



## **BOROUGH OF OCEANPORT MAYOR & COUNCIL MINUTES • WORKSHOP**

Clement V. Sommers Municipal Building  
910 Oceanport Way, Oceanport, NJ 07757

**NOVEMBER 6, 2025 at 7:00 PM**

1. **Meeting Called to Order:**
2. **Statement of Compliance with Open Public Meetings Act:**
3. **Flag Salute, Statement to the Public:**
4. **Roll Call:**

| <b>STATUS</b>   | <b>NAME, TITLE</b>                                                                                                                                                                                | <b>ARRIVED</b> |
|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| <b>PRESENT:</b> | Councilman Richard Gallo<br>Councilman Bryan Keeshen<br>Councilman Michael O'Brien<br>Councilwoman Patricia Cooper<br>Councilman William Deerin<br>Councilwomen Kara Manna<br>Mayor Thomas Tvrdik |                |
| <b>ABSENT:</b>  |                                                                                                                                                                                                   |                |

**ALSO PRESENT:** Stephanie Kramer, Acting Borough Clerk  
Katie Cassidy, Deputy Borough Clerk  
Andrew Bayer, Borough Attorney  
Donna M. Phelps, Administrator  
Catherine D. LaPorta, Chief Financial Officer

5. **Adjourn to Executive Session:**

**Resolution #2025-279 - Authorizing an Executive Session - Litigation, Negotiations, and the Attorney-Client Privilege-Netflix Pilot Agreement:**

|                  |                                                                                            |
|------------------|--------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED (6 TO 0)</b>                                                                    |
| <b>MOVER:</b>    | Councilman Michael O'Brien                                                                 |
| <b>SECONDER:</b> | Councilman William Deerin                                                                  |
| <b>AYES:</b>     | Richard Gallo, Bryan Keeshen, Michael O'Brien, Patricia Cooper, William Deerin, Kara Manna |
| <b>NAYS:</b>     | None                                                                                       |
| <b>ABSTAIN:</b>  | None                                                                                       |

Mayor Tvrdik provided an overview of discussions regarding the Netflix Parcel, which have

been ongoing since 2024. Topics addressed included valuation, taxation, and related matters. Efforts have included work through committees and ongoing conversations, with collaboration continuing with Eatontown officials on safety and taxation issues.

The Mayor stated that, during tonight's meeting, the Council would enter executive session to discuss a taxation PILOT with professionals. Following the executive session, the meeting will reconvene for public questions and comments regarding the PILOT. Mayor Tvrdek noted that the second reading of the PILOT is scheduled for December 4th, allowing sufficient time for review.

**6. Return from Executive Session:**

|                  |                                                                                            |
|------------------|--------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED (6 TO 0)</b>                                                                    |
| <b>MOVER:</b>    | Councilman Michael O'Brien                                                                 |
| <b>SECONDER:</b> | Councilman Bryan Keeshen                                                                   |
| <b>AYES:</b>     | Richard Gallo, Bryan Keeshen, Michael O'Brien, Patricia Cooper, William Deerin, Kara Manna |
| <b>NAYS:</b>     | None                                                                                       |
| <b>ABSTAIN:</b>  | None                                                                                       |

**7. Discussion Item:**

**The Proposal to House an Electronics Recycling Container on Borough Property:**

Councilman O'Brien discussed an email he received from a local company offering its services to the Borough at no charge. The proposal involves placing a recycling dumpster collection unit on Borough property, which would provide an opportunity for residents to dispose of electronics in a safe and convenient manner. Councilman O'Brien stated that the service would be an added benefit to the Borough without cost and noted that the owner of the business is an Oceanport resident.

The Council discussed having similar services in the past and noted that supervision of the materials collected would likely be necessary, along with establishing set times and dates for use. There was also discussion regarding the potential environmental benefits of the program. Councilman Deerin stated that he believed it would be a great idea for the Borough but suggested that it include certain restrictions.

The Council concluded that it would be worthwhile to speak with the company and remain flexible, allowing the Borough the opportunity to see how the program works and discontinue it if it does not prove beneficial.

**Potential Financial Agreement with Netflix :**

The Mayor announced that prior to the discussion there were handouts available containing the financial information regarding the proposed Financial Agreement. He then

requested that the professionals present introduce themselves. Michael Hanley of NW Financial Group, Matt Jessup, Redevelopment Counsel to the Borough, and John Butow, Tax Assessor for the Borough of Oceanport, each introduced themselves.

Attorney Andy Bayer explained that over the past several months the Borough had been preparing to discuss the matter publicly, outlining how the Redevelopment Plan was established and how it ultimately led to the proposed Payment In Lieu of Taxes (PILOT) agreement. He described what a PILOT is, how it differs from conventional property taxation, and how it could be beneficial to the Borough of Oceanport in the long term. He provided multiple examples of the potential benefits associated with such an agreement.

Mr. Butow stated that he had been tasked with determining the value of a production studio. In conducting his research, he spoke with various other studios, both national and international, to assist in establishing a valuation. He explained that he analyzed the cost to construct the facility and combined that with the value of the land, which resulted in an agreed-upon valuation. Mr. Butow clarified which locations were included in his analysis. Mayor Tvrdek noted that the PILOT under discussion pertains to the four sound stages and does not include the 400 area.

Councilman O'Brien asked Mr. Butow to describe for the public the comparable properties he used in arriving at the studio valuation. Mr. Butow responded that he had numerous discussions with other studios and tax assessors and obtained rent rolls from studios in Jersey City and Brooklyn. He explained that studio operations are varied, including filming movies, advertisements, music videos, and other productions, which can make valuations less uniform. Attorney Bayer asked Mr. Butow to state the final valuation he reached, and Mr. Butow indicated that the valuation was approximately \$132 million and change. He further explained the breakdown of the tax distribution and projected cash flow.

Mr. Hanley outlined the differences between traditional property taxes and a PILOT agreement, explaining how revenues would be allocated and noting that the PILOT would be a fixed payment. Mr. Jessup described the opportunity as unique, given the redevelopment needs of the land, and explained how the agreement could assist with tax relief, capital improvements, and funding obligations that would otherwise fall to taxpayers, including school-related costs. It was noted that the handout detailed comparisons between conventional taxation and the PILOT structure. The discussion included reference to a 2% administrative fee, which is statutorily permissive but not mandated, and was part of the negotiation process.

The Mayor discussed the differences in payments between conventional taxes and PILOT payments and described how the agreement would benefit taxpayers and the school district. Mayor Tvrdek further explained the breakdown of the PILOT distributions and referenced the need for a new ladder truck. He clarified that the other Netflix parcel, known as the 400 district, would remain subject to regular taxation and land use regulations. The Mayor also announced various items being added to the tax rolls for 2026 and 2027, including Riverwalk.

Councilman O'Brien stated that while he does not typically support PILOT agreements, he

believed this particular proposal removed certain risks and was beneficial for the public. Attorney Bayer advised that at the Regular Meeting following the Workshop there would be an introduction of an ordinance approving the Financial Agreement. He explained that the ordinance would need to be advertised, with a public hearing and second reading scheduled for the December 4, 2025 meeting, thereby providing the public an opportunity to review the information and offer input.

Councilman Deerin and Councilman Gallo expressed agreement with Councilman O'Brien. Councilwoman Cooper also agreed and stated that the plan for the schools was very good for the town. Councilman Keeshen concurred, noting that the reduction of risk was a key factor in his support. Mr. Butow further discussed the negotiations between himself and Netflix regarding the total valuation.

Mayor Tvrdik noted that, due to the \$3 million community benefit contribution from Netflix, the Borough would be forming a Community Benefits Committee to discuss how those funds could best benefit residents. Councilwoman Manna thanked Netflix for the efforts made to help the public understand the PILOT agreement and agreed that the reduction in potential tax appeals was a positive aspect of the proposal.

The meeting was then opened to public hearing on the PILOT discussion only. Mark Patterson of Oceanport sought clarification regarding the referendum payment. Mayor Tvrdik provided a breakdown of the one million dollar payment and the remaining amount. Mr. Patterson requested additional clarification as to whether the school's portion would result in an increase to the school budget. Councilman O'Brien responded that the school would be in control of its own budget and, assuming it did not increase its budget, the additional revenue would reduce the burden. Representatives of Netflix explained that the payment would constitute a new revenue stream outside of what is normally received, and it was concluded that the arrangement would provide tax relief to the residents. Mr. Patterson further inquired about the Shared Services Agreement and expressed concern that if a future administration chose not to renew the agreement, it could create issues and potentially increase taxes. Discussion ensued regarding the annual increase amounts under the PILOT, the duration of the agreement, and the total amount to be paid by Netflix.

A discussion also took place with the representatives of Netflix, and members of Council concerning the possibility of Netflix declaring bankruptcy and whether the PILOT payments would continue under such circumstances. It was explained that the PILOT functions similarly to any other tax obligation and that if an entity is unable to pay or files for bankruptcy, as with conventional taxes, payment would not be received. The two percent annual increase was discussed and described as a historic and comparable amount.

Luis Fernandez of 42 Riverside Avenue addressed the Mayor and Council and stated that the County would be the largest losing factor under the program. He inquired whether the County would seek to have residents make up for any losses. Borough Attorney Andy Bayer explained that the land in question is owned by the State and Federal government, and therefore the County is not necessarily experiencing a loss, as the property is not being converted from a revenue-generating property to a different revenue classification. Further explanation was provided regarding how and why taxes may be increased within a

municipality. There were no more public comments and a motion by Councilman Deerin was made and a second by Councilman Keeshen.

Mayor Tvrdik asked Council members if they were comfortable moving forward with putting the Ordinance on the next meeting. They were all in favor.

8. **PUBLIC COMMENT - Action Items Only:** Mayor Tvrdik opened the public comment portion of the meeting for Action Items only. During this time, he stated that the Resolution Amending the job description of the Fire Official would be tabled in order to allow Public Safety to speak with the crew. There being no further comments, Councilman O'Brien made a motion to close the public comment portion for Action Items, and Councilwoman Manna seconded the motion.
9. **Clerk's Report:** Acting Clerk Kramer stated that Election Day proceeded smoothly without any issues and thanked everyone who contributed.

10. **New Business:**

**Resolution - Payment of Bills:**

**Resolution - Tax Sale Certificate 25-00006:**

**Resolution - Tax Sale Certificate 25-00008:**

**Resolution - Authorizing the Purchase of a Utility Vehicle from Gentilini Motors:**

**Resolution - Authorizing an Agreement with MCSPCA for Animal Control Services 2025:**

**Resolution - Approving Special Event Permit for the Monmouth Behavioral Therapy Group Holiday Party:**

**Resolution - Amending Job Description for Fire Official:**

**Resolution - Accepting Donation of a Generator from FMERA:**

**Resolution - Awarding a Contract to Amazon for Various Goods and Services:**

**Resolution - Authorizing Purchase of Fire Dept Equipment Through State Contract:**

**Resolution - Authorizing a Contract for Picnic Table at Charles Park Through The Educational Services Commission:**

**Resolution - Approving Renewal of Membership with Central New Jersey Health Insurance Fund:**

**Resolution - Appointing Michael Scarpino as an Hourly Laborer for the Public Works Dept:**

**Resolution - Amending the Budget for Monmouth County Open Space Grant:**

**Resolution - Authorizing Waiver of Street Opening Moratorium for 69 Horseneck Point Road:**

**Resolution - Authorizing 2025 Budget Appropriation Transfer :**

**Resolution - Awarding a Contract for Nicodemus Ave Roadway Construction and Realignment Project:**

**Resolution - Requesting Waiver of 390-19(F) - 449 Port Au Peck Ave:**

**11. Administrator's Report:**

Administrator Phelps stated that she would wait to give her report at the next meeting.

**12. Mayor Tvrdik's Report:**

Mayor Tvrdik extended his deepest sympathies to the family of Bob Kelly. He spoke about Mr. Kelly's career, his family, and his life as an Oceanport resident.

**13. Public Comments:**

Susan Makaitis of Atlantic Highlands spoke on behalf of Food and Water Watch. She stated that every community in New Jersey is experiencing the growing costs associated with climate impacts and shared information regarding climate disasters, rising sea levels, annual temperature changes, and related costs. Ms. Makaitis stated that the Climate Superfund Act would make New Jersey more affordable by assessing fossil fuel corporations and using the funds for infrastructure improvements. She asked the Council members to personally sign a letter calling on the Governor and State legislators to pass the legislation. She also requested that the Borough consider passing a Resolution in support of the Superfund Act at the next Council meeting. Ms. Makaitis added that other counties have already signed the letter and stated that they would appreciate Oceanport's support as well.

Mike Matthews of 22 Wardell Circle addressed the Council and stated that he would like to see some type of ordinance regarding Christmas lights, including when they may be installed and when they must be removed. He explained that a neighbor has flashing lights that shine into his bedroom. Mayor Tvrdik responded that he would have Council President Cooper speak with Code Enforcement Officer Griffin to look into the issue of lights projecting and determine if there is anything in the existing code regarding holiday lights.

Mr. Lippolis of 97 Surrey Court spoke and thanked the Council and Mayor for getting the Borough to the current stage of negotiations with Netflix. He also thanked the Council for their support of the Fire Department.

Councilman O'Brien made the motion to close this portion of the meeting and Councilwoman Manna seconded.

14. **Adjournment:**

|                  |                                                                                            |
|------------------|--------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED (6 TO 0)</b>                                                                    |
| <b>MOVER:</b>    | Councilman Michael O'Brien                                                                 |
| <b>SECONDER:</b> | Councilwoman Patricia Cooper                                                               |
| <b>AYES:</b>     | Richard Gallo, Bryan Keeshen, Michael O'Brien, Patricia Cooper, William Deerin, Kara Manna |
| <b>NAYS:</b>     | None                                                                                       |
| <b>ABSTAIN:</b>  | None                                                                                       |

Respectfully submitted,

Stephanie Kramer  
ACTING BOROUGH CLERK