



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

MINUTES • MARCH 16, 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	Present
Michael O'Brien	Councilman	Present
Keith Salnick	Councilman	Present
Thomas Tvrdik	Councilman	Present
Jeanne Smith	Borough Clerk	Present
Scott Arnette	Board Attorney	Present
Donna M. Phelps	Administrator	Present
Catherine D. LaPorta	Chief Financial Officer	Present

V. **Clerk's Report:**

Minutes: All Minutes were tabled on a motion by Councilman O'Brien and seconded by Councilman Tvrdik.

1. Mayor & Council - Workshop - Dec 1, 2022 7:00 PM
2. Mayor & Council - Regular Meeting - Dec 15, 2022 7:00 PM
3. Mayor & Council - Reorganization Meeting - Jan 1, 2023 12:00 PM
4. Mayor & Council - Regular Meeting - Jan 19, 2023 7:00 PM
5. Mayor & Council - Workshop - Feb 2, 2023 7:00 PM
6. Mayor & Council - Regular Meeting - Feb 16, 2023 7:00 PM

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

Old Business:

7. Contract with BSN Sports for Equipment, Borough Administrator – advised that additional services would be needed through the rest of the year to increase the allowable amount under State contract – resolution to be prepared for April meeting.
8. Resolution appointing Special Conflict Counsel for 60 Shore Road Matters – *reviewed and moved forward*

New Business:

9. Resolution authorizing payment of BILL LIST 03-16-23 – *reviewed and moved forward*
10. Resolution authorizing Tax Sale Redemption #21-00006 – *reviewed and moved forward*
11. Resolution designating a Redactor for Daniel's Law – *reviewed and moved forward*

12. MP Racetrack Request to Permit Sale of Alcohol on all Sundays prior to 12 PM – Ms. Smith advised that the track was seeking an expansion of their waiver to allow for all Sundays to begin at 9am where 10am is permitted. There was discussion by Council that they have sports betting for European events and consensus was to grant and see how it goes.
13. Resolution approving Special Event Permit for Boujee Foodie Con & Vendor Fair – *reviewed and moved forward*
14. Resolution appointments to Boards & Committees – *reviewed and moved forward*
15. Resolution Setting the Fees for 2023 Summer Action Camp – *reviewed and moved forward*
16. Resolution authorizing Shore Youth Lacrosse to place storage unit at Gatta Park – *reviewed and moved forward*
17. Resolution accepting donation of lacrosse goal from Monmouth Beach – *reviewed and moved forward*
18. Resolution appointing an Administrative Assistant for the Court Office – *reviewed and moved forward*
19. Resolution appointing Acacia Financial Group as Financial Advisor for 2023 – *reviewed and moved forward*
20. Resolution approving issuance of Liquor License for Oport Partners License, LLC – *reviewed and moved forward*
21. Resolution authorizing option for 1-year extension of solid waste & recycling contract – *reviewed and moved forward*
22. Resolution adopting Field Use Rules for Maria Gatta Park – Ms. Phelps has developed updated rules for the park's use which will eventually need to be done by ordinance – no objections – moved forward.
23. Resolution requesting waiver of 390-17(F) - 397 Port Au Peck Ave – for installation of sprinkler heads, Councilman Tvrdik requested that they be required to sign off that they understand any damages are their responsible. Ms. Smith assured that the resolution requires execution of a Hold Harmless agreement.
24. Resolution authorizing an exception of Chapter 267 "Noise" – *reviewed and moved forward*
25. An Ordinance Establishing a Memorial Benches & Picnic Tables Program – *reviewed and moved forward*
26. Resolution creating a dedicated Trust for Memorial Bench/Picnic Table Program – *reviewed and moved forward*
27. Approval of First Aid Membership Application: Mallory, Meghan – *reviewed and moved forward*
28. TRWRA Request for use of Borough property for project staging area – Ms. Smith advised that they were about to begin installation of the south interceptor and are seeking to keep their equipment and vehicles on the open areas next to Borough Hall. A resolution to be prepared authorizing same for next meeting with no objections.
29. Discussion: Mechanical Inspector & Fee Schedule Ordinance – Ms. Smith reviewed the need for an update to the Borough's code concerning mechanical and fees to be in line with State schedules.
30. Discussion: Availability of a 2014 Pierce Arrow FX Pumper – Councilman Keeshen advised of the opportunity to purchase a piece of lightly-used equipment available towards end of year and requested Council approve a Letter of Intent by the mayor or administrator with no objections by Council.
31. An Ordinance Amending Parks & Recreation 279 - Applications for Facility Use – Ms. Smith led discussion on recommended amendments to the code to address new issues with the upstart of the Gatta Park fields including permit applications all year long and not just specific seasons, expanding availability at Gatta Park to Feb.1st through Dec. 1st, provides language concerning tournament requests, minimum number of hours, no need to require 6 months in advance for tournaments, updates to application procedures to reflect the Field Coordinator title and creates an application fee to cover staff reviews particularly for those groups that don't end up paying for a permit which will be credited towards any permit fee(s); need to establish fees for educational for-profit camps – it was decided to create an "other" category with a rate to be determined by resolution for activities not provided for in the ordinance; consider fees for chalk-lining, 3rd party service – some leagues require chalk-lining and not discs, keep it in-house and establish a rate; future consideration for lighting fees once that phase is completed. Ms. Smith also sought guidance on the deposit for damages in the ordinance which hasn't been used yet. Discussion ensued on when to use the damage deposit, upfront and then refund. Suggestions include warnings first and then require damage deposit. Further discussion to be held at future meeting.
32. Discussion: Implementation of Russia-Belarus Prohibitions, Purchasing Policy, CFO – Ms. LaPorta advised of recent legislation prohibiting business with companies doing business with Russia or Belarus; and in accordance with the legislation requested Council approval to utilize the permitted threshold and require the form after same. No objections.

VI. Administrator's Report: Ms. Phelps advised of the JIF seminars available for elected officials that would provide for discounts on the Borough's premium; motor vehicle checks for all employees and volunteers completed; notice from TRWRA that a bid was to be awarded for the project and grant funds received for part of costs but seeking increase of \$40 per house to cover remainder; advised of two available grants for stormwater activities she and the Borough Engineer were preparing applications for – funds can be used for mapping of the system. She closed with Happy St. Patrick's Day to everyone.

VII. Mayor's Report: Mayor Coffey stated that Monmouth County had two snowblowers available that the firemen would like to have, request needs to come from the Borough, with no objections Mayor Coffey will send a letter with the donation request. Mayor Coffey also provided updates on affordable housing obligations on the Fort and elsewhere in conjunction with the Netflix mega

parcel, additional meetings and discussions scheduled. Also reported on efforts to request the Post Office to allow mailboxes at the new Balmer Court development instead of the required cluster boxes, roadblock frustrations and appeals being filed because there is no common area to place cluster boxes. He will be providing civic classes to students at both classes to address the use of the fields at Gatta Park.

Councilman Salnick commented that he had mentioned Monmouth Park and asked if there was any development being proposed for that site. Mayor Coffey responded that there was nothing before the town but it was part of discussions with Fair Share Housing on the overall obligation, however, if there is a development presented for Monmouth Park it was his opinion that it should also provide whatever affordable housing requirement on site and that the Borough does not want added to its unmet need for-profit development on State property.

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

- Roseanne Letson, 50 Deer Path Ct, Tinton Falls, asked questions about the Fort's riverwalk project, the historical committee's plans to line it with historical markers and ongoing issue of private ownership restricting access.

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

IX. Adjourn to Executive Session: At 8:11 PM Councilman Tvrdik made a motion to adopt the resolution to enter Executive Session which was seconded by Councilman Salnick and received the following roll call.

#2023-94EXEC Resolution authorizing an Executive Session, March 16, 2023

N.J.S.A. 10:4-12(b)(7) Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege

- NJ Civil Rights Violation, Notice of Settlement

- Municipal Boundary with Eatontown

- Blackberry Bay Park

N.J.S.A. 10:4-12(b)(8) Matters Relating to the Employment Relationship

- Department Staffing

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

X. Return from Executive Session: At 9:12 PM, the Mayor and Council returned to the regular workshop meeting on a motion by Councilman Tvrdik and a second by Councilman Deerin.

XI. Adjournment: As there was no further business, the meeting was adjourned at 9:12 PM on a motion by Councilman Tvrdik, seconded by Councilman Salnick and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK