduled for July at Monmouth Park and Shore Regional is planning their graduation for July 13th outdoors on the field at the high school and thanked the Council for their help with the senior picnic at Blackberry Bay Park being held next Friday, June 26.

- XV. Mayor Coffey's Report:** Mayor Coffey added that the Maple Place graduation was being held July 8th with a rain date of July 9th; commented on the logistics of putting 250 people in a building that holds 30,000 that will comply with social distancing requirements and gain approval of the State of New Jersey who has to approve everything at this point; Senator Declan O'Scanlon and Senator Vin Gopal have agreed to attend given where its being held and Oceanport was the first ones to put in a formalized request. Mayor Coffey also reported meeting with the Centennial Committee and will be posing the question to the public on willingness to attend a picnic event to celebrate Oceanport's 100th birthday. Mayor Coffey next commented on the estimated bills that went out with the bulk pickup notice; provided further clarification as to the reason the estimated bills had to go out because the State was not going to be able to finalize their budget until sometime in September. This means that the County could not set the tax rate and the tax collector is charged with coming up with an estimated rate. Once the State has finished its budget the official rate can be set and the fourth quarter bill will reconcile everybody's tax payments for the year. So if you've overpaid through the first three quarters, your fourth quarter tax bill would be reduced by the overpayment. If you've under-paid then the fourth quarter will make up for it there. Every town has had to do the same thing because the rate has not been set and the town still has to collect money and pay the town's bills. We should have had a letter go out but this was an anomalous situation and if we ever do it again a letter will go out explaining everything.

Mayor Coffey lastly reminded everyone that these meeting were located on the Borough website, they are broadcast on a computer and over FiOS Channel 28 and when in the new building hopefully will continue to broadcast both on FiOS and Comcast. All past meetings are available on the website. The website has an unbelievable amount of information regarding COVID and may other topics. It can be frustrating when it is said "I didn't know". The website has been redesigned and if you look, you can find everything there. The homepage itself has enough information to keep people busy for weeks.

- XVI. Petitions from the public:** Mayor Coffey opened the meeting to petitions from the public. Public was advised to click button on "raise hand" to want to speak, email to publiccomments@oceanportboro.com or call the meeting line at 732.272.8337.

As no one from the public presented, Mayor Coffey closed that portion of the meeting.

Mayor Coffey acknowledged Ms. Smith who advised of a request regarding one additional item for the Council's consideration to use the Blackberry Bay Boat ramp this upcoming Sunday by those who would be participating in a boat funeral procession in honor of deceased resident Mark Franco from Gooseneck Point Road. There was discussion on how to accommodate the request which met no objections. After which the Clerk was directed to advise the Police not to enforce permits for the use of the park that day in honor of "Mark Franco Day".

- XVII. Adjournment:** As there was no further business, the meeting was adjourned at 8:50 PM on a motion by Councilman Deerin, seconded by Council President Gallo and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK