



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

MINUTES • MAY 16, 2024

Regular Meeting

Clement V. Sommers Municipal Building

7:00 PM

910 Oceanport Way, Oceanport, NJ 07757

- I. **Call to Order:** Mayor Tvrdik 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, 2024 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 Tvrdik led attendees and members of the Council in the flag salute.

IV. **Roll Call:**

Attendee Name	Title	Status	Arrived
Thomas Tvrdik	Mayor	Present	
William Deerin	Councilman	Absent	
Richard Gallo	Councilman	Present	
Bryan Keeshen	Councilman	Present	
Michael O'Brien	Councilman	Present	
Keith Salnick	Councilman	Remote	
Patty Cooper	Councilwoman	Present	
Jeanne Smith	Borough Clerk	Present	
Andrew Bayer	Borough Attorney	Present	7:17 PM
Donna M. Phelps	Administrator	Present	
Catherine D. LaPorta	Chief Financial Officer	Present	
Stephanie Kramer	Deputy Borough Clerk	Present	

- V. **Administrator's Report:** Ms. Phelps discussed the changes to the Proposed Amendments to the Police Rules and Regulations, this will now bring the Police Department compliant with the Attorney General's requirements and will align with the current standards; Film Ready NJ is a five step certification and marketing program that will educate municipalities on the basics of motion picture and tv production in cities and they will help make Oceanport part of the program, an ordinance will have to be introduced for this; Trinity Park project amendment for the \$74,000 grant has been approved.
- VI. **Clerk's Report:** Ms. Smith reminded everyone that the Primary Election is coming up on June 4th and polls are open 6am to 9pm; two new laws were passed this week regarding OPRA; welcomed Stephanie Kramer as Deputy Clerk.
As Borough Attorney Andrew Bayer was expected shortly, and with no objections from Council, Mayor Tvrdik took the meeting out of order and went on with Council Committee Reports.
- VII. **Council Standing Committee Reports:**
- Councilman Deerin, Parks & Recreation – reminded everyone about the Memorial Day Parade; thanked everyone for their hard work with the budget.
 - Councilman Gallo, Public Works & Engineering – nothing new to report
 - Councilman Keeshen, Public Safety – reported that the First Aid is having a community CPR class on June 15th ; the next Bingo night is June 8th at 7pm; the Fire Department has been doing some re-qualifications and training to get the records up to date.
 - Councilman O'Brien, Finance & Administration – report was brief, commented on all of the hard work that was put into preparing the budget.
 - Councilman Salnick, Health & Human Services – nothing new to report
 - Councilwomen Cooper, Planning & Development – thanked Ms. Phelps, Ms. LaPorta and the finance committee on all of the hard work they put into preparing the budget; spoke to a resident on Wardell Circle regarding the issue with connection to Nicholas Place and is under review by the Borough Engineer; working on setting up a meeting for the by-laws committee; the

Environmental Commission is in favor of having a tree ordinance and asked about having a Shade Tree Commission; met with the Public Works Superintendent regarding locating the owl house from the Boy Scouts project.

VIII. PUBLIC COMMENT - Action Items Only: Mayor Tvrdik opened the meeting to public comment on agenda action items only.

Gary LaBruno, 50 Wyandotte Avenue, asked questions about Resolution 2024-143 the Borja Group contract terms and proposed Ordinance #1096, Tree Removal and Replacement Policy, is it just for trees in the right of way or for trees anywhere on the property.

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

IX. 2024 MUNICIPAL BUDGET:

#2024-129 Resolution authorizing waiver of the 2024 Budget Reading in Full

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

#1095 Ordinance Establishing a COLA/CAP Bank for CY2024

Councilwoman Cooper called for the 2nd reading and Public Hearing of an ordinance establishing a 2024 CAP Bank 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 2024 CALENDAR YEAR (N.J.S.A. 40A:4-45.14)**" was published one time in the Two River Times on April 25, 2024.

PUBLIC HEARING: Mayor Tvrdik 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 Keeshen and seconded by Councilman O'Brien.

Councilwoman Cooper motioned to adopt the ordinance and advertise in accordance with law, seconded by Councilman Keeshen.

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

2024 MUNICIPAL BUDGET

PUBLIC HEARING: Notice of this Public Hearing was published in the Two River Times on May 2, 2024 and posted in accordance with law. Mayor Tvrdik opened the meeting for public comment.

Matt Zienewicz, 1215 Turf Drive, asked questions about the additional use of the money in surplus and the capital expenditures for this year, the increase budgeted next year, what capital improvements purchases were planned, plans for the funding under line item for buildings and grounds improvements and technology, and lastly about the tax assessment. Councilman O'Brien responded in detail explaining the budget. Bill Swisher, Borough Auditor answered in detail the questions asked about the tax assessment.

As there were no further comments from the public, the public hearing on the budget was closed on a motion by Councilman O'Brien, second by Councilman Keeshen.

#2024-130 Resolution Adopting the 2024 Municipal Budget

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

X. Consent Agenda:

#2024-131 1. Resolution authorizing payment of BILL LIST 05-16-2024

- #2024-132 2. Resolution authorizing an extension of the 3rd Qtr Grace Period
- #2024-133 3. Resolution authorizing Tax Sale Redemption #21-00005
- #2024-134 4. Resolution to Refund Lienholder Due To Error
- #2024-135 5. Resolution to Cancel Uncollectible Taxes
- #2024-136 6. Resolution awarding contract for engineering services for FMERA MOU for Demolition of 800 Area Bldgs
- #2024-137 7. Resolution approving First Aid Membership - King, Kevin

RESULT: ADOPTED [UNANIMOUS]
MOVER: Richard Gallo, Councilman
SECONDER: Patty Cooper, Councilwoman
AYES: Gallo, Keeshen, O'Brien, Salnick, Cooper
ABSENT: Deerin

XI. Resolutions:

- #2024-138 Resolution Setting Compensation for Action Camp 2024 Employees

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

- #2024-139 Resolution authorizing competitive contracting for a Turf Fields Sports Consultant

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

- #2024-140 Resolution amending certain fees for extra duty assignments for 2024

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

- #2024-141 Resolution appointing Gianna Tafuri as Deputy Court Administrator

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

- #2024-142 Resolution authorizing contract for installation of sports lighting in Gatta Park

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

#2024-143 Resolution awarding a contract to the Borja Group for Recreational Consulting Services

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

#2024-144 Resolution authorizing Change Order #1 to contracts for the FMERA MOU Bldg 555 Project

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

#2024-145 Resolution authorizing Change Order #1 to contracts for the FMERA MOU Bldg 886 Project

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

#2024-146 Resolution authorizing Change Order to Colliers contract for the FMERA MOU Civil Engineering

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

XII. First Reading Ordinances:**#1096** Introduction of An Ordinance Adopting a Tree Removal & Replacement Policy

Councilwoman Cooper called for the introduction of "AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING CHAPTER 371 "TREES" TO INCORPORATE THE REQUIREMENTS OF THE BOROUGH'S NJDEP TIER ONE MUNICIPAL STORMWATER GENERAL PERMIT BY ESTABLISHING A TREE REMOVAL AND REPLACEMENT POLICY" and then asked the Clerk to read the proposed ordinance by title only, after which Councilwoman Cooper moved to approve the Ordinance upon first reading and to hold the PUBLIC HEARING on the proposed ordinance at the Council meeting of June 20, 2024 and to advertise same in accordance with the law, which was seconded by Councilman O'Brien.

RESULT: APPROVED OF FIRST READING [UNANIMOUS] **Next: 6/20/2024 7:00 PM**
MOVER: Patty Cooper, Councilwoman
SECONDER: Bryan Keeshen, Councilman
AYES: Gallo, Keeshen, O'Brien, Salnick, Cooper
ABSENT: Deerin

#1097 Introduction of An Ordinance Concerning Privately-Owned Salt Storage

Councilwoman Cooper called for the introduction of "AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY ADOPTING REQUIREMENTS FOR THE STORAGE OF SALT AND OTHER SOLID DE-ICING MATERIALS ON PROPERTIES NOT OWNED OR OPERATED BY THE MUNICIPALITY IN ACCORDANCE WITH THE REQUIREMENTS OF THE BOROUGH'S NJDEP TIER ONE MUNICIPAL STORMWATER GENERAL PERMIT" and then asked the

Clerk to read the proposed ordinance by title only, after which Councilwoman Cooper moved to approve the Ordinance upon first reading and to hold the PUBLIC HEARING on the proposed ordinance at the Council meeting of June 20, 2024 and to advertise same in accordance with the law, which was seconded by Councilman O'Brien.

RESULT:	APPROVED OF FIRST READING [UNANIMOUS]	Next: 6/20/2024 7:00 PM
MOVER:	Patty Cooper, Councilwoman	
SECONDER:	Richard Gallo, Councilman	
AYES:	Gallo, Keeshen, O'Brien, Salnick, Cooper	
ABSENT:	Deerin	

#1098 Introduction of An Ordinance Repealing and Replacing Chapter 328 Stormwater Control

Councilwoman Cooper called for the introduction of "**AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY REPEALING AND REPLACING CHAPTER 328 STORMWATER CONTROL OF THE CODE OF THE BOROUGH OF OCEANPORT**" and then asked the Clerk to read the proposed ordinance by title only, after which Councilwoman Cooper moved to approve the Ordinance upon first reading and to hold the PUBLIC HEARING on the proposed ordinance at the Council meeting of June 20, 2024 and to advertise same in accordance with the law, which was seconded by Councilman O'Brien.

RESULT:	APPROVED OF FIRST READING [UNANIMOUS]	Next: 6/20/2024 7:00 PM
MOVER:	Patty Cooper, Councilwoman	
SECONDER:	Bryan Keeshen, Councilman	
AYES:	Gallo, Keeshen, O'Brien, Salnick, Cooper	
ABSENT:	Deerin	

#1099 Introduction of An Ordinance to Increase Fees for Liquor Licenses

Councilwoman Cooper called for the introduction of "**AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY AMENDING CHAPTER 115 OF THE CODE OF THE BOROUGH OF OCEANPORT, ENTITLED "ALCOHOLIC BEVERAGES" FOR THE INCREASE IN FEES FOR CERTAIN LIQUOR LICENSES**" and then asked the Clerk to read the proposed ordinance by title only, after which Councilwoman Cooper moved to approve the Ordinance upon first reading and to hold the PUBLIC HEARING on the proposed ordinance at the Council meeting of June 20, 2024 and to advertise same in accordance with the law, which was seconded by Councilman O'Brien.

RESULT:	APPROVED OF FIRST READING [UNANIMOUS]	Next: 6/20/2024 7:00 PM
MOVER:	Patty Cooper, Councilwoman	
SECONDER:	Michael O'Brien, Councilman	
AYES:	Gallo, Keeshen, O'Brien, Salnick, Cooper	
ABSENT:	Deerin	

XIII. Second Reading & Public Hearing Ordinances:

#1092 An Ordinance to amend the Development Application Fee Schedule

Councilwoman Cooper called for the 2nd reading and Public Hearing of an ordinance amending the Development Application Fee Schedule 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 AND STATE OF NEW JERSEY AMENDING CHAPTER 204 OF THE CODE OF THE BOROUGH OF OCEANPORT, ENTITLED "FEES" FOR THE ADOPTION OF AN AMENDED DEVELOPMENT FEE SCHEDULE FOR THE BOROUGH OF OCEANPORT**" was published one time in the Two River Times on April 25, 2024.

PUBLIC HEARING: Mayor Tvrdek 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 Councilman Keeshen.

Councilwoman Cooper motioned to adopt the ordinance and advertise in accordance with law, seconded by Councilman O'Brien.

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

#1093 Ordinance Accepting Real Property for Right of Way and Road Width of Foggia Way

Councilwoman Cooper called for the 2nd reading and Public Hearing of an ordinance accepting real property 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 AUTHORIZING THE ACCEPTANCE OF REAL PROPERTY FROM MANVAN, LLC TO INCREASE THE RIGHT-OF-WAY AND ROAD WIDTH OF FOGGIA WAY"** was published one time in the Two River Times on April 25, 2024.

PUBLIC HEARING: Mayor Tvrdik opened the meeting for public comment on 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 Councilman Keeshen.

Councilwoman Cooper motioned to adopt the ordinance and advertise in accordance with law, seconded by Councilman O'Brien.

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

#1094 An Ordinance Amending Chapter 295, Article V Housing and Commercial Certificates of Occupancy

Councilwoman Cooper called for the 2nd reading and Public Hearing of an ordinance amending the Property Maintenance Ordinance for rental/resale certificates 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 295, ARTICLE V, ENTITLED HOUSING AND COMMERCIAL CERTIFICATES OF OCCUPANCY FOR COMPLIANCE WITH N.J.A.C. 5:23-2.23 ET. SEQ."** was published one time in the Two River Times on April 25, 2024.

PUBLIC HEARING: Mayor Tvrdik 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 Councilman Keeshen.

Councilwoman Cooper motioned to adopt the ordinance and advertise in accordance with law, seconded by Councilman Gallo.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Patty Cooper, Councilwoman
SECONDER:	Richard Gallo, Councilman
AYES:	Gallo, Keeshen, O'Brien, Salnick, Cooper
ABSENT:	Deerin

- XIV. Mayor Tvrdik's Report:** reported on the new town homes going up, Somerset Fort Monmouth; Monmouth Park opened up on Mother's Day starting their 79th season, Caesars had their official groundbreaking ceremony at the track; Just Hair celebrated 50 years in business; the new school Superintendent, Dr. Karen Barry starts on Monday along with the new Director of Special Services, Jessica Karnabas; construction is going on around town, new curbing and sidewalks; will ask the Boy Scouts if they can help the VFW put flags at the Glenwood Cemetery, they are already doing this at Woodbine Cemetery; had meetings last week with Netflix to go over emergency services development with their professionals, by the end of the year you will start to see building come down in Fort Monmouth starting where the bowling alley used to be, anticipated completion of the project is now second quarter of 2028; meeting this week with Monmouth Park and will update in the following meeting; thanked everyone for their hard work putting the budget together.

- XV. Public Comments:** Mayor Tvrdik opened the meeting for comments from the public.

Laura Caccamise, 6 Ticonderoga Avenue, asked the Mayor and Council permission to rent space to park her trailer for her mobile paddle board business at Blackberry Bay Park in the fenced in section.

Matt Zienewicz, 1215 Turf Drive, asked questions about the electrical service to Gatta Park and the tree removal and replacement ordinance.

As no one else appeared, that portion of the meeting was closed on a motion by Councilman O'Brien, second by Councilman Gallo, and approved by Council.

- XVI. Resolution:**
#2024-147 Resolution approving revised Police Department Rules & Regulations, May 16, 2024

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

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

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK