



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

MINUTES • FEBRUARY 1, 2024

Workshop

Clement V. Sommers Municipal Building

7:00 PM

910 Oceanport Way, Oceanport, NJ 07757

- I. **Meeting Called 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, 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 Tvrdik led attendees and members of the Council in the flag salute.

IV. **Roll Call:**

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

V. **PUBLIC HEARING - Green Acres Funding Application for Jake's Law All-Inclusive Playground:**

Mayor Tvrdik opened the Public Hearing on the Green Acres Funding application. Ms. Smith stated that the hearing had been published in the Two River Times on January 25, 2024 and posted in accordance with law.

Ms. Phelps described the project for an all-inclusive playground under a Green Acres Grant program called Jake's Law which would replace the existing playground at Blackberry Bay Park. Case law was passed in 2018 that encourages municipalities to build inclusive playgrounds that are designed with standards that generally exceeds those required by the Americans with Disabilities Act (ADA) and results in accommodating people with disabilities to the greatest degree feasible. The playground funding is provided through the Green Acres program, and provides funding for 75% matching grants for completely inclusive playgrounds. The Borough proposes submitting an application for \$450,000, which includes the demolition and disposition of the existing playground, wood mulch and wood borders, the new playground equipment installation and demolition and disposition of the existing fence and installation of a new ornamental fence and safety surface. If the award is granted, the Borough's costs would be \$112,500. Photos of the proposed equipment were displayed. This plan would replace what's currently at Blackberry Bay Park right now.

Councilman O'Brien commented on a personal level, this was exactly what we want in town.

PUBLIC:

Ms. Phelps read letter of support submitted by resident Mark Patterson:

Dear Mayor and Governing Body,

I'm writing as a resident of the borough of Oceanport and President of the Oceanport Board of Education—however my opinions are my own and I am not speaking on behalf of the board. My intent was to come to this meeting in person, but family commitments prevented me from doing so.

I am in support of the Borough's application to fund the construction of an all-inclusive playground at Blackberry Bay Park. It is crucial for our community to invest in recreation that meets the needs of ALL children with ALL abilities. I'm impressed but not surprised of the borough's acknowledgement of the need for such amenities. It is an important initiative that the schools have been pursuing in facilitating the execution of the referendum. Our facilities must be accessible and accommodating. It is comforting to know the borough's vision is in line with the school district. Together we can cultivate an environment of belonging.

An All-inclusive playground would mean a lot to the families and children of Oceanport. It would serve as a welcome to those who may often be shut out. Every child should be entitled to every opportunity in life and a chance to enjoy being a kid. The construction of this playground will play a small part in making this possible.

*With humble gratitude and continued partnership all the best,
Mark Patterson*

As there was no one else from the public, Mayor Tvrdik closed the Public Hearing on the application on a motion by Councilman O'Brien, seconded by Councilman Gallo and approved by Council.

VI. **Public Comment on Action Items:** Mayor Tvrdik opened the meeting to comments from the public on agenda action items. As no one from the public appeared, that portion of the meeting was closed.

VII. **Action Items:**

#2024-54 Resolution authorizing payment of BILL LIST 02-01-2024

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

#2024-55 Resolution appointing 2024 Borough Council Committees

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

#2024-56 Resolution appointing Class III Member to the Planning Board

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

#2024-57 Resolution authorizing Green Acres grant application for BBB playground project

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

#2024-59 Resolution appointing a Technical Assistant to the Construction Official - *Added on Late*

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

VIII. **Clerk's Report:** Ms. Smith advised of recent federal legislation mandated by the IRS that impacted the Borough's health insurance base plan that requires deductibles to be increased for the HDHP plan to be qualified plan under IRS regulations. After reviewing with the Administrator, CFO, Finance Chair and Borough Attorney, the change would require an amended health insurance plan with the CJHIF, a resolution authorizing the increase in the deductible contribution, amend the PBA Contract only to address the specific amounts, impacts budget by approximately \$5,500 which the CFO has confirmed funds are available. As there were no questions or objections, necessary documents would be prepared for the next meeting.

Minutes:

1. Mayor & Council - Workshop - Dec 14, 2023 7:00 PM - *to be provided*
2. Mayor & Council - Regular Meeting - Dec 14, 2023 7:30 PM - *to be provided*
3. Mayor & Council - Reorganization Meeting - Jan 4, 2024 7:00 PM
4. Mayor & Council - Workshop - Jan 18, 2024 7:00 PM - *to be provided*
5. Mayor & Council - Regular Meeting - Jan 18, 2024 7:30 PM - *to be provided*
6. Mayor & Council - Workshop - Jul 20, 2023 7:00 PM - *to be provided*
7. Mayor & Council - Workshop - Jun 15, 2023 7:00 PM - *to be provided*
8. Mayor & Council - Regular Meeting - May 18, 2023 7:00 PM - *to be provided*
9. Mayor & Council - Regular Meeting - Apr 20, 2023 7:00 PM - *to be provided*
10. Mayor & Council - Workshop - Apr 6, 2023 7:00 PM - *to be provided*
11. Mayor & Council - Regular Meeting - Feb 16, 2023 7:00 PM - *to be provided*
12. Mayor & Council - Workshop - Feb 2, 2023 7:00 PM - *to be provided*

New Business:

13. Resolution authorizing an emergency temporary appropriation – *reviewed and moved forward*
14. Resolution awarding contract for engineering services for FMERA MOU for Stormwater Infrastructure – *reviewed and moved forward*
15. Resolution approving certified LOSAP lists for 2023 – *reviewed and moved forward*
16. Resolution accepting the Tax Collector's Annual Report for 2023 – *reviewed and moved forward*
17. Resolution appointing Acacia Financial Group as Financial Advisor for 2024 – *reviewed and moved forward*
18. Resolution approving First Aid Membership - Crochet, Rebekah – *reviewed and moved forward*
19. Resolution authorizing letter to NJDOT for Monmouth Park heliport – *reviewed and moved forward*
20. Resolution authorizing aerial mosquito control operations 2024 – *reviewed and moved forward*
21. Resolution for Reduction in Guarantees for MPCC, II for Crescent Place Parking - **Added** – *reviewed and moved forward*
22. Renewal of Cleaning Contract for 2024 – *reviewed, obtaining proposal, moved forward to next meeting*
23. Discussion: Ordinance to create facility "Veteran's Field" – Mayor Tvrdik discussed the proposed plan to dedicate the space south of the municipal building and next to the Community Garden as "Veteran's Park" which would be done by ordinance and make available for future field use(s) with no objections by Council.
24. Ordinance Accepting Dedication of Carty Ave from FMERA – *reviewed, moved to regular meeting for introduction*
25. Discussion: Proposed increases to development application fees and update application checklists – Ms. Smith reported on the reduction in development fees since the new ordinance adoption and will be preparing proposed increases and an ordinance amendment to act on same as well as amend the development checklists based on recommendations from the Planning Board.

- IX. **Administrator's Report:** Ms. Phelps provided updates on the status of various grants and projects including: Trinity Park, awarded \$74,000, consists of construction to remove existing pavement at basketball court and tennis court, topsoil those areas, add additional parking for a cost of \$130,000, also considered is adding an outdoor gym facility or walking trail, decrease of the overall project previously proposed at \$300,000 and reduces the overall cost down to about \$200,000, does require a change of scope to the State for approval. There was discussion on the change in the scope, which removed redoing the basketball court and creating new parking areas where the old court was would be used, what the changes were to accommodate the areas available in the park. After discussion, Council was agreeable to move forward with the scope change; Assistance to Fire Fighter Grant application – plan to submit again this year for the pumper requested last year; Spotted Lantern Fly grant has been reimbursed and the work was performed at Maria Gatta Park; the school's are seeking to submit a grant to create a grass amphitheater behind Maple Place for outdoor activities and ceremonies and would require a letter of support from the Mayor – there were no objections from Council; considering this year's local recreation improvement grant for potential filling of pool site. Ms. Phelps also advised receipt of franchise fees from both Verizon and Comcast, she will also be meeting with Comcast representatives along with the Mayor to discuss and finalize the Comcast Franchisee Renewal Ordinance; both NJ American Water and NJ Natural Gas have filed for rate increases with the Board of Public Utilities. Ms. Phelps next led discussion for this school year's transportation agreement received from Shore Regional for bussing, reviewed costs for previous years and the increases for each and this year there's another increase however a large reduction in the number of students being transported has dropped from 148 student to 53 students at a cost of \$40,601 so each year amount goes up even though less students being served and likely lesser number of buses. Ms. Phelps also advised of an opportunity to showcase the town for featuring on the NJ League of Conferences a photo featuring municipality on their cover page which there were no objections.

- X. **Mayor's Report:** Mayor Tvrdik stated for the record the following appointments to the Planning Board due to the vacancy created by Councilwoman Cooper's appointment as the Council Liaison:

Kevin Calver	Class IV	Unexpired 4yr Term ending 12/31/2027
David Gruskos	Alternate I	Unexpired 2yr Term ending 12/31/2024

Mayor Tvrdik next discussed a request for a Letter of Support from JCP&L regarding the large infrastructure investment being proposed which includes the installation of a new substation across from Veteran's Field at Borough Hall – which will be coming in to the Planning Board for Site Plan approval in the near future. Mayor Tvrdik would like to support the initiative with no objections from Council. Mayor Tvrdik also advised of upcoming construction that will close Sommers Park for 2 years while Two Rivers Water Reclamation Authority begins the sewer main work across Pleasure Bay. The site had security fencing installed this week. A Pre-construction meeting is set up for next week to discuss how to make the site more attractive, benches, flagpole and monuments have been removed and are being stored in DPW yard, the site will be lighted for security purposes. There will also be an on-site trailer, soil stockpile which is likely why the black barriers are there per Freehold Soils requirements. There will be no interruption of utility services, they are providing their own. The work entails excavating a 40' diameter shaft, 90' deep and diverting the existing 48" sewer pipe in a new 54" pipe that would be tunneled under the river from Monmouth Beach. Construction is anticipated to begin Monday to Friday, 7:00 AM to 3:30 PM. They are aware that they need to request permission from Council for the earlier start time which has been submitted. There are two trees, one which was dedicated, unfortunately will have to be removed but the park is to be restored to original conditions which will be discussed further in the preconstruction meeting. Mayor Tvrdik reported that he attended along with Councilmen Deerin and O'Brien and Fire Marshal Griffin a lunch and learn at 274 E. Main Street with the seniors about fire safety, what to do if the hallways is filled with smoke or kitchen has a fire. They also had a fun night out with the seniors to a Shore Regional girls basketball game. He congratulated the girls team for their championship win. Lastly, he reported of an opportunity for the Shore Little League to attend a special event at Baseline Social for Aaron Boone, NY Yankees manager where they participated on stage while Mayor Tvrdik read a proclamation declaring Aaron Boone Day.

- XI. **Public Comment:** Mayor Tvrdik opened the meeting to Public Comments.

Rosanne Letson, 50 Deer Path Court, Tinton Falls, asked questions about the sewer project and noted that a previous project there had been fossils found and suggested reaching out to Rutgers to sift through the stockpiled material. Mayor Tvrdik also advised that they had addressed her last meeting inquiry about updating sign conditions which Councilman O'Brien advised he had reached out to the resident who did the Old Wharf Park sign and he was excited to do the work. Ms. Letson also suggested reaching out to any high school students that might need community service time to assist.

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

- XII. **Adjourn to Executive Session:** As the full Council was not present, this matter was tabled for the 2/15/2024 meeting.

#2024-58 Resolution authorizing an Executive Session, February 1, 2024

X N.J.S.A. 10:4-12(b)(5)

Matters Relating to the Purchase, Lease or Acquisition of Real Property
- *Potential Open Space Acquisition*

RESULT:	TABLED [UNANIMOUS]	Next: 2/15/2024 7:00 PM
MOVER:	Michael O'Brien, Councilman	
SECONDER:	William Deerin, Councilman	
AYES:	Deerin, Gallo, Keeshen, O'Brien, Cooper	
ABSENT:	Salnick	

- XIII. **Return from Executive Session:** N/A

- XIV. **Adjournment:** As there was no further business, the meeting was adjourned at 7:48 PM on a motion by Councilman O'Brien, seconded by Councilman Gallo and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK