



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

MINUTES • MAY 4, 2023

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 January 5, 2023 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 Coffey led attendees and the members of Council in the flag salute.

IV. **Roll Call:**

Attendee Name	Title	Status
Jay Coffey	Mayor	Present
William Deerin	Councilman	Present
Richard Gallo	Councilman	Present
Bryan Keeshen	Councilman	Absent
Michael O'Brien	Councilman	Present
Keith Salnick	Councilman	Present
Thomas Tvrdik	Councilman	Present
Jeanne Smith	Borough Clerk	Remote
Andy Bayer	Borough Attorney	Present
Donna M. Phelps	Administrator	Present
Catherine D. LaPorta	Chief Financial Officer	Present

- V. **Public Comment on Action Items:** Mayor Coffey opened the meeting to public comment on action items only.

Mark Barreca, 6 Maple Court, member of the Oceanport Lion's Club, gave a brief description of the organization's role to fund Oceanport services and advised they were able to donate to the BOE a \$7500 camera for vision testing and then presented a check to the Borough in the amount of \$12,500 and would like a portion put towards the purchase of two (2) speed monitoring signs. Mayor Coffey gratefully accepted the donation on behalf of the Borough and expressed sincere thanks and appreciation for all that the Lion's Club has done in and for Oceanport and its residents.

As no one else from the public presented, Mayor Coffey closed that portion of the meeting. There was a brief pause to address technical sound issues.

VI. **Action Items:**

#2023-120 Resolution authorizing payment of BILL LIST 05-04-23

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

#2023-121 Resolution authorizing application for Sports Wagering Revenue Tax

There was a question on the motion, Councilman Salnick advised he did not have a copy of the resolution – it was provided in the Council meeting package. Councilman Salnick asked for the details of the resolution and a discussion on the matter. Mayor Coffey read the resolution in full for the record including the application process, the terms, the permitted use of funds, and the application was being made for the next Phase of improvements at Maria Gatta Park. Discussion ensued on topics including revenue and expenses for Gatta Park, amount of requested funds and intent to use towards Phase III at Gatta Park, proposed improvements planned for Phase II to include lighting of fields, whether full amount of wagering revenue would be applied only to Phase III or divided for other uses, a poll posted to social media by Councilman Salnick as to how the public wanted to see the funds used, his opinion that the resolution should have provided more detail, the limitations of the uses of the fund by the statute, his opinion that the funds should be used to pay down debt or a better utilization of the funds. Lengthy discussion ensued on the statute language

and how funds could be used that meet the definition of economic development that benefits Monmouth Park – public safety, roadways, sidewalks and budgeting. Mayor Coffey called for the vote:

RESULT:	ADOPTED [4 TO 1]
MOVER:	Michael O'Brien, Councilman
SECONDER:	Thomas Tvrdik, Councilman
AYES:	Deerin, Gallo, O'Brien, Tvrdik
NAYS:	Salnick
ABSENT:	Keeshen

#2023-122 Resolution approving Special Event Permit for Birdsmouth Bike & Brew Event

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

VII. Clerk's Report:

New Business:

1. Resolution authorizing waiver of the 2023 Budget Reading in Full – *discussed and moved forward*
2. Resolution authorizing refund of overpayment - Block 107, Lot 1.01 – *discussed and moved forward*
3. Resolution Authorizing 3rd Quarter Estimated Tax Bills – *discussed and moved forward*
4. Resolution authorizing an extension of the 3rd Qtr Grace Period – *discussed and moved forward*
5. Resolution authorizing a fireworks display at 2023 Summer's End – *discussed and moved forward*
6. Resolution authorizing participation in the County CDBG Program 2023-2026 – *discussed and moved forward*
7. Resolution Setting Compensation for Action Camp 2023 Employees– *discussed and moved forward*
8. Discussion: Trees in Borough Right of Way, Councilman Tvrdik led discussion on the ordinance that places the maintenance/removal of these trees on the adjacent property owner as a result of a recent event with a large branch that fell between two properties. He would like to consider changing it back to the Borough's responsibility. Discussion ensued on the amount of trees in the right of ways and extending across the right of ways, Council decision a few years back to put the responsibility on the adjacent owner, the potential now for a shared service with Monmouth County, the need to allocate funds in the budget for said expenses, liabilities, no Shade Tree committee, who would be responsible for determining removal of trees, how many trees to budget for each year, emergencies, the vast difference in costs to remove different types and sizes of trees, would require change to the ordinance. Consensus was to prepare an ordinance for consideration.

VIII. Administrator's Report: Ms. Phelps reported on items including new online learning system by the JIF, deadline for elected official training extended; sewer authority is holding another hearing on the adjustment proposed for connection fees; notification from Monmouth County that the new installation of the drawbridge would bring road closures.

IX. Mayor's Report: Mayor Coffey reported on items including the current discussion on wild turkeys in town, issues with them attacking vehicles, inspection by DEP, turkeys to stay; details on the successful unveiling of Mike MacStudy, Sr. field.

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

Patty Cooper, 24 Osprey Lane, asked questions about the Borough code and whether trees were permitted to be planted; recalled story of tree near her property that was taken care of by Shade Tree and perhaps consider placing this role on the Environmental Commission.

Mark Patterson, 40 Itaska Place, asked questions about the \$650,000 available from the sports wagering tax fund and would the funds go into the 2023 budget; funds are treated like a grant through the capital budget; anticipated timeframe for State to respond; capital funds cannot be used for operating expenses such as salaries. Mr. Patterson asked if the borough was subject to a cap like the Board of Education and was told yes. Mr. Patterson further educated Councilman Salnick that funds could not be put into the budget without approval from the State and an

appropriations line item to offset it and further expounded that those one-time funds used in the operating budget would create a gap in revenue for the following year's budget and should be used for a one-time improvement.

Ron Sickler, 45 Morris Place, asked questions and expressed concern for the use of "polls" on what the town should act upon – he sits at the meetings and learns the details and then he could be polled because he has the information. Polls seem to be a manner to micromanage decision making by the Borough and the "poll" was taken when the elected officials were elected by their constituents.

Bob Berg, 33 Cramer Ave, Eatontown, asked questions about the sports tax funds from the State and commented on the need for fencing and additional amenities at Gatta Park for the kids and other members of the public that provide safety, security and human services.

Linda Riden, 1276 Eatontown Blvd, brought to the Council's attention that the roof at the library has been leaking for 16 months and no money has been budgeted for its repair. Councilman O'Brien advised that \$20,000 had been budgeted for the repair this year and would be adopted next month with the budget. She petitioned for action sooner, expressed concern with communications by the Borough being untimely, and requested that a tarp be placed on the roof until the repairs could be made; she detailed the items ruined that she had wanted to donate to the school library and asked that they keep the library in mind.

Trish Witschel, Woodbine Way, thanked Mayor Coffey who assisted her daughter when serving on soccer; three of her daughters attended Shore Regional and felt it was a shame that they had to rent field space with Long Branch for tournaments where on one occasion there was gunshot and she cares that her kids have a safe place to play. She supports the Gatta Park improvements and spoke highly of the revenue available from sporting events that the Borough would benefit from as well as the residents and looks forward to the additional phases.

Natalie Pappiolou, 7 Bungalow Place, thanked everyone on behalf of the Cub Scouts fund raiser this past weekend having doubled more than last year's amount and because of the community's generosity they were able to provide meals to the seniors in Oceanport Gardens. She appreciate the donation from DPW as well as social media posts promoting the event.

Mike Matthews, 22 Wardell Circle, commented on improvements in the permitting process and spoke in support of the Maria Gatta fields project, the importance to have fields for practices and definitely supports the application for State funds to provide future improvements to Gatta Park.

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

- XI. Adjourn to Executive Session:** At 8:51 PM Councilman 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.

#2023-123 Resolution authorizing an Executive Session, May 4, 2023

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

- XII. Return from Executive Session:** At 9:16 PM, the Regular Meeting was re-opened on a motion by Councilman O'Brien, seconded by Councilman Deerin with all members previously in attendance present.

- XIII. Adjournment:** As there was no further business, the meeting was adjourned at 9:18 PM on a motion by Councilman Gallo, seconded by Councilman Deerin and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK