



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

MINUTES • MAY 19, 2022

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 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:** Mayor Coffey led attendees and the Borough Council in the flag salute.

IV. **Roll Call:**

Attendee Name	Title	Status	Arrived
Jay Coffey	Mayor	Present	
William Deerin	Councilman	Present	
Richard Gallo	Councilman	Remote	8:00 PM
Bryan Keeshen	Councilman	Absent	
Michael O'Brien	Councilman	Present	
Thomas Tvrdik	Councilman	Late	8:00 PM
Meghan Walker	Councilwoman	Present	
Jeanne Smith	Borough Clerk	Present	
Scott Arnette	Board Attorney	Present	
Donna M. Phelps	Administrator	Present	
Catherine D. LaPorta	Chief Financial Officer	Present	

Proclamation – Public Works Week

Mayor Coffey read a Proclamation declaring the week of May 15-21 as Public Works Week and then presented to Superintendent Steven Briskey and Assistant Foreman Jorge Segura in attendance that evening.

V. **Administrators Report:** Ms. Phelps reported on items including selection for the FEMA Hazard Mitigation Planning assistance for projects such as the tidal check valve project which Council agreed to authorize Ms. Phelps to pursue; personnel record updates and an implementation of an automated time tracking software which will also provide payroll services.

VI. **Clerk's Report:** Ms. Smith advised unless there were objections she would be proceeding with the notices for the 2022 road program upon adoption of the capital program. She also thanked Public Works for their assistance in processing the destruction of approximately 35 boxes of records no longer needed to be retained.

Mayor Coffey, with the approval of Council, amended the agenda order to take public comments.

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

Mark Patterson, 40 Itaska Place, provided an update on the school construction status with grand opening planned for the early Fall. Mr. Patterson also advised of a public hearing scheduled next week on a completed feasibility study by Sea Bright in support of their appeal to leave the Shore Regional school district and join Henry Hudson Regional school district. It was his opinion that there were a lot of errors and flaws in the information used in the study and one newspaper article quoted mayors that there may be flaws in the study. As a resident of Oceanport, he had hoped the study would have included information such as busing for the elementary schools and the cost of transportation which it did not.

Mr. Patterson also acknowledged the hard work of public works and commented that whenever he compliments Steve Briskey he always responds that it's not him, it's his team. He added that he plays softball and the field prep last year was such an improvement from previous years.

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

VIII. **Executive Session:**

At 7:23 PM Councilman O'Brien made a motion to adopt the resolution to enter Executive Session which was seconded by Councilman Deerin and received the following roll call.

#2022-112 Resolution authorizing an Executive Session**Personnel Matters - N.J.S.A. 10:4-12(b)(8)**

Construction Department

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

At 7:52 PM, the Mayor & Council returned from Executive Session and the regular meeting was reopened on a motion by Councilman O'Brien, seconded by Councilman Deerin and approved by Council.

At 7:52 PM, the meeting was adjourned for a **RECESS** to resume at 8PM on a motion by Councilman O'Brien, seconded by Councilman Deerin and approved by Council.

At 8:07 PM, the Mayor and Council resumed the regular meeting on a motion by Councilman Deerin, seconded by Councilman O'Brien and approved by the Council with the following roll call:

PRESENT: Deerin, Gallo (remote), O'Brien, Tvrdik, Walker, Mayor Coffey

ABSENT: Keeshen

IX. Consent Agenda:

- | | | |
|------------------|----|--|
| #2022-102 | 1. | Resolution authorizing payment of BILL LIST 05-19-2022 |
| #2022-103 | 2. | Resolution authorizing Tax Sale Redemption #21-00002 |
| #2022-104 | 3. | Resolution authorizing refund of overpayment- Block 136 Lot 27 |
| #2022-105 | 4. | Resolution authorizing an Escrow Agreement with Oport Partners, LLC |
| #2022-106 | 5. | Resolution authorizing waiver of the 2022 Budget Reading in Full |
| #2022-107 | 6. | Resolution authorizing release of performance guarantee to RPM Development |
| | 7. | Approval of First Aid Membership Application, Susan Borden |
| | 8. | Receipt & Acceptance of Minutes, Parks & Recreation Committee, 03/09/2022 |

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

X. Minutes:

1. Mayor & Council - Workshop - Mar 3, 2022 7:00 PM

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

2. Mayor & Council - Regular Meeting - Mar 17, 2022 7:00 PM

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

3. Mayor & Council - Workshop - Apr 7, 2022 7:00 PM

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

4. Mayor & Council - Regular Meeting - Apr 21, 2022 7:00 PM

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

XI. 2022 MUNICIPAL BUDGET:**#1052** Ordinance Establishing a CAP Bank for CY2022

Councilman Tvrdik called for the 2nd reading and Public Hearing of an ordinance creating an Environmental Commission 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 TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS FOR 2022 CALENDAR YEAR (N.J.S.A. 40A:4-45.14)**" was published one time in the Two River Times on May 5, 2022.

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

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

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

2. OPEN PUBLIC HEARING - 2022 INTRODUCED MUNICIPAL BUDGET – Mayor Coffey opened the meeting for questions or comments from the public on the municipal budget.

3. CLOSE PUBLIC HEARING - 2022 INTRODUCED MUNICIPAL BUDGET - As no one from the public presented, the public hearing was closed on a motion by Councilman Tvrdik, seconded by Council President Walker and approved by Council.

#2022-108 Resolution Adopting the 2022 Municipal Budget

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

XII. Second Reading & Public Hearing Ordinances:**#1051** Ordinance for Electrical Vehicles

Councilman Tvrdik called for the 2nd reading and Public Hearing of an ordinance creating an Environmental Commission 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 THE BOROUGH'S LAND DEVELOPMENT ORDINANCE TO AUTHORIZE AND ENCOURAGING ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT (EVSE) & MAKE-READY PARKING SPACES**" was published one time in the Two River Times on May 5, 2022.

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

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

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

#1053 BOND Ordinance for Various 2022 Capital Improvements

Councilman Tvrdik called for the 2nd reading and Public Hearing of an ordinance creating an Environmental Commission and asked the Clerk to read the affidavit of publication of the proposed ordinance by title only "**BOND ORDINANCE PROVIDING FOR VARIOUS 2022 GENERAL CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$2,740,500 THEREFOR (INCLUDING A GRANT FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$212,800) AND AUTHORIZING THE ISSUANCE OF \$2,414,342 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF**" was published one time in the Two River Times on May 5, 2022.

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

Councilman Tvrdik made a motion to adopt the ordinance and advertise in accordance with law, which was seconded by Council President Walker.

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

#1054 BOND Ordinance for Maria Gatta Park Improvements Phase II (Turf Fields)

Councilman Tvrdik called for the 2nd reading and Public Hearing of an ordinance creating an Environmental Commission and asked the Clerk to read the affidavit of publication of the proposed ordinance by title only "**BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF MULTI-PURPOSE TURF FIELDS AND RELATED RECREATIONAL IMPROVEMENTS AT MARIA GATTA COMMUNITY PARK BY AND IN THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$2,950,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,809,523 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF**" was published one time in the Two River Times on May 5, 2022.

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

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

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

XIII. First Reading Ordinances:

#1055 Introduction of Amendment to Flood Damage Prevention Ordinance 2022

Councilman Tvrdik called for the introduction of "**AN ORDINANCE BY THE BOROUGH COUNCIL AMENDING THE BOROUGH OF OCEANPORT CODE OF ORDINANCES TO REPEAL CHAPTER 229 FLOOD DAMAGE PREVENTION IN ITS ENTIRETY; TO ADOPT A NEW CHAPTER 229 FLOOD DAMAGE PREVENTION; TO ADOPT FLOOD HAZARD MAPS; TO DESIGNATE A FLOODPLAIN ADMINISTRATOR; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE**" 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 June 2, 2022 and to advertise same in accordance with the law, which was seconded by Councilman O'Brien.

RESULT:	APPROVED OF FIRST READING [UNANIMOUS]	Next: 6/16/2022 7:00 PM
MOVER:	Thomas Tvrdek, Councilman	
SECONDER:	Michael O'Brien, Councilman	
AYES:	Deerin, Gallo, O'Brien, Tvrdek, Walker	
ABSENT:	Keeshen	

#1056 Introduction of An Ordinance Amending Salary Ranges

Councilman Tvrdek called for the introduction of "**AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY SETTING THE SALARY RANGES OF CERTAIN BOROUGH OFFICERS AND BOROUGH EMPLOYEES PASSED AND APPROVED MARCH 16, 1939 AND LAST REVISED AND APPROVED ON SEPTEMBER 16, 2021**" 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 June 16, 2022 and to advertise same in accordance with the law, which was seconded by Councilman O'Brien.

RESULT:	APPROVED OF FIRST READING [UNANIMOUS]	Next: 6/16/2022 7:00 PM
MOVER:	Thomas Tvrdek, Councilman	
SECONDER:	Michael O'Brien, Councilman	
AYES:	Deerin, Gallo, O'Brien, Tvrdek, Walker	
ABSENT:	Keeshen	

XIV. Resolutions:

#2022-109 Resolution authorizing release of performance guarantees to Affordable Housing Alliance

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

#2022-110 Resolution appointing an Administrative Assistant for the Court Office

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

#2022-111 Resolution awarding contract for installation of turf fields in Maria Gatta Park

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

XV. Committee Reports:

1. Councilman Deerin, Parks & Recreation – Thanked Public Works for the unbelievable job they've done on the fields. He also commented on the Maria Gatta Park project and that the turf fields would be a game changer for Oceanport and while it looks expensive, it will bring in events that will benefit the town. Councilman Deerin also provided details on the upcoming Memorial Day parade which starts at 9:30 AM
2. Councilman Gallo, Public Works & Engineering – No report

3. Councilman Keeshen, Public Safety - Absent
4. Councilman O'Brien, Finance & Administration – Thanked Ms. LaPorta, Ms. Phelps, Ms. Smith and department heads for their work on the budget. He was very satisfied with this year's budget with many "boxes" being checked to provide for much needed apparatus and projects that will benefit the Borough not just this year but in years to come. He echoed Councilman Deerin's comments on the Maria Gatta Park project and it was something to be proud of and a source of community enjoyment for years to come.
5. Councilman Tvrdik, Planning & Development – Thanked the Planning Board members who attended a special training this past Saturday and for their service on the Board; thanked Ms. Smith for her hard work and efforts; Gooseneck and Shore Road were having drainage work done, one issue with the gas line that a plan had been developed to address which will delay work for about 2 weeks. Councilman Tvrdik commented on development progress at the Fort and highlighted the work being done by Trip Brooks on the World War II Dance Hall, commended his vision and the amazing job on the renovation.
6. Councilwoman Walker, Health & Human Services – Provided an updated on the schools including the retirement of Matt Howell and new principal to start in July; Teachers and Service Professionals of the Year for each school and recognition of distinguished employee "Spiro the Hero" for his 26 years of employment; Oceanport School Board received distinction of being a Board certified by the New Jersey State School Board Association and thanked the Board members for their commitment and service. She gave congratulations and best of luck for the Maple Place girls softball team and their finals tomorrow. She also echoed other comments made on the Maria Gatta Park project, looking forward to the installation of the turf fields which are in demand in surrounding areas. Having worked with Peninsula Soccer in the past who offered to previous Administrations financial assistance to update the park but was not received, it was great to see this about face in short time and was grateful.

XVI. Mayor Coffey's Report: Mayor Coffey also recognized Oceanport First Aid Squad as this was also National EMS Week; commended Maggie Lippolis and Fred Fillippone who head that up and the rest of the volunteers for all that they do – they are the unsung heroes along with the firemen in town.

Mayor Coffey next stated that he had issued a Proclamation yesterday declaring it Bruce Steadman Day in Oceanport in recognition of his service at FMERA and the accomplishments on the redevelopment of the Fort with only 2 main parcels left – the mega parcel which was due on June 6th and the Nurse's Quarters. He summarized the completed projects including East Gate, Liberty Walk, Barker's Circle, Somerset Lodging, Allison Hall parcel, Squiers Hall – Jersey City State University, the Dance Hall. The only outstanding question is if the successfully bidder on the mega parcel will have residential planned for the 400 area.

Mayor Coffey lastly commented on his attendance at the memorial service for Steve Widmaier and the privilege to be a part of it – its one of those things that is the beauty of living in a small town where everyone knows everyone else.

Mayor Coffey encouraged everyone to attend this year's Memorial Day with this year's Grand Marshal Ed Ryan!

XVII. Adjournment: As there was no further business, the meeting was adjourned at 8:38 PM on a motion by Councilman Deerin, seconded by Councilman O'Brien and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK