



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

MINUTES • APRIL 21, 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	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	Administrator	Present	
Catherine D. LaPorta	Chief Financial Officer	Present	

V. **MAYOR'S PROCLAMATION:**

1. U10 - Knights Girls Mid-Monmouth CHAMPIONS - Mayor Coffey read a proclamation declaring April 21, 2022 Oceanport Knights U10 Girls Team in recognition of their hard work and congratulating them on the season's Championship win!

- VII. **Administrators Report:** - Ms. Phelps reported on JIF program, job safety inspections with all in compliance. Inspections performed on Borough buildings and parks with the only non-compliant item being fire extinguisher checks which she was addressing with public works. DPW continues through the Borough's training program. Ms. Phelps stated she was reviewing the Borough's current safety policy from 2019 to ensure compliance and would advise of any necessary changes. Additional topics included 2021 Tonnage Grant application, status of generator install for the municipal building, status on the community garden and need for water line.
- VIII. **Clerk's Report:** Ms. Smith reported that the JIF had accepted the Borough's updated cyber policy and 3 tier compliance; there is still a need for poll workers for the upcoming primary; creation of online forms and online payment options for this year's Action Camp.

IX. **Consent Agenda, 18 Items:**

- #2022-82 1. Resolution authorizing payment of BILL LIST 04-21-2022
- #2022-83 2. Resolution authorizing Tax Sale Redemption #21-00009
- #2022-84 3. Resolution appointing Primepoint LLC as payroll service provider
- #2022-85 4. Resolution awarding contract to Intron Technologies for provision of 2022 IT equipment
- #2022-86 5. Resolution supporting municipal adoption of regulations to protect from threats of flooding
- #2022-87 6. Resolution authorizing 2020 Road Program Change Order #3
- #2022-88 7. Resolution authorizing tree services through Monmouth County Public Works
- #2022-89 8. Resolution awarding contract to Jersey Printing for 2022 printing services

- #2022-90 9. Resolution amending fees set for extra duty assignments for 2022
 #2022-91 10. Resolution amending the Tidal Check Valve Project approved locations
 #2022-92 11. Resolution appointing Milton Zarate as part time labor for the Public Works Dept
 #2022-93 12. Resolution authorizing Facility Use - Tennis Courts for Fundraiser
 13. Receipt & Acceptance of Minutes, Parks & Recreation Committee, 01/12/2022
 14. Receipt & Acceptance of Minutes, Parks & Recreation Committee, 02/09/2022
 15. Receipt & Acceptance of Minutes, Historical Committee, 10/28/2021
 16. Receipt & Acceptance of Minutes, Historical Committee, 11/11/2021
 17. Receipt & Acceptance of Minutes, Historical Committee, 01/13/2022
 18. Receipt & Acceptance of Minutes, Historical Committee, 02/10/2022

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

X. 2022 MUNICIPAL BUDGET INTRODUCTION:

#2022-94 Resolution Introducing & Approving the 2022 Municipal Budget

Ms. Smith read the budget resolution approving the budget and advertising the Public Hearing for May 19, 2022.

Councilman O'Brien provided details on the municipal budget including an overall decrease of 0.007% and the tax impact on average Assessment – now \$636,000 and then made a motion to adopt the resolution which was seconded by Councilman Tvrdik.

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

XI. First Reading Ordinances:

#1052 Introduction of Ordinance Establishing a CAP Bank for CY2022

Councilman Tvrdik called for the introduction of "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)" and then asked the Clerk to read the proposed ordinance by title only, after which Councilman Tvrdik moved to approve the Ordinance upon first reading and to hold the PUBLIC HEARING on the proposed ordinance at the Council meeting of May 19, 2022 and to advertise same in accordance with the law, which was seconded by Councilman O'Brien

RESULT: APPROVED OF FIRST READING [UNANIMOUS] **Next: 5/19/2022 7:00 PM**
MOVER: Thomas Tvrdik, Councilman
SECONDER: Michael O'Brien, Councilman
AYES: Deerin, Gallo, O'Brien, Tvrdik, Walker
ABSENT: Keeshen

#1053 Introduction of BOND Ordinance for Various 2022 Capital Improvements

Councilman Tvrdik called for the introduction of "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" and then asked the Clerk to read the proposed ordinance by title only, after which Councilman Tvrdik moved to approve the Ordinance upon first reading and to hold the PUBLIC HEARING on the proposed ordinance at the Council meeting of May 19, 2022 and to advertise same in accordance with the law, which was seconded by Councilman O'Brien.

RESULT:	APPROVED OF FIRST READING [UNANIMOUS]	Next: 5/19/2022 7:00 PM
MOVER:	Thomas Tvrdik, Councilman	
SECONDER:	Michael O'Brien, Councilman	
AYES:	Deerin, Gallo, O'Brien, Tvrdik, Walker	
ABSENT:	Keeshen	

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

Councilman Tvrdik called for the introduction of "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" and then asked the Clerk to read the proposed ordinance by title only, after which Councilman Tvrdik moved to approve the Ordinance upon first reading and to hold the PUBLIC HEARING on the proposed ordinance at the Council meeting of May 19, 2022 and to advertise same in accordance with the law, which was seconded by Councilman O'Brien.

RESULT:	APPROVED OF FIRST READING [UNANIMOUS]	Next: 5/19/2022 7:00 PM
MOVER:	Thomas Tvrdik, 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

Mayor Coffey requested a motion to reschedule the public hearing for May 19, 2022 meeting in order for the ordinance to be reviewed by the Planning Board which was moved by Councilman Tvrdik and seconded by Councilman O'Brien.

RESULT:	TABLED [UNANIMOUS]	Next: 5/19/2022 7:00 PM
MOVER:	Thomas Tvrdik, Councilman	
SECONDER:	Michael O'Brien, Councilman	
AYES:	Deerin, Gallo, O'Brien, Tvrdik, Walker	
ABSENT:	Keeshen	

XIII. Resolutions:

#2022-95 Resolution authorizing Mayor to sign "Letter of Intent" for Maria Gatta Park Project

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

XIV. Committee Reports:

1. Councilman Deerin, Parks & Recreation – Councilman Deerin thanked DPW for their hard work – parks are looking great; Recreation's Egg Hunt was a success and thanked Joanne Hunt for all the backend work.
2. Councilman Gallo, Public Works & Engineering – Congratulated Public Works on all the training, and the good report from the JIF and thanks to Steve Briskey for making that happen; work on Comanche Drive Phase II set to begin next week, waiting for material for Gooseneck and Shore Roads, Myrtle Ave going out to bid with sidewalks and paving planned. Roads for 2022 program are being reviewed.
3. Councilman Keeshen, Public Safety - Absent

4. Councilman O'Brien, Finance & Administration – Acknowledged the efforts of Katie LaPorta and Donna Phelps getting our budget presentation. It's always a lengthy process involving the input of many departments. Tonight's approval of the Turf Field Project, at Maria Gatta Park, represents a transformative change for the Borough. As a council, we're committed to improving our parks. This is an active community and creating a place where we can increase access and improve safety were paramount in our decision to pursue this project. The idea for a turf complex at Maria Gatta Park is not a new one. It's been talked about and dreamed about for a considerable amount of time. As a council, we've been able to work together to develop a concept, secure an experienced engineer, procure the provider of the product, and deliver the best possible outcome at the lowest possible impact on the taxpayer. We look forward to sharing the excitement of your kids playing their first games there, for residents taking pride in the redesigned Marine Park. And taking a little step back in history two years ago, around this time, this council faced a decision how to address public spaces during COVID. While neighboring towns lock their tennis courts, roped off playground equipment, uncovered basketball hoops, we took the contrary approach. We chose to keep everything open for everyone to use, even those people from neighboring towns that had locked their own citizens out of their own parks. We encouraged people to avoid congregating in groups, as was recommended by nearly every health expert and our residents honored that request. I was proud of our decision then and remain proud of it. Now, in the midst of a pandemic, we try our best to maintain a sense of normalcy and I believe we achieve that.
5. Councilman Tvrdik, Planning & Development – Also thanked DPW led by Steven Briskey – staff are doing a great job, working hard on the senior building at the Old Wharf House, painting done and prepped and ready for flooring once a contractor has been selected and hope to get it turned back over to the seniors by end of May. Planning Board entertained a presentation for the new Caesar's sportsbook building, still hearing plenty of applications which move right down to the construction department. Demolition is nearly complete at the Somerset Lodging Parcel on the fort; reported on an incident where a child was on the lodging property and got stuck in the water, fire department tried to gain access but met with challenges, he met with Fire Marshal Tim Griffin and did a site visit with the developers who were very cooperative putting together a plan that showed access points and identifies fire hydrants on the site. Lastly noted the bridge on Oceanport Avenue reopened today for cars only and a 15-ton limit on trucks.

Mayor Coffey added that there is an exemption for emergency vehicles and keep tractor trailers off, concerns are for the development and large trucks on the fort, discussed with Police Chief to post patrol to send the message that trucks won't be tolerated on the bridge. The bridge will be replaced in about 2 years and even bigger project is the replacement of the Little Silver and Monmouth Park bridges on Oceanport Avenue once the development is completed for Allison Hall and Barker's Circle development projects. A traffic light will be added to a new intersection just before the Bridge that developers will be responsible for setting up and will accommodate pedestrians to the train stations and those fishing by the bridge.

Councilman Tvrdik also added that the Planning Board has expressed concern for the warehouse parcel and keeping heavy traffic off of Main Street and pursue a weight restriction on Main Street to stop trucks from coming down Wolf Hill Ave and other intersection at Broad Street.
6. Councilwoman Walker, Health & Human Services – Thanked DWP and Steve Briskey – particularly for their work at the library and getting that back to full hours. She reported that the schools are back to their pre-COVID schedule, process for principal interviews for Maple Place begin next week and provided details for the school's budget hearing. She also thanked Finance and Ms. LaPorta for their work on the budget. She is "super pumped" about the Maria Gatta Park project and that it was long overdue.

XV. Mayor Coffey's Report: Mayor Coffey thanked Stu Briskey for putting the Borough on notice about the horrible conditions of the flag pole in Cowan Park which is now fixed and flying – entailed a replacement of the flag pole and FMERA did a wonderful job with the help of the County and thanked them for their assistance. RFOTPs for the Mega parcel are due June 8th, affects Oceanport in that there were supposed to be 235 homes built on the 400 area with an affordable housing component. Should a large commercial entity come in, it would mean that all the parcels in Oceanport have been sold and will be done. There are discussions on impacts to the Borough's fair share plan agreement through the court that are currently being negotiated. Mayor Coffey also advised the Council of a request from Marcia Fiore who wants to purchase a bench to be installed at the Community Center, he has spoken to DPW about it as well.

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

Dan Pelz, 57 Werah Place, expressed concern for the traffic in the neighborhood and asked the Council to please reconsider his appeal for the placement of stop signs at the intersection to make a 4-way stop – many kids in the area and too many close calls.

Barbara Scerbo, 3 Whitehall Circle, thanked Steve Briskey for his help, appearing on behalf of the seniors, expressed concern for one thing at the Old Wharf House – the bathroom access as one of their members is permanently in a wheelchair. Mayor Coffey responded that he will speak with her further on the matter tomorrow. Ms. Scerbo also expressed concern about having to cross the street from the overflow parking. They will probably use a police officer will in the meantime during Senior meetings/events. Ms. Phelps advised the Borough is still waiting to hear regarding the CBDG grant application which was pending adoption of the Federal budget.

Eric Motzenbecker, 43 Elizabeth Drive, appeared and expressed his full support for the Maria Gatta Park Project, interested in being involved with the design for parking, lights, spectators, stands and would love to have some input. Mayor Coffey advised that there would be a public hearing on the ordinance but the plan and associated financials could probably be reduced and placed on the website.

Mark Patterson, 40 Itaska Place, also commented on the speeding issue in his neighborhood near Werah Place and his desire to see a STOP sign at Werah and Itaska Place. Mr. Patterson also commented on his excitement to see the improvements at Gatta Park – there's a demands for fields, asked what the length of the bond was for – 20 years; what was the financial implication to taxes – which Councilman O'Brien responded with estimates on interest and bond payments, that the taxpayer would not be impacted from the broader tax base but would come out of the open space fund which is 2% per hundred dollars per assessed value which will be used as well as revenue from the use of the fields. Mr. Patterson asked if any of the financial games from gambling would available. Councilman O'Brien responded there is intention to utilize sports wagering money to build portions of the park. Mr. Patterson commented that he thought it was a "no-brainer" and that this was a good time to bond money and the project was an innovative idea and from what he saw was put together very well from design to financial plans and believes it will be great for Oceanport.

Mike Schultz, 90 Sea Girt Ave, stated that he was all for the Gatta Park improvements and his property backs up to the train tracks and parking area. He commented that there's potential for large crowds and asked how many parking spaces were planned. Mayor Coffey responded that the track has a lot of parking available now and is open to it being used. Councilman O'Brien added that he believes the engineer calculated the field by the train tracks could hold 300-350 spaces but that Monmouth Park would likely extend additional space as it benefits their operations as well. Mr. Schultz asked questions about the length of the bond versus the life of the turf fields. Councilman O'Brien responded that the bond covers the entirety of the project but when he was speaking about the useful life of the turf – the expense to replace the turf is by no means anywhere near the cost. The costs include heavy lifting to be done with the surfacing, preparation of the area, drainage controls – not just the actual carpet itself. Mr. Schultz asked if there was any lighting planned and was told yes, but not at this time. Also being considered is a structure for storage, possibly restrooms.

Rick Bennett, 47 Elizabeth Drive, commented his support for the Gatta Park project, there's a lot of excitement about the project, spoke to his own experiences with other turf fields and talk was always about wouldn't it be nice to have turf fields in Oceanport.

Chris Spahr, 12 Balmer Court, recently moved back to Oceanport and excited to see the Maria Gatta Park project.

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

XVII. EXECUTIVE SESSION:

At 8:01 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.

#2022-96 Resolution authorizing an Executive Session

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

At 8:08 PM, the Mayor & Council returned from Executive Session and the regular meeting was reopened on a motion by Councilman O'Brien, seconded by Councilman Tvrdik and approved by Council.

XVIII. Adjournment: As there was no further business, the meeting was adjourned at 8:09 PM on a motion by Councilman Deerin, seconded by Councilman Gallo and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK