



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

MINUTES • FEBRUARY 16, 2023

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, 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 the Council and attendees 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	Remote	
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. **PUBLIC COMMENT - Action Items Only:** Mayor Coffey opened the meeting to public comment on action items only. As no one from the public appeared, Mayor Coffey closed that portion of the meeting.

VI. **PROCLAMATION:**

#2023-59 Resolution declaring Feb 16, 2023 as Meghan Walker Day

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

- VII. **Administrators Report:** Ms. Phelps reported the figures for the Borough's share of the sports wagering from 2019 to today. The amount is \$648,412.80. \$91,998 was used for the relocation of the police radio communications and \$150,000 for a 5% down payment for Maria Gatta Park. The available funding needs to be included in a public notice. Once that's done we can submit an application on how we plan to use the funds. Ms. Phelps reached out to NJ Green Acres about the stewardship match grant program. She was advised that the Community Garden does not fit well with this program. We are hoping to receive \$20,000 from sustainable NJ to offset the cost of the Community Garden. The grant is complete and with council approval I will submit. Notification will be sent out in early April. Councilman Deerin sent me an email about grant opportunities through AARP. She would like to apply for a grant of \$2500 for Community Garden as it is due March 15th. Ms. Smith replied that we can add it to the resolution and amend it. The grant for Assistant Firefighters has been submitted for pump trapped under vehicles and thermal imaging cameras. A request was received from Monmouth Park to commence the sale of alcohol beverages at 9am on Sundays for live races, sports wagering and simulcasting activities. Mayor Coffey asked the council if there were any objections to this. Ms. Smith stated that she would add this to the regular meeting in March. The NJ League of Municipalities announced upcoming training for elected officials if anyone is interested.

- VIII. Clerk's Report:** Ms. Smith gave an update on Maria Gatta Park. Nick Pizzuli has resigned as the field coordinator. Later in the meeting was a resolution to appoint a new field coordinator. The borough has received a large number of applications for the spring session to use the park. The estimated revenue is \$95,000 with more applications coming in. Ms. Smith requested some feedback from council in regard to field reservations for organizations that have little kids. They are requesting whether they could chalk line the fields. This would be for third and fourth grade Lacrosse. Further discussion on this topic will take place at the March workshop meeting since most games do not start until mid-April. The state passed a new law which mandates all businesses need to file a business insurance registration and proof of liability insurance with the municipality. This will protect the residents to make sure that a business has insurance. With no objections from Council, Ms. Smith will add to the March workshop meeting to further discussion.

IX. Consent Agenda:

- #2023-60** 1. Resolution authorizing payment of BILL LIST 02-16-2023
- #2023-61** 2. Resolution accepting the Tax Collector's Annual Report for 2022
- #2023-62** 3. Resolution authorizing refund of overpayment - Block 91, Lot 12
- #2023-63** 4. Resolution authorizing refund of overpayment - Block 135, Lot 15.02
- #2023-64** 5. Resolution authorizing Bid Award for the Borough's Home Improvement Program
- #2023-65** 6. Resolution authorizing an exception of Chapter 267 "Noise", TRWRA Main Install
- #2023-66** 7. Resolution authorizing Intra-County Mutual Aid Assistance Agreements
- #2023-67** 8. Resolution authorizing the purchase of DPW equipment
- #2023-68** 9. Resolution granting temporary waiver of Noise Ordinance for The Park Loft
- #2023-69** 10. Resolution renewing 9-1-1 Shared Services for Dispatch with Monmouth County
- 11. Approval of Fire Department Membership - Pinto, Jake

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

- X. Minutes:** Minutes were held until the March meetings.

XI. Resolutions:

- #2023-70** Resolution designating Community Center Park as "Mike MacStudy Field"

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

- #2023-71** Resolution appointment of a Field Coordinator

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

- #2023-72** Resolution authorizing application for a Sustainable Jersey Grant for Community Garden

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

#2023-73 Resolution approving certified LOSAP lists for 2022

RESULT:	ADOPTED [5 TO 0]
MOVER:	Michael O'Brien, Councilman
SECONDER:	William Deerin, Councilman
AYES:	Deerin, Keeshen, O'Brien, Salnick, Tvrdik
ABSTAIN:	Gallo

#2023-74 Resolution authorizing Paper Shredding Event Hosting Agreement with Monmouth County

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

#2023-75 Resolution authorizing copier lease agreements with Shore Business Solutions

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

#2023-76 Resolution authorizing aerial mosquito control operations 2023

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

#2023-77 Resolution authorizing a Hold Harmless Agreement with Jackson Township

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

XII. First Reading Ordinances:**#1068** Introduction of An Ordinance to Increase Fees for Liquor Licenses

Councilman Tvrdik 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 LIQUOR LICENSES**" 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 March 16, 2023 and to advertise same in accordance with the law, which was seconded by Councilman Deerin.

RESULT:	APPROVED OF FIRST READING [UNANIMOUS]	Next: 3/16/2023 7:00 PM
MOVER:	Thomas Tvrdik, Councilman	
SECONDER:	William Deerin, Councilman	
AYES:	Deerin, Gallo, Keeshen, O'Brien, Salnick, Tvrdik	

#1069 Introduction of An Ordinance Amending Parks & Recreation 279 - Name Change for Community Center Park

Councilman Tvrdik 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 LIQUOR LICENSES" 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 March 16, 2023 and to advertise same in accordance with the law, which was seconded by Councilman Deerin.

RESULT:	APPROVED OF FIRST READING [UNANIMOUS]	Next: 3/16/2023 7:00 PM
MOVER:	Thomas Tvrdek, Councilman	
SECONDER:	William Deerin, Councilman	
AYES:	Deerin, Gallo, Keeshen, O'Brien, Salnick, Tvrdek	

XIII. Second Reading & Public Hearing Ordinances:

#1066 An Ordinance Amending Chapter 170-3 "Construction Code, Uniform" Fees

Councilman Tvrdek called for the 2nd reading and Public Hearing of an ordinance establishing salary ranges for field use coordinator and UCC inspectors 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 REPEALING AND REPLACING CHAPTER 170, SECTION 3, FEES OF THE CODE OF THE BOROUGH OF OCEANPORT, ENTITLED "CONSTRUCTION CODE, UNIFORM" "** was published one time in the Two River Times on January 26, 2023.

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.

Councilman Tvrdek 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 Tvrdek, Councilman
SECONDER:	Michael O'Brien, Councilman
AYES:	Deerin, Gallo, Keeshen, O'Brien, Salnick, Tvrdek

#1067 Ordinance Amending Public Building Rental Fees

Councilman Tvrdek called for the 2nd reading and Public Hearing of an ordinance establishing salary ranges for field use coordinator and UCC inspectors 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 REPEALING AND REPLACING CHAPTER 170, SECTION 3, FEES OF THE CODE OF THE BOROUGH OF OCEANPORT, ENTITLED "CONSTRUCTION CODE, UNIFORM" "** was published one time in the Two River Times on January 26, 2023.

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.

Councilman Tvrdek 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 Tvrdek, Councilman
SECONDER:	Keith Salnick, Councilman
AYES:	Deerin, Gallo, Keeshen, O'Brien, Salnick, Tvrdek

XIV. Council Standing Committee Reports:

1. Councilman Deerin, Parks & Recreation – Reported that this time of year not a lot going on. The focus has been Maria Gatta Park. The dedication for the Mike MacStudy Field is April 22nd.
2. Councilman Gallo, Public Works & Engineering – Reported on a meeting with the Road Program Committee to discuss the 2023 program.
3. Councilman Keeshen, Public Safety – Reported a meeting with the Budget Committee to discuss the needs of each department.
4. Councilman O'Brien, Finance & Administration – Reported that the budget process has begun. All requests will be reviewed and budget should be presented in April and adopted in May.

5. Councilman Salnick, Health & Human Services – Reported on the NFIP Program in detail. The Water Watch and Environmental Committee are continuing testing of the area waters.
6. Councilman Tvrdek, Planning & Development – Reported working with residents and the Board of Education Planning and Development Committee to resolve the pond issue, spoke on the first of many meetings with Netflix.

XV. Mayor Coffey's Report:

1. Appointment to Environmental Commission

BE IT RESOLVED that Mayor Coffey makes the following appointments to the Environmental Commission:

Peter Litwin

Alternate #2

Unexpired Term 12/31/2024

Mayor Coffey then invited Scoutmaster Smith and two of his scouts to come forward and ask questions so they could earn a merit badge in telecommunications. The Boy Scouts asked questions to each of the Council Members.

XVI. Public Comments: Mayor Coffey opened the meeting to public comment.

Don Selecky, 1 Russell Avenue, commented on the construction work starting prior to 8am and the issue with noise, traffic and dust because of the projects being done. Mayor Coffey replied that there is a meeting scheduled on March 6th with the contractors and will address the issues.

Jill Curan, 25 Russell Avenue, commented on the amount construction trucks drive through and parking in front of the townhomes and asked if Allen Avenue could temporarily be opened to alleviate the traffic.

Frank Picciolo, 15 Genesse Avenue, commented on options for replacing the Oceanport pool and about the turf that was built on the soccer fields.

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

XVII. Adjourn to Executive Session: At 8:55 PM Councilman O'Brien made a motion to adopt the resolution to enter Executive Session which was seconded by Councilman Tvrdek and received the following roll call.

#2023-78 Resolution authorizing an Executive Session, February 16, 2023

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

- *Special Counsel for Shore Road*

- *Affordable Housing*

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

XVIII. Return from Executive Session: At 9:17 PM, the Regular Meeting was re-opened on a motion by Councilman O'Brien, seconded by Council President Gallo.

1. Motion to Return to Public Session

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

XIX. Adjournment: As there was no further business, the meeting was adjourned at 9:18 PM on a motion by Councilman O'Brien, seconded by Councilman Tvrdek and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK