



# BOROUGH OF OCEANPORT

## MAYOR & COUNCIL

MINUTES • OCTOBER 17, 2024

Regular Meeting

Clement V. Sommers Municipal Building

7:00 PM

910 Oceanport Way, Oceanport, NJ 07757

- I. **Call 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, 2024 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.

Mayor Tvrdik recognized the recent passing of long-time resident and volunteer, Buddy Brocklebank, a tremendous loss for the Oceanport community. In "Buddy Brocklebank" fashion, he called for everyone to rise with a round of applause.

- III. **Flag Salute, Statement to the Public:** Samantha Slattery led attendees and the Mayor & Council in the flag salute.

- IV. **Roll Call:**

| Attendee Name    | Title                | Status  |
|------------------|----------------------|---------|
| Thomas Tvrdik    | Mayor                | Present |
| William Deerin   | Councilman           | Absent  |
| Richard Gallo    | Councilman           | Present |
| Bryan Keeshen    | Councilman           | Present |
| Michael O'Brien  | Councilman           | Present |
| Keith Salnick    | Councilman           | Present |
| Patty Cooper     | Councilwoman         | Present |
| Jeanne Smith     | Borough Clerk        | Present |
| Andrew Bayer     | Borough Attorney     | Present |
| Donna M. Phelps  | Administrator        | Present |
| Stephanie Kramer | Deputy Borough Clerk | Present |

- V. **PROCLAMATION:**

1. Oceanport Preschool. Mayor Tvrdik invited Felicia Slattery and Tracy Pennell along with staff of the Oceanport Preschool and gave the following Proclamation in recognition of their 24 years of service to the Borough's residents.

**WHEREAS**, it is a distinct privilege, on behalf of the residents of the Borough of Oceanport and the Borough Council, to recognize the Oceanport Preschool and its owners for their many years of commitment and faithful service to the children and residents of Oceanport, Monmouth County and the State of New Jersey; and

**WHEREAS**, Oceanport Preschool was opened in the year 2000 by two energetic and visionary young women, Felicia Slattery and Tracy Pennell, who set out on a quest that combined their passion for educating and caring for children with their desire to build a business and a culture that made for a better community; and

**WHEREAS**, in order to bring their vision to fruition, Felicia Slattery and Tracy Pennell established Oceanport Preschool and have dedicated the past 24 years of their lives to early childhood education and the care, support and growth of the children of Oceanport; and

**WHEREAS**, over the course of the past 24 years, Felicia and Tracy grew the Oceanport Preschool with the assistance of many wonderful staff members and helpers, past and present, without whom there would be no Oceanport Preschool: most notably, Nicole Deusch, Chrissie Brignola, Tracy Stetter, Meghan Ferone, Maggie Geiger, Michele Lavallo, Samantha Slattery, Jimmy Slattery, Annie Deusch, Kathleen Gemignani, Joelle Caputo, Jill Ferrante, Jackie McGowan, Nicole Bailey, Lori DeFazio Mutch, Angela Vill, John Sferra, Victoria Cassel, Wes Sherman, Joey Lombardo, Dave Phillips, Jack Brignola and, most importantly, the women who raised them, supported them and chipped in when needed, Joannie Slattery, Paula Lombardo and Irene Henkes; and

**WHEREAS**, the unsung heroes of this whole enterprise, however, are Felicia and Tracy's husbands Kerin and Mike, and we would be remiss if we did not thank Kerin Slattery and Mike Pennell on behalf of Felicia and Tracy, both of whom neglected to mention their husbands when they provided us with the list above; and

**WHEREAS**, Felicia and Tracy have been long-time advocates of the importance of universal preschool and were happy to see Wolf Hill School participate in the initiative to provide free preschool to Oceanport's residents; and

**WHEREAS**, in light of the Wolf Hill School's free preschool program, Felicia, Tracy and their respective families have made the decision to close the Oceanport Preschool,

**NOW, THEREFORE, BE IT RESOLVED**, that in recognition of Oceanport Preschool, its founders Felicia Slattery and Tracy Pennell, its unparalleled staff members and helpers, and the school's 24 years of business, commitment and service to community, I, Thomas J. Tvrdik, Mayor of the Borough of Oceanport, on behalf of Oceanport's residents and Governing Body, extend a most sincere "Thank You" to the Oceanport Preschool and all of the wonderful individuals for all the wonderful things they have done for the children of Oceanport, and I hereby further celebrate and commemorate these contributions by declaring that **OCTOBER 17, 2024** shall be known as **"OCEANPORT PRESCHOOL DAY"** in the Borough of Oceanport!

- VI. PUBLIC COMMENT - Action Items Only:** Mayor Tvrdik opened the meeting for public comments on action items only. As no one from the public appeared that portion of the meeting was closed on a motion by Councilman Keeshen, seconded by Councilman O'Brien.
- VII. Administrator's Report:** Ms. Phelps offered her condolences to the Brocklebank family; thanked everyone that reached out to her with the passing of her mother and aunt.
- VIII. Clerk's Report:** Ms. Smith reported that the Tax Collector had filed his certification that the 2024 added assessments had been mailed out; Two Rivers Water Reclamation Authority has filed their annual report with the Borough and was available in her office for inspection.
1. **Health Insurance Renewal and Open Enrollment:** Ms. Smith distributed information regarding proposed employee benefit changes for the 2025 renewal. Ms. Smith reviewed the current plans, the proposed Medicare Advantage supplemental plan for those eligible for Medicare having an equal or better than benefit, the potential savings from the change; proposed elective benefits to be made available to employees for dental, implants, orthodontics and vision and compliance with notification to the Borough's collective bargaining agreement with the PBA. After discussion, it was Council's unanimous consent to add the resolution to include the changes to the Borough's health benefits plans on for action.

**IX. Consent Agenda:**

- |                  |     |                                                                                                   |
|------------------|-----|---------------------------------------------------------------------------------------------------|
| <b>#2024-242</b> | 1.  | Resolution authorizing payment of BILL LIST 10-17-2024                                            |
| <b>#2024-243</b> | 2.  | Resolution appointing Donald Baldwin as a per diem Plumbing/Mechanical Subcode & Inspector        |
| <b>#2024-244</b> | 3.  | Resolution appointments to Boards & Committees, HIS, WW                                           |
| <b>#2024-245</b> | 4.  | Resolution authorizing refund of funds balance for FMERA MOU 600 Area Water Project               |
| <b>#2024-246</b> | 5.  | Resolution authorizing endorsement of TRWRA Applications to NJDEP for Foggia Way                  |
| <b>#2024-247</b> | 6.  | Resolution accepting resignation of James McCormick                                               |
| <b>#2024-248</b> | 7.  | Resolution accepting resignation and retirement of Michael P. Kelly                               |
| <b>#2024-249</b> | 8.  | Resolution awarding contract to Poor John's Portable Toilets                                      |
| <b>#2024-250</b> | 9.  | Resolution awarding contract for 2024 Road Program - <i>Added</i>                                 |
| <b>#2024-251</b> | 10. | Resolution authorizing solicitation of bids for Trinity Park Improvements Project                 |
| <b>#2024-252</b> | 11. | Resolution appointing Fire Police member - Thomas Corsentino, Jr                                  |
| <b>#2024-253</b> | 12. | Resolution awarding contract for Allenhurst Ave Bulkhead Project - <i>Added</i>                   |
| <b>#2024-254</b> | 13. | Resolution authorizing contract with Barnabas Health for Employee & Volunteer Healthcare Services |
| <b>#2024-255</b> | 14. | Resolution authorizing payment for vacation time                                                  |

|                  |                                          |
|------------------|------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>               |
| <b>MOVER:</b>    | Keith Salnick, Councilman                |
| <b>SECONDER:</b> | Michael O'Brien, Councilman              |
| <b>AYES:</b>     | Gallo, Keeshen, O'Brien, Salnick, Cooper |
| <b>ABSENT:</b>   | Deerin                                   |

**X. Minutes:**

1. Mayor & Council - Workshop - May 2, 2024 7:00 PM

|                  |                                          |
|------------------|------------------------------------------|
| <b>RESULT:</b>   | <b>ACCEPTED [UNANIMOUS]</b>              |
| <b>MOVER:</b>    | Patty Cooper, Councilwoman               |
| <b>SECONDER:</b> | Keith Salnick, Councilman                |
| <b>AYES:</b>     | Gallo, Keeshen, O'Brien, Salnick, Cooper |
| <b>ABSENT:</b>   | Deerin                                   |

2. Mayor & Council - Workshop - Aug 15, 2024 7:00 PM

**RESULT:** **ACCEPTED [2 TO 0]**  
**MOVER:** Richard Gallo, Councilman  
**SECONDER:** Patty Cooper, Councilwoman  
**AYES:** Gallo, Cooper  
**ABSTAIN:** Keeshen, O'Brien, Salnick  
**ABSENT:** Deerin

3. Mayor & Council - Regular Meeting - Aug 15, 2024 7:30 PM

**RESULT:** **ACCEPTED [2 TO 0]**  
**MOVER:** Richard Gallo, Councilman  
**SECONDER:** Patty Cooper, Councilwoman  
**AYES:** Gallo, Cooper  
**ABSTAIN:** Keeshen, O'Brien, Salnick  
**ABSENT:** Deerin

**XI. Resolutions:**

**#2024-258** Resolution authorizing changes to Health Insurance plan offerings

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

**#2024-256** Resolution promoting Gary Grimes to Chief of Police in the Oceanport Police Department

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

**XII. First Reading Ordinances:**

**#1102** Introduction of Ordinance Amending Chapter 64 "Vehicles & Traffic" pertaining to Low Speed Electric Vehicles

Councilwoman Cooper called for the introduction of **"AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 64 "VEHICLES & TRAFFIC " AS AMENDED AND SUPPLEMENTED, PERTAINING TO LOW-SPEED ELECTRIC VEHICLES"** and then asked the Clerk to read the proposed ordinance by title only, after which Councilwoman Cooper moved to approve the Ordinance upon first reading and to hold the PUBLIC HEARING on the proposed ordinance at the Council meeting of November 7, 2024 and to advertise same in accordance with the law, which was seconded by Councilman Keeshen.

**RESULT:** **APPROVED OF FIRST READING [UNANIMOUS]** **Next: 11/7/2024 7:30 PM**  
**MOVER:** Patty Cooper, Councilwoman  
**SECONDER:** Bryan Keeshen, Councilman  
**AYES:** Gallo, Keeshen, O'Brien, Salnick, Cooper  
**ABSENT:** Deerin

**XIII. Second Reading & Public Hearing Ordinances - None**

**XIV. Council Standing Committee Reports:**

1. Councilman Deerin, Parks & Recreation - Absent
2. Councilman Gallo, Public Works & Engineering – Report included reminders for fall leaf collection dates, importance of following the zones to minimize the time on the streets and potential impacts to stormwater management regulations; the 2023 road program continues with Driveway and S. Pemberton to be completed next week. Councilman Gallo recalled fond memories of Buddy Brocklebank who was always at fires and then as fire police, he was a great guy and taught them a lot. He noted a fun note that a few years ago he was awarded by the Port Au Peck Fire Company the “Agitator Award” with a machine washing agitator which he was in a very fun way, he will be missed.
3. Councilman Keeshen, Public Safety – Report included announcing details for that weekend’s upcoming Bingo night for the First Aid Squad; congratulated Chief Grimes and wished him the best knowing he will do a great job and Oceanport is fortunate to have such a dedicated professional. Councilman Keeshen also extended his condolences to the Brocklebank family, Buddy was a very special part of the fabric of Oceanport. He recalled a fond memory when he was a young child while pouring concrete, Buddy would be on the truck, and he himself not more than 120 pounds soaking wet, Buddy got a kick out of filling the wheelbarrow up till his knees buckled trying to push the thing – he will be missed for sure! October is Fire Prevention Month, thanked members of the Fire Department who will be visiting and educating the kids at Wolf Hill School; reminders to test your smoke detectors and change batteries and make sure your house number is clear so that first responders are able to find you. OEM reminds the residents to sign up for CodeRed, the emergency alert system, in order to receive important alerts.
4. Councilman O'Brien, Finance & Administration – Extended his condolences to the Brocklebank family; Buddy was a great guy and a solid example of volunteerism and a legacy that he hopes he can leave anything close to it. He congratulated Gary Grimes and his family – he will do a great job, it was an easy decision. Finance Committee has started budget process for 2025, departments will be sent questionnaires for their needs. Committee will be focused on the renewal of next year’s garbage contract process and ways to mitigate the increase in costs being anticipated. Revenues from Maria Gatta Park this year to date are \$466,000 – a real positive outcome from that project.
5. Councilman Salnick, Health & Human Services – Extended his condolences to the Brocklebank family and congratulations to Chief Grimes. He has nothing new to report for Health and Human services.
6. Councilwoman Cooper, Planning & Development – Extended her condolences to the Brocklebank family as well as to Ms. Phelps on the loss of her mom and aunt. She further congratulated the Oceanport Preschool that has touched so many lives. She thanked Chief Kelly for his years of service as well as James McCormick, electrical subcode for his years of service – enjoy your retirements. Congratulations were offered to Gary Grimes on his promotion. Commented and welcomed to the team Donald Baldwin, per diem subcode and volunteer Fred Filippone to the Water Watch Committee. Lastly, Netflix will be coming in front of the Planning Board for their first phase in November – more details to come in Mayor’s report.

**XV. Mayor Tvrdik's Report:** Mayor Tvrdik reflected on memories of Buddy Brocklebank who will be missed greatly, so special and irreplaceable. Fun events coming up – 12th annual PTO fall festival at Wolf Hill 10/19; Trunk or Treat 10/28, still looking for Trunkers, Halloween Decorating contest from 10/25-10/27 and Veteran’s Day ceremonies on 11/11. Mayor Tvrdik next provided updates on progress made for the Netflix development with Phase I being presented to the Planning Board on 11/12. Phase I will consist of four sound stages, mill buildings, restoration of the McAfee Center, with other Phases being planned for the west sections in Eatontown. He and Ms. Phelps and Ms. Burroughs toured Oceanport with a representative from New Jersey Film Ready which the Borough has already partnered with; 10 locations were identified for potential future filming sites. Lastly he has been in touch with representatives from the Asheville NC area and the Borough will coordinate a drop off for donations that can be brought down to assist with the hurricane relief. Oceanport knows well what its like to be impacted by a huge storm.

**XVI. Public Comments:** Mayor Tvrdik opened the meeting to comments from the public.

Rosanne Letson, 57 Deer Path Court, Tinton Falls, recalled fond memories for Buddy Brocklebank who also attended Council meetings on a regular basis until he wasn't able. She also provided details of upcoming Historical Committee events - they will participate in Trunk or Treat and are eagerly working on their presentation for the Monmouth250 project.

Keith Salnick, 60 Shore Road, appeared and presented additional information from his perspective to support his request to the Council to reconsider the easement request for his property at 60 Shore Road including DEP guidance provided to him on how to amend his DEP permit to permit a boat at the dock subject to addressing any outstanding violations. He further commented that at the last meeting it appeared that the Council was favorable to granting the easement until there was a shift in the discussion that became heated. He further commented on the topic of precedent, and the fact that 3 other properties on Shore Road have structures in the Borough’s right of way without easements. He takes issue with the lawsuit against him regarding his dock when the other properties have the same circumstances. He discussed at length the costs he has incurred on professional services for plans to resolve the outstanding issues; if one individual has an easement, everyone should have an easement; he has his documents prepared and ready for the easement request and he was prepared to file for a new easement request as guided by the DEP in order to apply for a GP18 for his boat. He also commented at length the lack of jurisdiction on the Borough to contact the DEP concerning his dock, the uniqueness of the properties on Shore Road that have riparian lands on the opposite side of the road.

As there was no one else from the public, the public comments was closed on a motion by Councilman Gallo, seconded by Councilman O'Brien.

Councilman Salnick resumed his seat at the dais at 7:56 PM

Mayor Tvrdik directing his comments to the rest of Council readdressed Mr. Salnick's comments reiterating that there was discussion over three meetings that if an easement was granted, the Council wanted to be sure that it would be used in a manner for which the dock was constructed and if needed he would amend his permit with DEP to permit. Additionally, once issues regarding code enforcement violations are addressed ceasing operations as a fishing charter business from his residential property/dock. As far as a precedent is concerned, just like the planning board, each is looked at on a case-by-case basis. Things to note on this particular request are the shape of the road, proximity of dock to the road, permanence of the structure and the curbing. Mr. Salnick will resubmit his easement request and it will be revisited at the next meeting. Councilman Salnick interjected to comment but was not recognized by the Mayor.

- XVII. Adjourn to Executive Session:** At 8:00 PM Councilman Keeshen made a motion to adopt the resolution to enter Executive Session which was seconded by Councilman Salnick and received the following roll call.

**#2024-257** Resolution authorizing an Executive Session, October 17, 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*

|                  |                                          |
|------------------|------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>               |
| <b>MOVER:</b>    | Bryan Keeshen, Councilman                |
| <b>SECONDER:</b> | Keith Salnick, Councilman                |
| <b>AYES:</b>     | Gallo, Keeshen, O'Brien, Salnick, Cooper |
| <b>ABSENT:</b>   | Deerin                                   |

- XVIII. Return from Executive Session:** At 8:30 PM, the Regular Meeting was re-opened on a motion by Councilman Keeshen, seconded by Councilman O'Brien.

- XIX. Adjournment:** As there was no further business, the meeting was adjourned at 8:31 PM on a motion by Councilman Keeshen, seconded by Councilman Salnick and approved by Council.

Respectfully submitted,

Jeanne Smith  
BOROUGH CLERK