



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

AGENDA • SEPTEMBER 19, 2024

Regular Meeting

Clement V. Sommers Municipal Building

7:00 PM

910 Oceanport Way, Oceanport, NJ 07757

I. Call to Order

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.

III. Flag Salute, Statement to the Public

Often times it may appear that the Mayor & Council take action with very little comment and in many cases by unanimous vote. Many items are of routine business that are placed on a Consent Agenda as they do not require additional discussion. Items not of a routine nature are first listed for discussion at a Workshop meeting prior to being listed for action at a Regular Meeting. Where appropriate, items are referred to a Council Committee for further study and investigation before being returned with a recommendation for the full Council to consider. The members of the Borough Council work via committees along with the Mayor, Borough Clerk and Administration to assure that the members fully understand the matter. There are occasions where matters are presented to the Mayor & Council for discussion and action at the same meeting when of a timely nature.

IV. Roll Call

V. Proclamation

1. Recognizing Oceanport Preschool

VI. PUBLIC COMMENT - Action Items Only

At this time, comments are invited on action items only. Upon being recognized by the Mayor, anyone wishing to address the Governing Body, please state your name and address. No member of the public may address or question individual Governing Body members or administration. Although public participation is welcomed and encouraged, the governing body may, through the Mayor or presiding officer, terminate remarks to and/or by any individual not keeping with the conduct of a proper and efficient meeting. The Borough bears no responsibility for comments made by members of the public. In order to permit the fair and orderly expression of public comment, questions from the public will be responded to, if feasible, after the public comment portion of the meeting is closed.

VII. Administrator's Report

1. Status Report - 60 Shore Road Easement Agreement

VIII. Clerk's Report

IX. Consent Agenda

All items listed under Consent Agenda, are considered routine by the Borough Council and will be enacted by one motion in the form listed below. There will not be separate discussion of these items.. If discussion is desired, that item will be removed from the Consent Agenda by request of the Council member and considered separately. There will be one motion for all items listed.

- | | | |
|------------------|----|--|
| #2024-226 | 1. | Resolution authorizing payment of BILL LIST 09-19-2024 |
| #2024-227 | 2. | Resolution authorizing Tax Sale Redemption #23-00002 |
| #2024-228 | 3. | Resolution increasing contract for HVAC Services to Automated Building Controls |
| #2024-229 | 4. | Resolution approving Special Event Permit for Bike New York |
| #2024-230 | 5. | Resolution authorizing purchase of 2 vehicles for Police Dept through State Contract |
| #2024-231 | 6. | Resolution accepting donation of fork lift and truck lift from Little Silver |

- #2024-232 7. Resolution authorizing signatories for TD Bank Municipal Court Account
- #2024-233 8. Resolution appointing Matthew Rack as a per diem Building/Mechanical Inspector

X. Minutes

- 1. Regular Meeting Minutes, April 20, 2023
- 2. Regular Meeting Minutes, May 16, 2024
- 3. Regular Meeting Minutes, June 20, 2024

XI. Resolutions

- #2024-234 Resolution authorizing solicitation of bids for 2024 Road Program
- #2024-235 Resolution authorizing solicitation of bids for Allenhurst Ave Bulkhead Project
- #2024-236 Resolution appointing Fire Police member - Thomas Corsentino, Jr
- #2024-237 Resolution approving issuance of Liquor License to NLL Trust (Netflix)

XII. First Reading Ordinances**XIII. Second Reading & Public Hearing Ordinances**

- #1100 2nd Reading and PUBLIC HEARING of Ordinance Amending Chapter 284, Peace and Good Order
- #1101 2nd Reading and PUBLIC HEARING of An Ordinance Authorizing Easement Agreement with Netflix for Osprey Nest relocations

XIV. Council Standing Committee Reports

- 1. Councilman Deerin, Parks & Recreation
- 2. Councilman Gallo, Public Works & Engineering
- 3. Councilman Keeshen, Public Safety
- 4. Councilman O'Brien, Finance & Administration
- 5. Councilman Salnick, Health & Human Services
- 6. Councilwoman Cooper, Planning & Development

XV. Mayor Tvrdik's Report

- 1. E-Bikes

XVI. Public Comments

The meeting has been opened for comments from the public. Upon being recognized by the Mayor or presiding officer, anyone wishing to address the Mayor & Council, please state your name and address. Any member of the public wishing to speak a second time or more will only be recognized after all members of the public wishing to be heard for a first time have been recognized. No member of the public may address or question individual Council members or administration. Although public participation is welcomed and encouraged, the governing body may, through the Mayor or presiding officer, terminate remarks to and/or by any individual not keeping with the conduct of a proper and efficient meeting. The Borough bears no responsibility for comments made by members of the public. In order to permit the fair and orderly expression of public comment, questions from the public will be responded to, if feasible, after the public comment portion of the meeting is closed.

XVII. Adjournment

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING PAYMENT OF BILL LIST FOR SEPTEMBER 19, 2024**

**Resolution #2024-226
09/19/24**

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of September 19, 2024.

BE IT RESOLVED, by the Mayor and Council that the bills be paid as on the attached bill list for \$427,562.45.

CERTIFICATION OF FUNDS

I, Catherine D. LaPorta, Chief Financial Officer, of the Borough of Oceanport, do hereby certify that funds are available for the purpose stated herein.



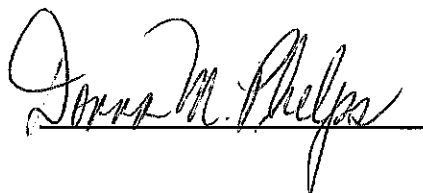
Catherine D. LaPorta, CFO

**BOROUGH OF OCEANPORT
BILL LIST**

19-Sep-24

PAYEE	AMOUNT
PAYROLL ACCOUNT	\$169,066.31 19TH PAY
MANUAL CHECKS	
HARD ROCK HOTEL & CASINO	\$366.00
GRANT FUND	\$128,576.00
CAPITAL	\$0.00
DOG REGISTRY TOTAL	\$0.00
OPEN SPACE TRUST TOTAL	\$2,760.41
SUI	\$0.00
UCC TRUST	\$234.82
TRUST OTHER TOTAL	\$247.95
ESCROW TRUST TOTAL	
NON BUDGETARY	
2023 VOUCHERS PAID THIS MEETING	\$486.36
2024 VOUCHERS PAID THIS MEETING	\$125,824.60
TOTAL	\$427,562.45

I CERTIFY THAT THE ABOVE ITEMS ARE TRUE AND CORRECT AS PRESENTED
TO THE MAYOR AND COUNCIL FOR PAYMENT



List of Bills - (All Funds)

9.1.b

Vendor	Description	Payment	Check Total
Current Fund			
1972 - AUTOMATED BUILDING CONTROLS	PO 17786 DRAWDOWN BLANKET:17656 POLICE DEPT HVAC	775.00	775.00
1029 - BEATRIZ C CRANEY	PO 17779 INTERPRETING - AUG 2024	310.00	310.00
2198 - CENTRAL JERSEY AUTO SALVAGE LLC	PO 17211 UNIT 117 2005 FORD F250 1FTSX215X6EA6832	950.00	950.00
1047 - CENTRAL JERSEY HEALTH INSURANC	PO 17822 HEALTH / DENTAL INSURANCE - SEPT 2024	75,694.32	75,694.32
1987 - CINTAS CORPORATION NO 2	PO 17841 BLANKET 16543 DRAWDOWN FOR MONTHLY CLEAN	241.08	241.08
1837 - COASTAL REFRIGERATION CORP	PO 17559 BLANKET - REPAIRS TO HVAC @ OLD WHARF HO	1,695.27	1,695.27
1446 - DIRECT ENERGY BUSINES	PO 17857 TRAFFIC LIGHTS - 07/08/29/24	119.32	
	PO 17858 STREET LIGHTS - 07/30-08/28/24	15.68	
	PO 17859 PARKS - 07/30-08/28/24	120.24	
	PO 17860 OLD WHARF - 07/30-08/28/24	188.73	443.97
1109 - FMERA	PO 17847 BLDG 901 - 08/01-09/03/24 - BORO HALL	1,743.12	
	PO 17848 RT 537 - 08/01-31/24	273.26	
	PO 17849 BLDG 977 - 08/01-09/03/24 - POLICE	2,326.05	
	PO 17850 BLDG 900 - 08/01-31/2424 - DPW	458.06	4,800.49
1126 - GLENCO SUPPLY INC	PO 17782 DRAWDOWN BLANKET 17322 REQUEST FOR BOROU	360.00	
	PO 17808 DECALS	350.00	710.00
1941 - GOTO TECHNOLOGIES USA, INC	PO 17797 MONTHLY SERVICES - 8/21/24-09/20/24	199.00	199.00
1889 - GREAT AMERICA FINANCIAL SERVICES	PO 17794 MONTHLY RENTAL	159.00	159.00
1134 - GREGORY LAURETTA	PO 17791 Reimbursement for Uniform Purchase Laure	577.60	577.60
1875 - INTERNATIONAL ASSOCIATION OF ARSON INVES	PO 17639 MEMBERSHIP - T. GRIFFIN	148.00	148.00
1153 - JERSEY CENTRAL POWER & LIGHT	PO 17815 MAIN & INTERSECTION - SEPT 2024	37.94	
	PO 17868 200-00-857-007 - 07/19-08/19/24	5,953.36	5,991.30
1661 - JUAN MERINO	PO 17807 REIMBURSE FOR TOLLS TO SANITATION EQUIPM	20.75	20.75
1672 - Kyle + McManus Associates LLC	PO 17823 PLANNER SERVICES	183.75	183.75
1814 - LEAF	PO 17852 BLANKET 16488 DRAWDOWN FOR DPW PRINTER	82.41	
	PO 17871 OEM COPIER	82.32	164.73
1192 - MAGLOCLEN	PO 17731 annual membership dues	400.00	400.00
1220 - MONMOUTH COUNTY PUBLIC WORKS	PO 17729 SALT 12/2022	486.36	486.36
1739 - MUNICIPAL EMERGENCY SVCS	PO 17140 Replace damaged battery and charger	1,391.63	1,391.63
2143 - NEW JERSEY COASTAL COALITION, INC	PO 17745 2024 MJPPPI MEMEBERSHIP FEE	750.00	750.00
1245 - NJ AMERICAN WATER CO	PO 17816 MARIA GATTA PARK - 06/13-07/12/24	23.52	
	PO 17856 OLD WHARF #1 - 07/12-08/09/24	1,407.84	1,431.36
1248 - NJ LEAGUE OF MUNICIPALITIES	PO 17414 Continuing Education	45.00	
	PO 17826 2024 LEAGUE OF MUNICIPALITIES	240.00	285.00
1848 - PREFERRED BEHAVIORAL HEALTH GROUP	PO 17455 EMPLOYEE ASSISTANCE PROGRAM	8,400.00	8,400.00
1286 - PRO JANITORIAL SERVICES, LLC	PO 17873 CLEANING SERVICES - SEPT 2024	3,000.00	3,000.00
2214 - QUALITY ELECTRICAL CONSTRUCTION	PO 17046 ELECTRICAL SERVICE TO MESSAGE BOARD	6,518.00	6,518.00
1791 - READY FRESH	PO 17805 WATER DELIVERY SERVICE - AUG	96.43	96.43
1911 - SANITATION EQUIPMENT CORPORATION	PO 17715 REPAIR GARBAGE TRUCK #130 BIG YELLA MG92	7,319.57	7,319.57
1314 - SEABOARD FIRE & SAFETY	PO 17660 INSPECTIONS VARIOUS BOROUGH BUILDINGS	1,421.90	1,421.90
1315 - SEABOARD WELDING SUPPLY, INC.	PO 17503 WELDING SUPPLIES	322.30	
	PO 17802 MONTHLY DPW CYLINDER FOR WELDING	40.25	362.55
1348 - THE HOME DEPOT	PO 17866 DRAWDOWN BLANKET 16242 FOR SUPPLIES	31.82	31.82
1362 - TREASURER: STATE OF NJ	PO 17872 RECYCLING COMPLIANCE MONITORING FEE	1,015.00	1,015.00
1388 - VERIZON WIRELESS	PO 17840 DPW - 09/02-10/01/24	81.34	
	PO 17845 FIRE BUREAU WIRELESS - 09/02-10/01/24	28.76	110.10
1558 - Verizon Wireless	PO 17844 FIRE WIRELESS - 09/02-10/01/24	120.09	120.09
1559 - Verizon Wireless	PO 17861 UCC/CLERK WIRELESS - 09/02-10/01/24	106.89	106.89
2188 - YANNUZZI GROUP	PO 17831 ASBESTOS ABATEMENT 550/551	128,576.00	128,576.00
OPEN SPACE TRUST			
1153 - JERSEY CENTRAL POWER & LIGHT	PO 17795 280 PORT AU PECK - SEPT 2024	13.71	13.71
2003 - POOR JOHN PORTABLE TOILETS	PO 17777 DRAWDOWN BLANKET 17397 RENTAL/CLEANING	467.00	
	PO 17778 DRAWDOWN BLANKET 16383 FOR MONTHLY RENTA	1,257.00	1,724.00
1348 - THE HOME DEPOT	PO 17863 DRAWDOWN BLANKET 16345- SUPPLIES BLACKBE	726.12	
	PO 17864 DRAWDOWN BLANKET 16831 FOR SUPPLIES	168.71	
	PO 17865 DRAWDOWN BLANKET 16071 FOR SUPPLIES	49.85	944.68
1388 - VERIZON WIRELESS	PO 17846 BBB & OLD WHARF - 09/02-10/01/24	78.02	78.02

UCC Trust

Packet Pg. 5

List of Bills - (All Funds)

9.1.b

Vendor	Description	Payment	Check Total
1248 - NJ LEAGUE OF MUNICIPALITIES	PO 17694 UCC DEPT COURSE	90.00	90.00
1559 - Verizon Wireless	PO 17861 UCC/CLERK WIRELESS - 09/02-10/01/24	144.82	144.82
OTHER TRUST			
2255 - image360	PO 17800 Signs for Summers End/ Banner	190.00	190.00
1313 - SAKER SHOPRITE INC	PO 17789 SUMMERS END SUPPLIES	57.95	57.95
TOTAL			258,130.14

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-101-01-000-011	CASH OPERATING			0.00	126,310.96
01-201-20-100-200	ADMINISTRATIVE & EXECUTIVE OE	8,936.76			
01-201-20-120-200	MUNICIPAL CLERK OE	244.00			
01-201-20-130-200	FINANCIAL ADMINISTRATION OE	41.33			
01-201-21-181-205	PLANNER SERVICES & FEES	183.75			
01-201-23-210-200-1	GENERAL LIABILITY	750.00			
01-201-23-210-202	HEALTH	71,076.38			
01-201-23-210-203	DENTAL	4,617.94			
01-201-25-240-200	POLICE OE	977.60			
01-201-25-252-200	EMERGENCY MANAGEMENT OE	82.32			
01-201-25-265-200	FIRE DEPARTMENT OE	1,511.72			
01-201-25-265-400	FIRE BUREAU OE	176.76			
01-201-26-300-200	STREETS & ROADS OTHER EXPENSES	750.25			
01-201-26-300-271	REPAIRS	8,290.32			
01-201-26-300-273	SUPPLIES	403.64			
01-201-26-300-289	STREETS & ROADS OFFICE SUPPLIES	82.41			
01-201-26-310-200	PUBLIC BUILDINGS & GROUNDS OE	4,256.08			
01-201-26-310-252	REPAIRS & EQUIPMENT	10,441.99			
01-201-31-430-201	ELECTRICITY	4,715.96			
01-201-31-430-203	TELEPHONE/INTERNET	24.23			
01-201-31-430-204	WATER/SEWER	1,431.36			
01-201-31-430-207	STREET LIGHTING	6,519.80			
01-201-43-490-200	MUNICIPAL COURT OE	310.00			
01-203-26-300-282	(2023) SALT & SAND		486.36		
TOTALS FOR	Current Fund	125,824.60	486.36	0.00	126,310.96
02-160-05-000-001	DUE TO/FROM CURRENT FUND			0.00	128,576.00
02-213-40-700-069	FMERA MOU-550 & 551			128,576.00	
TOTALS FOR	FEDERAL AND STATE GRANTS	0.00	0.00	128,576.00	128,576.00
06-101-01-100-011	OPEN SPACE CASH - TD			0.00	2,760.41
06-270-00-500-020	RESERVE FOR OPEN SPACE			2,760.41	
TOTALS FOR	OPEN SPACE TRUST	0.00	0.00	2,760.41	2,760.41
18-101-01-100-101	CASH UCC TRUST			0.00	234.82
18-270-55-600	RESERVE FOR UCC TRUST			234.82	
TOTALS FOR	UCC Trust	0.00	0.00	234.82	234.82

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
60-101-01-100-101	CASH-OTHER TRUST - TD			0.00	247.95
60-270-55-600-115	RES.FOR SUMMERS END			247.95	
TOTALS FOR	OTHER TRUST	0.00	0.00	247.95	247.95
		=====	=====	=====	=====

9.1.b

Total to be paid from Fund 01 Current Fund	126,310.96
Total to be paid from Fund 02 FEDERAL AND STATE GRANTS	128,576.00
Total to be paid from Fund 06 OPEN SPACE TRUST	2,760.41
Total to be paid from Fund 18 UCC Trust	234.82
Total to be paid from Fund 60 OTHER TRUST	247.95

	258,130.14

Pending Payments (*Not Finalized*) - (..) ALL FUNDS

From 09/01/2024 to 09/30/2024 With a Line Amount > 10000.00

DATE	ENTRY #	PO#	CHECK #	ACCOUNT	VENDOR/EXPLANATION	DEBIT	CREDIT	ACCOUNT
9/10/2024	17822			01-201-23-210-202	HEALTH	71,076.38		
9/10/2024				01-201-23-210-203	DENTAL	4,617.94		
9/10/2024					CENTRAL JERSEY HEALTH INSURANC		75,694.32	01-101-01-000-011
9/16/2024	17831			02-213-40-700-069	PARTIAL PAYMENT - CERTIFICATE #5	128,576.00		
9/16/2024					YANNUZZI GROUP		128,576.00	02-160-05-000-001

SEPTEMBER SUMMARY BY ACCOUNT:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	PENDING CR
01-101-01-000-011	CASH OPERATING				75,694.32
02-160-05-000-001	DUE TO/FROM CURRENT FUND				128,576.00
01-201-23-210-202	HEALTH		71,076.38		
01-201-23-210-203	DENTAL		4,617.94		
02-213-40-700-069	FMERA MOU-550 & 551			128,576.00	
SEPTEMBER TOTALS (FOR RANGE):			75,694.32	128,576.00	204,270.32

SUMMARY BY ACCOUNT FOR RANGE:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	DISBURSED
01-101-01-000-011	CASH OPERATING				75,694.32
02-160-05-000-001	DUE TO/FROM CURRENT FUND				128,576.00
01-201-23-210-202	HEALTH		71,076.38		
01-201-23-210-203	DENTAL		4,617.94		
02-213-40-700-069	FMERA MOU-550 & 551			128,576.00	
TOTALS (FOR RANGE):			75,694.32	128,576.00	204,270.32

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #23-00002 FOR
BLOCK 7 LOT 2.01 KNOWN AS 26 TECUMSEH AVE**

**Resolution #2024-227
09/19/24**

WHEREAS, at the Borough Tax Sale held on October 5, 2023, a lien was sold on Block 7 Lot 2.01, otherwise known as 26 Tecumseh Ave.; and

WHEREAS, this lien, known as Tax Sale Certificate 23-00002 was sold to Pro Cap 8 FBO Firsttrust Bank at an interest rate of 18%; and

WHEREAS, the owner has redeemed Certificate 23-00002 in the amount of \$1,283.82.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$1,283.82 payable to Pro Cap 8 FBO Firsttrust Bank, PO Box 774, Fort Washington, PA 19034-0774 for the redemption of Tax Sale Certificate 23-00002.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
INCREASING CONTRACT FOR HVAC SERVICES BETWEEN AUTOMATED BUILDING CONTROLS
AND THE BOROUGH OF OCEANPORT**

Resolution #2024-228
09/19/24

WHEREAS, the Borough of Oceanport is a duly organized Municipal Corporation (hereinafter referred to as "Borough") having principal offices at 910 Oceanport Way, Oceanport, New Jersey 07757; and

WHEREAS, the Borough of Oceanport has entered a contract for HVAC maintenance and emergent services with **Automated Building Controls, 3320 Route 66, Neptune, NJ 07753** pursuant with Resolution #2024-44; and

WHEREAS, the Borough has determined that additional services are necessary and there is a need to increase the amount of the contract for an amount not to exceed \$44,000.00; and

WHEREAS, **Automated Building Controls, 3320 Route 66, Neptune, NJ 07753** has completed and submitted a Business Entity Disclosure Certification and Political Disclosure pursuant with **P.L. 2023, c.20**; and

WHEREAS, funds shall be available for the stated purpose in the 2024 municipal budget subject to adoption of the 2024 budget in accordance with the below Certification of Funds by the Chief Financial Officer,

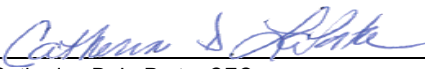
NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport, County of Monmouth, State of New Jersey that:

1. **Automated Building Controls, 3320 Route 66, Neptune, NJ 07753** is hereby awarded a contract for HVAC services for CY2024.
2. The Borough Administrator is hereby authorized to enter into a contract on behalf of the Borough of Oceanport for maintenance and as-need services for an amount not to exceed \$44,000.00 for 2024.
3. That the contract shall also provide for an open-ended contract for services performed in regards to HVAC services contingent upon the availability of funds not to exceed \$44,000 for CY2024. Funds will be certified and encumbered by individual purchase order prior to each request for service pursuant with N.J.A.C. 5:30-5.5

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and Political Contribution Disclosure Form be placed on file with said contract.

CERTIFICATION OF FUNDS

As required by N.J.A.C. 5:34-5.1 et. seq., I, Catherine D. LaPorta, Chief Financial Officer of the Borough of Oceanport, hereby certify sufficient funds are available in Account #01-201-26-310-252-3 for the purposes stated herein.


Catherine D. LaPorta, CFO

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING A SPECIAL EVENTS PERMIT TO BE ISSUED TO BIKE NEW YORK FOR THE 2024
TWIN LIGHTS RIDE TO BE HELD SEPTEMBER 29, 2023 WITHIN THE BOROUGH OF OCEANPORT**

**Resolution #2024-229
09/19/24**

WHEREAS, Bike New York has made application for a Special Events Permit to hold their 2024 Twin Lights Ride through town; and

WHEREAS, as required by ordinance the Police Department has reviewed the application and have recommended that the application be approved.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that a Special Events Permit be issued to Bike New York for the 2024 Twin Lights Ride to be held on September 29, 2024 in accordance with the application made and recommendation by the Traffic Safety Unit upon receipt of appropriate permit fee to be paid by Applicant.

BOROUGH OF OCEANPORT

Michael P. Kelly
Chief of Police

Michael S. Chenoweth
Captain

Michael R. Fagliarone
Lieutenant



POLICE DEPARTMENT
930 OCEANPORT WAY, OCEANPORT, NEW JERSEY 07757

732.222.6300
Main

732.222.6301 ext 3015
Records

732.222.0945
Fax

August 19, 2024

Mayor Tom Tvrdik
Oceanport Borough Council Members
Borough of Oceanport
910 Oceanport Way
Oceanport, N.J. 07757

Re: Special Permit Application-Twin Lights Bike Tour-Sunday, September 29th, 2024

Dear Mayor Tvrdik,

As per Borough Code 326-3, I have reviewed the Special Event Permit Application for the Twin Lights Bike Tour sponsored by Bike New York scheduled for Sunday, September 29th, 2024. The tour will ride through the Borough of Oceanport, which includes a rest area located in the parking area of the Old Warf Parking Area off East Main Street.

The first riders will enter Oceanport at approximately 7:45am and the last rider will leave Oceanport at approximately 12:30pm.

Bike New York has not requested the presence of an officer this year and the route remains the same as in prior tours.

I have reviewed the logistics of the event, as well as the planned route, the number of perspective participants. I also reviewed the course map. (attached)

Based on the number of participants, the roadways utilized for the event, the day of the week, as well as the time of the event, I am recommending that the mayor and council approve the application.

The event, which has incorporated Oceanport over the last 11 years, is well organized and monitors the safety of the riders with course Marshalls. The riders follow specified rules of the road and additional rules from Bike New York.

There will be no scheduled roadway closures or detours during the event and the tour does not affect the routine flow of traffic.

Sincerely,

Michael P. Kelly
Chief of Police
Oceanport Police Department

Twin Lights Ride

Sunday, September, 29 2024

9.4.a

Route through Borough of Oceanport
Timeline: 7:51am - 12:18pm



SYMBOL KEY**SIGNAGE KEY**

- ① ARROW (Delineator)
- ② BIKE REPAIR (Tent)
- ③ ROUTE MAP (T-Pole)
- ④ OLD WHARF (Tent)

TENT KEY

- A - HYDRATION TENT
- B - FOOD TENT
- C - BIKE REPAIR TENT



**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE PURCHASE OF TWO UTILITY VEHICLES FROM WINNER FORD THROUGH
STATE CONTRACT FOR THE OCEANPORT POLICE DEPARTMENT**

Resolution #2024-230
09/19/24

WHEREAS, the Oceanport Police Department has need to purchase two (2) 2025 Ford Utility Interceptor vehicles and funds have been appropriated in the 2024 Budget for the purchase of said vehicles for use by the Police Department; and

WHEREAS, N.J.S.A. 40A:11-3(a), allows for the award of a contract without the necessity of public advertising for bids when the procurement is made through a State contract; and

WHEREAS, Winner Ford has submitted a proposal for the provision of two (2) 2025 Ford Utility Interceptor for a total cost of \$124,056.00; and

WHEREAS, the recommendation is to purchase both vehicles with emergency equipment from Winner Ford, 250 Haddonfield-Berlin Rd, Cherry Hill, NJ 08034 which are available through NJ State Contract #20-Fleet-01189 for a total amount not to exceed \$124,056.00; and

WHEREAS, the Chief Financial Officer has confirmed that funds are available for the stated purpose as indicated below by the Certification of Funds,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council that the purchase of two 2025 Ford Utility Interceptor Vehicles with emergency equipment for a total price of \$124,056.00 from Winner Ford, 250 Haddonfield-Berlin Rd, Cherry Hill, NJ 08034 pursuant with NJ State Contract #20-Fleet-01189 is hereby authorized.

CERTIFICATION OF FUNDS

As required by N.J.A.C. 5:34-5.1 et. seq., and any other applicable requirement, I, Catherine D. LaPorta, Chief Financial Officer of the Borough of Oceanport, certify that there are sufficient uncommitted funds available in Account #01-201-44-900-903 in the amount of \$124,056.00 for the stated purpose.


Catherine D. LaPorta, CFO



Linda Hoffman
856-214-0759 Phone
856-488-1915
Lhoffman@winnerford.com
N.J. Contract # 20-FLEET-01189

2025 Ford Utility Interceptor Base Vehicle

42493.00

- Cloth Front Bucket/Vinyl Rear Seat
- Power Windows/Locks/Mirrors
- Air Conditioning
- AM/FM Stereo
- Tilt Steering
- Rear Window Defroster
- Perimeter Alarm
- Engine Idle
- Dark Car
- Blind Spot Mirrors
- Cargo Area Dome Light
- Power Passenger Seat
- Rear A/C
- 4 Keys with Fobs
- H8 AGM Battery
- Reverse Sensing
- Taillamp Prep Headlamps Prep Pkg.
- SYNC
- Ford Telematics, includes Modem
- Pre-Wiring for grille LED lights, siren and speaker
- 99B 3.3L V6 Engine**
- 44U 10 Speed Auto Transmission
- 60R Radio Noise Suppression
- 59B Keyed Alike
- 68G Rear Door Locks & Windows Inoperative
- 51T Drivers Side LED Spotlight
- 549 Power Heated Mirrors
- 18D Global lock/unlock feature
- Skid Plate

Total

43643.00



Linda Hoffman
 856-214-0759 Phone
 856-488-1915

Lhoffman@winnerford.com

Emergency Equipment 18385.00

Whelen Liberty II DUO Light Bar
 Setina Push Bumper w/Front and Side Lights
 Vertex in Headlights, Clear
 Flash Headlights
 Under Mirror Lights; 1 Red, 1 Blue
 Vehicle Specific Console w/Cup Holder, Arm Rest,
 Magnetic Mic Clip
 Core Siren/Switchbox Controller
 Speaker and Bracket
 ProGard Pro Cell ½ Cage; includes Window Bars, Door Panels,
 Outboard Seat Belt System
 Outer Edge
 Vertex in Reverse Lights, Clear
 Flash Tail Lights
 Striplight in Rear ¼ Window

COMPLETE COST OF 1 VEHICLE:	62028.00
COMPLETE COST OF 2 VEHICLES:	124056.00

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING ACCEPTANCE OF EQUIPMENT FOR THE DEPARTMENT OF PUBLIC WORKS FROM
THE BOROUGH OF LITTLE SILVER**

Resolution #2024-231
09/19/24

WHEREAS, pursuant with N.J.S.A. 40A:5-29, the Borough of Oceanport is a local unit authorized and empowered to accept bequests, legacies and gifts made to it and is empowered to utilize such bequests, legacies and gifts in the manner set forth in the conditions of the bequests, legacy or gift, provided, however, that such bequest, legacy or gift shall not be put to any use which is inconsistent with the laws of the State of New Jersey and of the United States; and

WHEREAS, the Borough of Oceanport is authorized pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.* and specifically, N.J.S.A. 40A:11-36 to donate property which is no longer needed for public use to another contracting unit; and

WHEREAS, the Borough of Little Silver has a forklift and truck lift no longer in use; and

WHEREAS, the Borough of Oceanport's Public Works Department has need of such equipment for various tasks;
and

WHEREAS, the Borough of Little Silver desires to donate the forklift and truck lift to the Borough of Oceanport.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oceanport accepts the donation of the forklift and truck lift and extends their appreciation and thanks to the Borough of Little Silver for their generous donation.

BE IT FURTHER RESOLVED, that the Borough Clerk shall provide a certified copy of this Resolution to the Oceanport Borough Administrator and Chief Financial Officer, and the Borough of Little Silver.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE BOROUGH CLERK TO CERTIFY AUTHORIZED SIGNATORIES FOR MUNICIPAL
COURT ACCOUNTS HELD BY FINANCIAL INSTITUTIONS**

Resolution #2024-232
09/19/24

WHEREAS, the Borough of Oceanport is a duly organized Municipal Corporation (hereinafter referred to as "Borough") having principal offices at 910 Oceanport Way, Oceanport, New Jersey 07757; and

WHEREAS, the Borough of Oceanport maintains financial accounts with TD Bank for the Oceanport Municipal Court; and

WHEREAS, TD Bank requires a certification by the Borough Clerk as Records Custodian that certain named persons are authorized as signatories for the court's account(s),

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Oceanport that the Borough Clerk is hereby authorized to certify to TD Bank and any other financial institution requiring same that:

1. That the financial institution, at any one or more of its offices or branches, be and it hereby is designated as a Financial Institution of and depository of funds for the Borough of Oceanport, which may be withdrawn on checks, drafts, advices of debit, notes or other orders for payment of monies (including electronic orders) bearing the signature of, or as otherwise authorized by, any one (1) of the following officers, employees or agents of the Borough of Oceanport ("Agents"):

Court Administrator	Lesley Girchgessner
Deputy Court Administrator	Gianna Tafuri
Judge	John A. Patti
2. That the Agents, whose names appear above are hereby authorized to open and maintain a deposit account or accounts of the Borough of Oceanport with the Financial Institution, subject to terms and conditions of the Business Deposit Account Agreement, as it may be amended from time to time (the "Account Agreement").
3. That the Financial Institution is hereby directed to accept and pay without further inquiry any item or payment order drawn against any of the Borough's accounts with the Financial Institution bearing the signature of or as otherwise authorized by any such Agents even though drawn or endorsed to the order of any Agent signing or tendered by such Agent for cashing or in payment of the individual obligation of such Agent or for deposit to the Agent's personal account, and the Financial Institution shall not be required or be under any obligation to inquire as to the circumstances of the issue or use of any item signed, or payment order authorized, in accordance with the resolutions contained herein, or the application or disposition of such item or payment order or the proceeds of the item or payment order.
4. That any one of such Agents is authorized to endorse all checks, drafts, notes and other items payable to or owned by the Borough of Oceanport for deposit with the Financial Institution, or for collection or discount by the Financial Institution, and to accept drafts and other items payable at the Financial Institution.
5. That the above-named agents are authorized and empowered to execute such other agreements including, but not limited to, special depository agreements and arrangements regarding the manner, conditions or purposes for which funds, checks or items of the Borough of Oceanport may be deposited, collected, or withdrawn and to perform such other acts as they deem reasonably necessary to carry out the provisions of these resolutions.
6. That the authority hereby conferred upon the above-named Agents shall be and remains in full force and effect until written notice of the revocation thereof shall have been delivered to and received by the Financial Institution at the location where an account of the Borough of Oceanport is maintained and Financial Institution has had a reasonable period of time to act upon such notice.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTMENT OF MATTHEW RACK AS A PER DIEM BUILDING/MECHANICAL INSPECTOR FOR THE
CONSTRUCTION DEPARTMENT**

**Resolution #2024-233
09/19/24**

WHEREAS, there is a need for a per diem building/mechanical inspector available on an "as needed" basis due to the fluctuating demands for inspections related to redevelopment of the former Fort Monmouth; and

WHEREAS, the Construction Official and Borough Administrator have recommended the appointment of Matthew Rack as a per diem Building/Mechanical Inspector to fulfill those duties on an "as needed" basis; and

WHEREAS, Mr. Rack is willing and able to accept the position and has the appropriate license requirements.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Oceanport, that Matthew Rack is hereby appointed as a per diem Building/Mechanical Inspector at a rate of \$47.00 per hour effective September 19, 2024.

BE IT RESOLVED, that a copy of this resolution shall be forwarded to the Construction Official, Borough Administrator, Chief Financial Officer and the Payroll Clerk.

**BOROUGH OF OCEANPORT****MAYOR & COUNCIL****MINUTES • APRIL 20, 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, 2022 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 Tvrdek	Councilman	Present
Jeanne Smith	Borough Clerk	Remote
Andrew Bayer	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 the public for comments on Action Items only. As no one from the public appeared this portion of the meeting was closed.
- VI. **Administrators Report:** Ms. Phelps reported on items including claims reimbursement for unclaimed property; closeout of the County grant for \$250,000 for the municipal complex; notice received that the Borough was awarded \$74,000 for Trinity Park from the Local Recreation Improvement Grant from the State, a review of Open Space Funds available will determine the full scope of the project; the Borough has also been awarded a DEP Stormwater Management grant in the amount of \$25,000 which will be used to expand the Borough's mapping system to include the stormwater system by which Public Works can operate and manage - Steve Briskey will work with Buzz Baldanza to coordinate same; funding may also be used for anything related to stormwater including inspection; recent inspection by JIF and resulting Loss Control Report of items found acceptable and items with recommendations; newest DPW worker Bob Berg received compliments from resident, the Lions event sign is operational and steps being taken to get it installed; provided notice of JCP&L helicopter inspections of transmission lines.
- VII. **Consent Agenda:**
- #2023-105 1. Resolution authorizing payment of BILL LIST 04-20-23
 - #2023-106 2. Resolution authorizing refund of overpayment - Block 65, Lot 4
 - #2023-107 3. Resolution declaring the month of April 2023 as Child Abuse Awareness Month
 - #2023-108 4. Resolution authorizing facility use permit for New Marine Science Camp
 - #2023-109 5. Resolution urging support of Habitat for Humanity application for HOME funds program
 - #2023-110 6. Resolution authorizing Amended MOU with FMERA for Engineering Services - Demolition of Bldgs
 - #2023-111 7. Resolution awarding contract for Engineering Services related to FMERA MOU for Bldg 886 demolition
 - 8. Receipt & Acceptance of Minutes, Historical Committee, 01/12/2023
 - 9. Receipt & Acceptance of Minutes, Historical Committee, 02/09/2023

10. Receipt & Acceptance of Minutes, Parks & Recreation Committee, 01/18/2023
11. Receipt & Acceptance of Minutes, Parks & Recreation Committee, 02/08/2023
12. Receipt & Acceptance of Minutes, Parks & Recreation Committee, 03/08/2023

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

VIII. Resolutions:

#2023-112 Resolution appointing Connor J. Rogers as Patrolman I

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

OATH OF OFFICE: Mayor Coffey administered the Oath of Office to Patrolman Connor Rogers. Chief Kelly thanked the Mayor & Council for their consideration and approval of the additional officer.

#2023-113 Resolution authorizing an Agreement with Monmouth Beach for conflict UCC services. Mayor Coffey provided a detailed explanation of the Agreement, its purpose and terms. There was discussion on when the Agreement would apply and if it would include zoning/planning services which it would not.

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

#2023-114 Resolution authorizing release of performance guarantee to West End KB LLC

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

#2023-115 Resolution authorizing interim police security services for the Board of Education. Mayor Coffey provided a detailed explanation of the agreement, its purpose, and terms.

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

IX. MUNICIPAL BUDGET INTRODUCTION:

Councilman O'Brien provided a summary of the municipal budget process, the role of the Finance Committee, input from Borough departments, capital projects, debt financing and bonding types.

Councilman Salnick asked several questions about the budget, debt and interest rates. He commented at length on the budget process, lack of discussion or involvement in the process and expressed unwillingness to approve the budget document when he does not understand it. Councilman Salnick asked about the allocation of \$300,000 for a used fire engine when the Hook & Ladder needs a ladder truck. Councilman Keeshen responded that the budget is not done by company but by the department as a whole and it was the Hook that approached the Committee with the purchase of this specific engine they located. Councilman

Salnick commented at length on the future purchase plans for the department to replace old equipment and perhaps there should be further discussions to come up with a 3-5 year plan of the needs and wants to budget for the long-term instead of short-term. Councilman O'Brien stated that conversation was had. Mayor Tvrdek added that a Committee was put together since Frank Van Brunt was Chief followed by Michael Lippolis and that Committee did the research and due diligence to bring back to Council, not just jump into a \$1.5M investment and noted that all the new buildings going up have suppression systems. Councilman Keeshen added that he's fairly certain the Borough is a 2:1 and requires 2 serviceable engines and 1 ladder, currently there are 3 engines of which 2 are very aged. Councilman Salnick asked what the \$20,000 allocation was for buildings and was told it was anticipated that the roof would be replaced at the Community Center/Library. He commented that the building was old and in need of updating and recommended improvements. Councilman Salnick asked additional questions about the capital and debt portions of the budget and suggested consideration be given to revising the budget process moving forward.

#2023-116 Resolution Introducing & Approving the 2023 Municipal Budget

RESULT:	ADOPTED [5 TO 1]	NEXT MEETING (BUDGET HEARING): May 18, 2023
MOVER:	Michael O'Brien, Councilman	
SECONDER:	Bryan Keeshen, Councilman	
AYES:	Deerin, Gallo, Keeshen, O'Brien, Tvrdek	
NAYS:	Salnick	

#2023-117 Resolution authorizing self-examination of the 2023 Municipal Budget

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

X. First Reading Ordinances:

#1072 Introduction of Ordinance Establishing a COLA/CAP Bank for CY2023

Councilman Tvrdek called for the introduction of "**AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS FOR 2023 CALENDAR YEAR (N.J.S.A. 40A:4-45.14)**" 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 May 18, 2023 and to advertise same in accordance with the law, which was seconded by Councilman O'Brien.

RESULT:	APPROVED OF FIRST READING [UNANIMOUS]	Next: 5/18/2023 7:00 PM
MOVER:	Thomas Tvrdek, Councilman	
SECONDER:	Michael O'Brien, Councilman	
AYES:	Deerin, Gallo, Keeshen, O'Brien, Salnick, Tvrdek	

#1073 Introduction of BOND Ordinance for Various 2023 Capital Improvements

Councilman Tvrdek called for the introduction of "**BOND ORDINANCE PROVIDING FOR VARIOUS 2023 ROAD AND DRAINAGE IMPROVEMENTS, BY AND IN THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$1,802,700 AND AUTHORIZING THE ISSUANCE OF \$1,716,857 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF**" 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 May 18, 2023 and to advertise same in accordance with the law, which was seconded by Councilman Deerin.

RESULT:	APPROVED OF FIRST READING [UNANIMOUS]	Next: 5/18/2023 7:00 PM
MOVER:	Thomas Tvrdek, Councilman	
SECONDER:	William Deerin, Councilman	
AYES:	Deerin, Gallo, Keeshen, O'Brien, Salnick, Tvrdek	

#1074 Introduction of An Ordinance Adopting the UCC Mechanical Code

Councilman Tvrdik called for the introduction of "**AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY ADOPTING THE STATE UCC MECHANICAL CODE PURSUANT WITH N.J.A.C. 23-3.4(D)**" 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 May 18, 2023 and to advertise same in accordance with the law, which was seconded by Councilman Deerin.

RESULT:	APPROVED OF FIRST READING [UNANIMOUS]	Next: 5/18/2023 7:00 PM
MOVER:	Thomas Tvrdik, Councilman	
SECONDER:	William Deerin, Councilman	
AYES:	Deerin, Gallo, Keeshen, O'Brien, Salnick, Tvrdik	

XI. Second Reading & Public Hearing Ordinances:**#1070 An Ordinance Amending Parks & Recreation 279 - Applications for Facility Use**

Councilman Tvrdik called for the 2nd reading and Public Hearing of an ordinance amending Parks and Recreation areas for facility use 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, STATE OF NEW JERSEY AMENDING CHAPTER 279 "PARKS & RECREATION AREAS" OF THE CODE OF THE BOROUGH OF OCEANPORT**" was published one time in the Two River Times on March 23, 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 on a motion by Councilman O'Brien and seconded by Councilman Keeshen.

Councilman Tvrdik made a motion to adopt the ordinance and advertise in accordance with law, which was seconded by Councilman Keeshen.

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

#1071 An Ordinance Establishing a Memorial Benches & Picnic Tables Program

Councilman Tvrdik called for the 2nd reading and Public Hearing of an ordinance adopting a Redevelopment Plan 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 ESTABLISHING A MEMORIAL BENCHES & PICNIC TABLES PROGRAM**" was published one time in the Two River Times on March 23, 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 on a motion by Councilman Keeshen and seconded by Councilman O'Brien.

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

XII. Council Standing Committee Reports:

1. Councilman Deerin, Parks & Recreation – Reported on items including the parking situation at Blackberry Bay Park near the boat ramp and reminded pickleball players should not park by the boat ramp; Gatta Park continues to have garbage left on site by users and reminded everyone to please pick up after themselves; award of the grant for Trinity Park; great job by the REC Committee for the Easter Egg hunt; announced the upcoming dedication of the Community Center field as Mike MacStudy Sr Field in honor of his years of service as a volunteer with baseball, recreation and more.

2. Councilman Gallo, Public Works & Engineering – Reported on items including 2022 Road Program is underway, reviewed roads included for the 2023 road program, joint project with the County for improvements to County roadways with sidewalks, paving and storm drains
3. Councilman Keeshen, Public Safety – Reported on items including a successful Hook & Ladder Ham Dinner which had a good turnout; First Aid continues to run Bingo and seeking new members, reminded residents to keep debris out of roadways and to be mindful of their speed when travelling through town, as well as sign up for CodeRed for emergency alerts.
4. Councilman O'Brien, Finance & Administration – Councilman O'Brien offered his condolences for the loss of 2 long-time residents, Pauline Poyner and Bret Brummer – a loss shared by many. He offered additional comments on the budget process stating that for anyone not involved it can appear to be a 3-month crunch on studying cost increases, Borough needs, forecasting but in reality is a year-round focus for the CFO and Committee seeking ways to improve efficiency and savings. He encouraged everyone to attend the hearing on the budget on May 18. He also reported on items including this year's application for the sports betting wagering revenue, a portion of which will be put towards improvements at Gatta Park; acknowledged Mike MacStudy for his volunteer work, congratulated him on the honor of such a recognition and encouraged everyone to attend the dedication.
5. Councilman Salnick, Health & Human Services – Reported briefly on items including the schools have been on spring break, environmental and water watch uneventful, water quality is clear, meeting with library staff with ideas for improvements that hopefully can be incorporated into this year's budget.
6. Councilman Tvrdik, Planning & Development – Councilman Tvrdik commented on the sidewalk improvements particularly those to access schools, thanked the Finance Committee for their work on getting that funded; provided updates on drainage issue behind Wolf Hill School near Kimberly Woods and currently obtaining access easements; provided details on the cornhole tournament fundraiser for both firehouses being held at Monmouth Park; congratulated Connor Rodgers and wished him a long, successful career.

XIII. Mayor Coffey's Report: Mayor Coffey provided details on the upcoming Boy Scouts Spaghetti Dinner fundraiser on April 30th; advised that banners regarding the pickleball courts and parking were on order and would assist in making the parking clearer as well as rules for the use of the courts. Nets for the courts are up with the exception of one that needed to be exchanged, next phase is installation of fencing around the facility. Mayor Coffey provided an update on meetings with Netflix, review of the site, potential consideration for use of Aspire funds from the State for the project; also commented on the curbs and sidewalks being installed and the Borough would work with the residents and their concerns. He also extended thanks and appreciation for Mike MacStudy – his first friend when he came to Oceanport and has touched thousands of lives from generation to generation and is one of the most unselfish, giving individuals he's ever met and encouraged people to attend. Extended condolences to those families that have lost members this year.

XIV. Public Comments: Mayor Coffey opened the meeting for petitions from the public.

Don Solecki, 1 Russel Ave, commented and asked questions on the status of meetings with developers of the sites adjacent to the East Gate Community, complaints related to the new construction hours of operation, site access, debris, utilities, clean the dusty and muddy streets, police and code enforcement. Mr. Solecki also asked questions regarding the open space currently belonging to the East Gate Homeowners Association, the liabilities and maintenance concerns are burdensome. Mayor Coffey responded that in the long term it is contemplated that the Borough or County would take for open space.

Mark Patterson, 40 Itaska Place, thanked the Finance Committee and expressed appreciation for the countless hours developing the budget.

Mayor Coffey next addressed comments he received from resident Mrs. Lippolis concerning political signs, the ordinance requirements concerning said signs, the size of signs, the period of time (45 days in advance) permitted to be posted before election day. There have been other calls to code enforcement recently due to signs that have been posted earlier than permitted. Councilman Salnick asked questions regarding who enforces the ordinance regarding the signs, and what residents who have the signs posted should do to remedy.

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

XV. Adjourn to Executive Session at 8:42 PM:

#2023-118 Resolution authorizing an Executive Session, April 20, 2023
 N.J.S.A. 10:4-12(b)(5) *Matters Relating to the Purchase, Lease or Acquisition of Real Property*
 - Municipal Boundary
 N.J.S.A. 10:4-12(b)(7) *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege*
 - Affordable Housing
 - *Special Labor Counsel*

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

XVI. Return from Executive Session: At 9:37 PM, the Mayor and Council returned to the regular workshop meeting on a motion by Councilman Keeshen and a second by Councilman O'Brien.

XVII. Executive Session Action Item(s):

#2023-119 Resolution appointing Special Labor Counsel motioned by Councilman Keeshen, seconded by Councilman Deerin. There was discussion on the motion Councilman Salnick asked questions about how a professional is appointed, the contract amount and if it increases which Mr. Bayer responded to. Mayor Coffey added that the contract dollar amount does not impact selection, only paperwork required under Pay to Play for conflicts. Councilman Salnick stated he was recusing from the matter.

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

XVIII. Adjournment: As there was no further business, the meeting was adjourned at 10:02 PM on a motion by Councilman Keeshen, seconded by Councilman Tvrdik and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

MINUTES • MAY 16, 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.
- 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	Arrived
Thomas Tvrdik	Mayor	Present	
William Deerin	Councilman	Absent	
Richard Gallo	Councilman	Present	
Bryan Keeshen	Councilman	Present	
Michael O'Brien	Councilman	Present	
Keith Salnick	Councilman	Remote	
Patty Cooper	Councilwoman	Present	
Jeanne Smith	Borough Clerk	Present	
Andrew Bayer	Borough Attorney	Present	7:17 PM
Donna M. Phelps	Administrator	Present	
Catherine D. LaPorta	Chief Financial Officer	Present	
Stephanie Kramer	Deputy Borough Clerk	Present	

- V. **Administrator's Report:** Ms. Phelps discussed the changes to the Proposed Amendments to the Police Rules and Regulations, this will now bring the Police Department compliant with the Attorney General's requirements and will align with the current standards; Film Ready NJ is a five step certification and marketing program that will educate municipalities on the basics of motion picture and tv production in cities and they will help make Oceanport part of the program, an ordinance will have to be introduced for this; Trinity Park project amendment for the \$74,000 grant has been approved.
- VI. **Clerk's Report:** Ms. Smith reminded everyone that the Primary Election is coming up on June 4th and polls are open 6am to 9pm; two new laws were passed this week regarding OPRA; welcomed Stephanie Kramer as Deputy Clerk.
As Borough Attorney Andrew Bayer was expected shortly, and with no objections from Council, Mayor Tvrdik took the meeting out of order and went on with Council Committee Reports.
- VII. **Council Standing Committee Reports:**
1. Councilman Deerin, Parks & Recreation – reminded everyone about the Memorial Day Parade; thanked everyone for their hard work with the budget.
 2. Councilman Gallo, Public Works & Engineering – nothing new to report
 3. Councilman Keeshen, Public Safety – reported that the First Aid is having a community CPR class on June 15th ; the next Bingo night is June 8th at 7pm; the Fire Department has been doing some re-qualifications and training to get the records up to date.
 4. Councilman O'Brien, Finance & Administration – report was brief, commented on all of the hard work that was put into preparing the budget.
 5. Councilman Salnick, Health & Human Services – nothing new to report
 6. Councilwomen Cooper, Planning & Development – thanked Ms. Phelps, Ms. LaPorta and the finance committee on all of the hard work they put into preparing the budget; spoke to a resident on Wardell Circle regarding the issue with connection to Nicholas Place and is under review by the Borough Engineer; working on setting up a meeting for the by-laws committee; the

Environmental Commission is in favor of having a tree ordinance and asked about having a Shade Tree Commission; met with the Public Works Superintendent regarding locating the owl house from the Boy Scouts project.

VIII. PUBLIC COMMENT - Action Items Only: Mayor Tvrdik opened the meeting to public comment on agenda action items only.

Gary LaBruno, 50 Wyandotte Avenue, asked questions about Resolution 2024-143 the Borja Group contract terms and proposed Ordinance #1096, Tree Removal and Replacement Policy, is it just for trees in the right of way or for trees anywhere on the property.

As there was no one else from the public, Mayor Tvrdik closed that portion of the meeting.

IX. 2024 MUNICIPAL BUDGET:

#2024-129 Resolution authorizing waiver of the 2024 Budget Reading in Full

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

#1095 Ordinance Establishing a COLA/CAP Bank for CY2024

Councilwoman Cooper called for the 2nd reading and Public Hearing of an ordinance establishing a 2024 CAP Bank 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, STATE OF NEW JERSEY TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS FOR 2024 CALENDAR YEAR (N.J.S.A. 40A:4-45.14)**" was published one time in the Two River Times on April 25, 2024.

PUBLIC HEARING: Mayor Tvrdik opened the meeting for public comment for this ordinance. As no one from the public presented to be heard, the public hearing was closed on a motion by Councilman Keeshen and seconded by Councilman O'Brien.

Councilwoman Cooper motioned to adopt the ordinance and advertise in accordance with law, seconded by Councilman Keeshen.

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

2024 MUNICIPAL BUDGET

PUBLIC HEARING: Notice of this Public Hearing was published in the Two River Times on May 2, 2024 and posted in accordance with law. Mayor Tvrdik opened the meeting for public comment.

Matt Zienewicz, 1215 Turf Drive, asked questions about the additional use of the money in surplus and the capital expenditures for this year, the increase budgeted next year, what capital improvements purchases were planned, plans for the funding under line item for buildings and grounds improvements and technology, and lastly about the tax assessment. Councilman O'Brien responded in detail explaining the budget. Bill Swisher, Borough Auditor answered in detail the questions asked about the tax assessment.

As there were no further comments from the public, the public hearing on the budget was closed on a motion by Councilman O'Brien, second by Councilman Keeshen.

#2024-130 Resolution Adopting the 2024 Municipal Budget

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

X. Consent Agenda:

#2024-131 1. Resolution authorizing payment of BILL LIST 05-16-2024

- #2024-132 2. Resolution authorizing an extension of the 3rd Qtr Grace Period
 #2024-133 3. Resolution authorizing Tax Sale Redemption #21-00005
 #2024-134 4. Resolution to Refund Lienholder Due To Error
 #2024-135 5. Resolution to Cancel Uncollectible Taxes
 #2024-136 6. Resolution awarding contract for engineering services for FMERA MOU for Demolition of 800 Area Bldgs
 #2024-137 7. Resolution approving First Aid Membership - King, Kevin

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

XI. Resolutions:

- #2024-138 Resolution Setting Compensation for Action Camp 2024 Employees

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

- #2024-139 Resolution authorizing competitive contracting for a Turf Fields Sports Consultant

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

- #2024-140 Resolution amending certain fees for extra duty assignments for 2024

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

- #2024-141 Resolution appointing Gianna Tafuri as Deputy Court Administrator

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

- #2024-142 Resolution authorizing contract for installation of sports lighting in Gatta Park

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

#2024-143 Resolution awarding a contract to the Borja Group for Recreational Consulting Services

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

#2024-144 Resolution authorizing Change Order #1 to contracts for the FMERA MOU Bldg 555 Project

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

#2024-145 Resolution authorizing Change Order #1 to contracts for the FMERA MOU Bldg 886 Project

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

#2024-146 Resolution authorizing Change Order to Colliers contract for the FMERA MOU Civil Engineering

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

XII. First Reading Ordinances:**#1096** Introduction of An Ordinance Adopting a Tree Removal & Replacement Policy

Councilwoman Cooper called for the introduction of "AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING CHAPTER 371 "TREES" TO INCORPORATE THE REQUIREMENTS OF THE BOROUGH'S NJDEP TIER ONE MUNICIPAL STORMWATER GENERAL PERMIT BY ESTABLISHING A TREE REMOVAL AND REPLACEMENT POLICY" 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 June 20, 2024 and to advertise same in accordance with the law, which was seconded by Councilman O'Brien.

RESULT: APPROVED OF FIRST READING [UNANIMOUS] **Next: 6/20/2024 7:00 PM**
MOVER: Patty Cooper, Councilwoman
SECONDER: Bryan Keeshen, Councilman
AYES: Gallo, Keeshen, O'Brien, Salnick, Cooper
ABSENT: Deerin

#1097 Introduction of An Ordinance Concerning Privately-Owned Salt Storage

Councilwoman Cooper called for the introduction of "AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY ADOPTING REQUIREMENTS FOR THE STORAGE OF SALT AND OTHER SOLID DE-ICING MATERIALS ON PROPERTIES NOT OWNED OR OPERATED BY THE MUNICIPALITY IN ACCORDANCE WITH THE REQUIREMENTS OF THE BOROUGH'S NJDEP TIER ONE MUNICIPAL STORMWATER GENERAL PERMIT" 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 June 20, 2024 and to advertise same in accordance with the law, which was seconded by Councilman O'Brien.

RESULT:	APPROVED OF FIRST READING [UNANIMOUS]	Next: 6/20/2024 7:00 PM
MOVER:	Patty Cooper, Councilwoman	
SECONDER:	Richard Gallo, Councilman	
AYES:	Gallo, Keeshen, O'Brien, Salnick, Cooper	
ABSENT:	Deerin	

#1098 Introduction of An Ordinance Repealing and Replacing Chapter 328 Stormwater Control

Councilwoman Cooper called for the introduction of "**AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY REPEALING AND REPLACING CHAPTER 328 STORMWATER CONTROL OF THE CODE OF THE BOROUGH OF OCEANPORT**" 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 June 20, 2024 and to advertise same in accordance with the law, which was seconded by Councilman O'Brien.

RESULT:	APPROVED OF FIRST READING [UNANIMOUS]	Next: 6/20/2024 7:00 PM
MOVER:	Patty Cooper, Councilwoman	
SECONDER:	Bryan Keeshen, Councilman	
AYES:	Gallo, Keeshen, O'Brien, Salnick, Cooper	
ABSENT:	Deerin	

#1099 Introduction of An Ordinance to Increase Fees for Liquor Licenses

Councilwoman Cooper 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 CERTAIN LIQUOR LICENSES**" 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 June 20, 2024 and to advertise same in accordance with the law, which was seconded by Councilman O'Brien.

RESULT:	APPROVED OF FIRST READING [UNANIMOUS]	Next: 6/20/2024 7:00 PM
MOVER:	Patty Cooper, Councilwoman	
SECONDER:	Michael O'Brien, Councilman	
AYES:	Gallo, Keeshen, O'Brien, Salnick, Cooper	
ABSENT:	Deerin	

XIII. Second Reading & Public Hearing Ordinances:

#1092 An Ordinance to amend the Development Application Fee Schedule

Councilwoman Cooper called for the 2nd reading and Public Hearing of an ordinance amending the Development Application Fee Schedule 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 AMENDING CHAPTER 204 OF THE CODE OF THE BOROUGH OF OCEANPORT, ENTITLED "FEES" FOR THE ADOPTION OF AN AMENDED DEVELOPMENT FEE SCHEDULE FOR THE BOROUGH OF OCEANPORT**" was published one time in the Two River Times on April 25, 2024.

PUBLIC HEARING: Mayor Tvrdik opened the meeting for public comment for this ordinance. As no one from the public presented to be heard, the public hearing was closed on a motion by Councilman O'Brien and seconded by Councilman Keeshen.

Councilwoman Cooper motioned to adopt the ordinance and advertise in accordance with law, seconded by Councilman O'Brien.

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

#1093 Ordinance Accepting Real Property for Right of Way and Road Width of Foggia Way

Councilwoman Cooper called for the 2nd reading and Public Hearing of an ordinance accepting real property 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, STATE OF NEW JERSEY AUTHORIZING THE ACCEPTANCE OF REAL PROPERTY FROM MANVAN, LLC TO INCREASE THE RIGHT-OF-WAY AND ROAD WIDTH OF FOGGIA WAY"** was published one time in the Two River Times on April 25, 2024.

PUBLIC HEARING: Mayor Tvrdik opened the meeting for public comment on this ordinance. As no one from the public presented to be heard, the public hearing was closed on a motion by Councilman O'Brien and seconded by Councilman Keeshen.

Councilwoman Cooper motioned to adopt the ordinance and advertise in accordance with law, seconded by Councilman O'Brien.

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

#1094 An Ordinance Amending Chapter 295, Article V Housing and Commercial Certificates of Occupancy

Councilwoman Cooper called for the 2nd reading and Public Hearing of an ordinance amending the Property Maintenance Ordinance for rental/resale certificates 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, STATE OF NEW JERSEY AMENDING CHAPTER 295, ARTICLE V, ENTITLED HOUSING AND COMMERCIAL CERTIFICATES OF OCCUPANCY FOR COMPLIANCE WITH N.J.A.C. 5:23-2.23 ET. SEQ."** was published one time in the Two River Times on April 25, 2024.

PUBLIC HEARING: Mayor Tvrdik opened the meeting for public comment for this ordinance. As no one from the public presented to be heard, the public hearing was closed on a motion by Councilman O'Brien and seconded by Councilman Keeshen.

Councilwoman Cooper motioned to adopt the ordinance and advertise in accordance with law, seconded by Councilman Gallo.

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

XIV. Mayor Tvrdik's Report: reported on the new town homes going up, Somerset Fort Monmouth; Monmouth Park opened up on Mother's Day starting their 79th season, Caesars had their official groundbreaking ceremony at the track; Just Hair celebrated 50 years in business; the new school Superintendent, Dr. Karen Barry starts on Monday along with the new Director of Special Services, Jessica Karnabas; construction is going on around town, new curbing and sidewalks; will ask the Boy Scouts if they can help the VFW put flags at the Glenwood Cemetery, they are already doing this at Woodbine Cemetery; had meetings last week with Netflix to go over emergency services development with their professionals, by the end of the year you will start to see building come down in Fort Monmouth starting where the bowling alley used to be, anticipated completion of the project is now second quarter of 2028; meeting this week with Monmouth Park and will update in the following meeting; thanked everyone for their hard work putting the budget together.

XV. Public Comments: Mayor Tvrdik opened the meeting for comments from the public.

Laura Caccamise, 6 Ticonderoga Avenue, asked the Mayor and Council permission to rent space to park her trailer for her mobile paddle board business at Blackberry Bay Park in the fenced in section.

Matt Zienewicz, 1215 Turf Drive, asked questions about the electrical service to Gatta Park and the tree removal and replacement ordinance.

As no one else appeared, that portion of the meeting was closed on a motion by Councilman O'Brien, second by Councilman Gallo, and approved by Council.

- XVI. Resolution:**
#2024-147 Resolution approving revised Police Department Rules & Regulations, May 16, 2024

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

- XVII. Adjournment:** As there was no further business, the meeting was adjourned at 8:38 PM on a motion by Councilman Keeshen, seconded by Councilman O'Brien and approved by Council.

Respectfully submitted,

Jeanne Smith
 BOROUGH CLERK

**BOROUGH OF OCEANPORT****MAYOR & COUNCIL****MINUTES • JUNE 20, 2024****Regular Meeting****Clement V. Sommers Municipal Building****7:00 PM****910 Oceanport Way, Oceanport, NJ 07757**

- I. **Call to Order:** Mayor Tvrdek 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.
- III. **Flag Salute, Statement to the Public:** Resident and First Aid Member Ed Ryan led attendees and members of the Council in the flag salute.

IV. Roll Call:

Attendee Name	Title	Status	Arrived
Thomas Tvrdek	Mayor	Present	
William Deerin	Councilman	Present	
Richard Gallo	Councilman	Present	
Bryan Keeshen	Councilman	Late	7:26 PM
Michael O'Brien	Councilman	Late	7:06 PM
Keith Salnick	Councilman	Present	
Patty Cooper	Councilwoman	Absent	
Jeanne Smith	Borough Clerk	Present	
Andrew Bayer	Borough Attorney	Present	
Stephanie Kramer	Deputy Borough Clerk	Present	

- V. **PUBLIC COMMENT - Action Items Only:** Mayor Tvrdek opened the meeting to public comment on agenda action items only. As there was no one else from the public, Mayor Tvrdek closed that portion of the meeting.
- VI. **Administrator's Report:** Ms. Phelps reported that she received a proposal from a company called American Recycling that put in clothing bins and pay us \$1800 a year; attended a meeting on the Flood Insurance Community Rating System which is coming up for renewal; we were not successful this year with getting the Community Garden up and running, sending refunds to those who purchased plots.
- VII. **Clerk's Report:** Ms. Smith reported on items including advisement to the public concerning technical issues with meetings being live streamed; reminded Council members to do the mandatory Storm Water training; explained in detail the benefits and savings with the shared service agreement with Middletown.

VIII. Consent Agenda:

- | | | |
|-----------|-----|--|
| #2024-153 | 1. | Resolution authorizing payment of BILL LIST 06-20-2024 |
| #2024-154 | 2. | Resolution authorizing Tax Sale Redemption #23-00012 |
| #2024-155 | 3. | Resolution Approving 2024-2025 Liquor Licenses |
| #2024-156 | 4. | Resolution authorizing waiver of Street Opening Moratorium for 18 Genesee Ave |
| #2024-157 | 5. | Resolution authorizing 2024 contract for Intron Technology for IT Services |
| #2024-158 | 6. | Resolution authorizing the award of a contract to CivicPlus for Agenda Meeting Management software |
| #2024-159 | 7. | Resolution authorizing renewal of OPRS-RIM Shared Services Agreement with Monmouth County |
| #2024-160 | 8. | Resolution approving Special Event Permit for Beacon Events Fort Monmouth 5K |
| #2024-161 | 9. | Resolution authorizing a fireworks display at 2024 Summer's End |
| #2024-162 | 10. | Resolution approving First Aid Membership - Fragale, Jr., Anthony |
| #2024-163 | 11. | Resolution appointing Fire Police member - Frederick Santi |
| #2024-164 | 12. | Resolution accepting OEM grant award for FY2024 |
| #2024-165 | 13. | Resolution renewing Shared Service with Monmouth Beach for use of vehicle by Fire Official |
| #2024-167 | 14. | Resolution renewing a Shared Services Agreement with Monmouth County to provide CRS Mgmt Software |

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

IX. Minutes:

1. Mayor & Council - Regular Meeting - Feb 15, 2024 7:00 PM

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

X. Resolutions:

#2024-166 Resolution authorizing submittal of NJDOT Grant Application - Asbury Ave

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

#2024-168 Resolution authorizing application for the 2024 MC Open Space Grant Program

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

#2024-169 Resolution authorizing purchase of a Chest Compression System for First Aid Squad

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

#2024-170 Resolution acknowledging receipt of 2023 annual audit

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

#2024-171 Resolution awarding the sale of new Plenary Retail Consumption License

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

#2024-172 Resolution rescinding contract for records scanning

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

#2024-173 Resolution fixing compensation for employees and officials for 2024

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

#2024-174 Resolution amending the ByLaws of the Mayor & Council

Mayor Tvrdik read Resolution #2024-174 in full and then asked for a motion to adopt. Councilman Salnick made a motion, which was seconded by Council President Deerin. There was a discussion on the motion including comments from Councilman Salnick who expressed his concerns over the mandatory attendance required for meetings. The motion did not receive a majority vote of the full Council thus the motion failed.

RESULT:	FAILED [3 TO 1]		
MOVER:	Keith Salnick, Councilman	AYES:	Deerin, Gallo, O'Brien
SECONDER:	William Deerin, Councilman	NAYS:	Salnick
		ABSENT:	Keeshen, Cooper

At 7:26 PM, Councilman Keeshen entered the meeting.

Mayor Tvrdik asked if there were any other motions on the matter.

Motion to Adopt Resolution #2024-174 with a majority of the full Council

RESULT:	ADOPTED [4 TO 1]		
MOVER:	William Deerin, Councilman	AYES:	Deerin, Gallo, Keeshen, O'Brien
SECONDER:	Bryan Keeshen, Councilman	NAYS:	Salnick
		ABSENT:	Cooper

#2024-176 Resolution appointing Michael Horton as a temporary Electrical Inspector - *Added on Late*

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

#2024-177 Resolution authorizing 2nd extension of Grant Agreement for Old Wharf Parking Lot Project - *Added on Late*

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

XI. **First Reading Ordinances:** None

XII. **Second Reading & Public Hearing Ordinances:**

#1096 An Ordinance Adopting a Tree Removal & Replacement Policy

RESULT:	TABLED [UNANIMOUS]	Next: 7/18/2024 7:30 PM
MOVER:	Keith Salnick, Councilman	
SECONDER:	Michael O'Brien, Councilman	
AYES:	Deerin, Gallo, Keeshen, O'Brien, Salnick	
ABSENT:	Cooper	

#1097 An Ordinance Concerning Privately-Owned Salt Storage

Councilman Keeshen called for the 2nd reading and Public Hearing of an ordinance replacing Chapter 284 of the Code 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, STATE OF NEW JERSEY ADOPTING REQUIREMENTS FOR THE STORAGE OF SALT AND OTHER SOLID DE-ICING MATERIALS ON PROPERTIES NOT OWNED OR OPERATED BY THE MUNICIPALITY IN ACCORDANCE WITH THE REQUIREMENTS OF THE BOROUGH'S NJDEP TIER ONE MUNICIPAL STORMWATER GENERAL PERMIT** was published one time in the Two River Times on May 30, 2024.

PUBLIC HEARING: Mayor Tvrdik opened the meeting for public comment for this ordinance. As no one from the public presented to be heard, the public hearing was closed on a motion by Councilman Salnick and seconded by Councilman O'Brien.

Councilman Keeshen made a motion to adopt the ordinance and advertise in accordance with law, which was seconded by

Councilman Deerin.

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

#1098 An Ordinance Repealing and Replacing Chapter 328 Stormwater Control

Councilman Keeshen called for the 2nd reading and Public Hearing of an ordinance replacing Chapter 284 of the Code 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, STATE OF NEW JERSEY ADOPTING REQUIREMENTS FOR THE STORAGE OF SALT AND OTHER SOLID DE-ICING MATERIALS ON PROPERTIES NOT OWNED OR OPERATED BY THE MUNICIPALITY IN ACCORDANCE WITH THE REQUIREMENTS OF THE BOROUGH'S NJDEP TIER ONE MUNICIPAL STORMWATER GENERAL PERMIT**" was published one time in the Two River Times on May 30, 2024.

PUBLIC HEARING: Mayor Tvrdik opened the meeting for public comment for this ordinance. As no one from the public presented to be heard, the public hearing was closed on a motion by Councilman O'Brien and seconded by Councilman Salnick.

Councilman Keeshen made a motion to adopt the ordinance and advertise in accordance with law, which was seconded by Councilman O'Brien.

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

#1099 An Ordinance to Increase Fees for Liquor Licenses

Councilwoman Cooper called for the 2nd reading and Public Hearing of an ordinance replacing Chapter 284 of the Code 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, STATE OF NEW JERSEY ADOPTING REQUIREMENTS FOR THE STORAGE OF SALT AND OTHER SOLID DE-ICING MATERIALS ON PROPERTIES NOT OWNED OR OPERATED BY THE MUNICIPALITY IN ACCORDANCE WITH THE REQUIREMENTS OF THE BOROUGH'S NJDEP TIER ONE MUNICIPAL STORMWATER GENERAL PERMIT**" was published one time in the Two River Times on May 30, 2024.

PUBLIC HEARING: Mayor Tvrdik opened the meeting for public comment for this ordinance. As no one from the public presented to be heard, the public hearing was closed on a motion by Councilman O'Brien and seconded by Councilman Gallo.

Councilwoman Cooper made a motion to adopt the ordinance and advertise in accordance with law, which was seconded by Councilman O'Brien.

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

XIII. Council Standing Committee Reports:

1. Councilman Deerin, Parks & Recreation – reported that they are looking for donations for the Summers End Festival; thanked DPW for cleaning up after the storm and for keeping our fields in excellent condition.
2. Councilman Gallo, Public Works & Engineering – gave an update on the 2023 Road Program.
3. Councilman Keeshen, Public Safety – reminded everyone that Bingo night is July 13th at the First Aide Building; asks resident to remember to keep their cars and homes locked.

4. Councilman O'Brien, Finance & Administration – nothing to report
5. Councilman Salnick, Health & Human Services – spoke on the new Storm Water Management Engineering standards coming out; made a recommendation about adding a speaker so residents can hear better when someone must call in remotely. Ms. Smith responded that the new software company being approved will have the capability to allow remote access to meetings.
6. Councilwoman Cooper, Planning & Development – absent, Mayor Tvrdik will add to his report

XIV. Mayor Tvrdik's Report: Congratulated all of the graduates; the project with the drainage issue behind Wolf Hill School is now complete; TRWRA sent an update on the Sommers Park Project which is posted on our website; the school district entered a shared service agreement sharing the Superintendent with Roosevelt School District, there will be a second reading on the non-resident tuition policy, the Board of Ed is looking to fill a vacancy and letters of interest are due by July 10th; the Army Band is playing July 1st; FEMERA put on a Flag Day ceremony.

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

Maggie Lippolis, First Aid Squad Member, thanked the Governing Body, Finance, CFO and the Business Administrator for the new equipment and two reasonably newer trucks. We finished our community CPR class which had 12 residents and non-residents and looking to have another class in the future.

Mark Patterson, 40 Itaska Place, commented on the issues with having clothing bins.

Gary LaBruno, 50 Wyandotte Ave, expressed his concerns about having the clothing bins, commented on the by-law change and felt it was restrictive.

Roseanne Letson, 50 Deer Path Ct, Tinton Falls, spoke about the 63rd Army Band Concert on July 1st; the Dead History Guy has been rescheduled for July 11th at 7pm at the Old wharf House; spoke about the project that a Eagle Scout came up with, making a documentary of Veterans from Oceanport.

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

XVI. Adjourn to Executive Session: At 8:07 PM Councilman Gallo made a motion to adopt the resolution to enter Executive Session which was seconded by Councilman Salnick and received the following roll call.

#2024-175 Resolution authorizing an Executive Session, June 20, 2024

- | | |
|--|---|
| ☒ N.J.S.A. 10:4-12(b)(5) | <i>Matters Relating to the Purchase, Lease or Acquisition of Real Property</i> |
| | - Potential Open Space Acquisitions |
| ☒ N.J.S.A. 10:4-12(b)(7) | <i>Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege</i> |
| | - Potential Open Space Acquisitions |
| | - RFP Turf Field Sports Consultant |

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

XVII. Return from Executive Session: At 8:52 PM, the Regular Meeting was re-opened on a motion by Councilman Deerin, seconded by Councilman Gallo.

XVIII. Adjournment: As there was no further business, the meeting was adjourned at 8:53 PM on a motion by Councilman O'Brien, seconded by Councilman Salnick and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE BOROUGH ENGINEER TO PROCEED WITH THE BIDDING PROCESS FOR THE
2024 ROAD PROGRAM PROJECT**

Resolution #2024-234
09/19/24

WHEREAS, the Borough awarded a contract to Collier's Engineering & Design (Borough Engineer) pursuant with Resolution #2024-184 for engineering services for the 2024 Road Program Project, including preparation of plans, provision of bid specifications and bidding services; and

WHEREAS, the Borough Engineer has completed the plans and bid specifications and seeks approval to solicit for bids; and

WHEREAS, the Governing Body having had the opportunity to review the plans now desires to authorize the advertisement of bids for the project,

NOW THEREFORE BE IT RESOLVED that Collier's Engineering & Design is authorized to begin bidding services for the 2024 Road Program Project and that the Borough Clerk is authorized to advertise same in accordance with law.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE BOROUGH ENGINEER TO PROCEED WITH THE BIDDING PROCESS FOR THE
ALLENHURST AVE BULKHEAD PROJECT**

**Resolution #2024-235
09/19/24**

WHEREAS, the Borough awarded a contract to Collier's Engineering & Design (Borough Engineer) pursuant with Resolution #2023-155 for engineering services for the Allenhurst Avenue Bulkhead Project, including preparation of plans, provision of bid specifications and bidding services; and

WHEREAS, the Borough Engineer has secured NJDEP approvals, completed the plans and bid specifications and seeks approval to solicit for bids; and

WHEREAS, the Governing Body having had the opportunity to review the plans now desires to authorize the advertisement of bids for the project,

NOW THEREFORE BE IT RESOLVED that Collier's Engineering & Design is authorized to begin bidding services for the Allenhurst Ave Bulkhead Project and that the Borough Clerk is authorized to advertise same in accordance with law.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTMENT OF THOMAS CORSENTINO, JR. TO FIRE POLICE**

Resolution #2024-236
09/19/24

BE IT RESOLVED, by Thomas J. Tvrdik, Mayor of the Borough of Oceanport, that the following appointment be made with the advice and consent of Council as recommended by the Fire Police Captain and approved by the Chief of Police pursuant with Borough Code § 50-8:

Thomas Corsentino, Jr.	Unexpired Term expiring 12/31/28
------------------------	----------------------------------

FIRE POLICE MEMBERS:

Port Au Peck Chemical Hose Co.:

Bill McNish, Captain	5yr Term expiring 12/31/28
Frederick Santi	5yr Term expiring 12/31/28
Bob D'Agostino	5yr Term expiring 12/31/28
Frank Lippolis	5yr Term expiring 12/31/28
Fred Fillippone	5yr Term expiring 12/31/28
Wes Sherman	5yr Term expiring 12/31/28

Oceanport Hook & Ladder Fire Co.:

Michael DePonte	5yr Term expiring 12/31/28
Tom Porowski	5yr Term expiring 12/31/28
Roman Lima-Velasquez	5yr Term expiring 12/31/28
Thomas Corsentino, Jr.	5yr Term expiring 12/31/28

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE APPROVAL AND ISSUANCE OF LIQUOR LICENSE FOR 2024-2025 AND
AUTHORIZING THE MUNICIPAL CLERK TO ISSUE A 2024-2025 POCKET LIQUOR LICENSE TO NLL
TRUST (NETFLIX) WHICH HAS MET ALL STATE AND BOROUGH REQUIREMENTS AND HAVE PAID
ALL APPROPRIATE FEES**

Resolution #2024-237
09/19/24

WHEREAS, the Borough of Oceanport authorized the public sale of one plenary retail consumption license pursuant with Resolution #2024-61; and

WHEREAS, NLL Trust (Netflix) was awarded the sale of a Plenary Retail Consumption Liquor License to be held in pocket for the property known as the "Mega Parcel" on former Fort Monmouth currently under development pursuant to Resolution #2024-171; and

WHEREAS, NLL Trust (Netflix) has published the required notice in accordance with law and has paid the appropriate State and Borough fees; and

WHEREAS, no objections to issuance of this license have been filed; and

WHEREAS, the proper Borough and State fees has been paid by the applicant,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of the Oceanport that the following license is authorized to be held as a pocket license for the period August 15, 2024 and expiring June 30, 2025:

LICENSE #	TYPE	LICENSE NAME/TRADE NAME
1338-33- TBD	Plenary Retail Consumption	NLL Trust (Netflix)

BE IT FURTHER RESOLVED that the Municipal Clerk is authorized to hold in pocket the 2024-2025 liquor license for the above-named licensee subject to compliance with the condition(s) named therein.

ORDINANCE #1100

AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING CHAPTER 284 OF THE CODE OF THE BOROUGH OF OCEANPORT ENTITLED "PEACE AND GOOD ORDER"

WHEREAS, the Oceanport Police Department in conjunction with the recommendations of the Prosecutor's Office has requested that additional offenses be incorporated into Chapter 284 of the Borough Code entitled "Peace and Good Order;" for law enforcement purposes; and

WHEREAS, the Borough Council believes it is in the best of the Borough and its residents implement the recommendations of the Police Department to ensure there are law enforcement tools available to protect the public from offensive unruly behavior and to protect public and private property.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Oceanport, County of Monmouth, and State of New Jersey, that Chapter 284, be amended as follows:
[additions are underlined]...

284-1 Definitions.

As used in the chapter, the following terms have the following meanings:

CANNABIS, CANNABIS ITEM

Any usable cannabis, cannabis product, cannabis extract and any other cannabis resin, all parts of the plant *Cannabis sativa* L., whether growing or not, the seeds thereof, and every compound, manufacture, salt, derivative mixture, or preparation of the plant or its seeds, but shall not include any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink, or other product. "Cannabis" does not include hemp or a hemp product cultivated, handled, processed, transported, or sold pursuant to the New Jersey Hemp Farming Act, P.L. 2019, c. 238 (N.J.S.A.4:28-6 et seq.).

ELECTRONIC SMOKING DEVICE

An electronic device that can be used to deliver nicotine, cannabis or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, or pipe.

GRAFFITI

Writings or drawings scribbled, scratched, or sprayed illicitly on a wall or other surface.

INDOOR PUBLIC PLACE

A structurally enclosed place of business, commerce or other service-related activity, whether publicly or privately owned or operated on a for-profit or nonprofit basis, which is generally accessible to the public, including, but not limited to: a theater or concert hall; public library; museum or art gallery; bar; restaurant or other establishment where the principal business is the sale of food for consumption on the premises, including the bar area of the establishment; garage or parking facility; any public conveyance; any facility used for the holding of sporting events; or recreational facility, shopping mall or retail store; hotel, motel or other lodging establishment; apartment building lobby or other public area in an otherwise private building.

MARIJUANA

All parts of the plant *Cannabis sativa* L., whether growing or not; the seeds thereof, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds, except those containing resin extracted from the plant products cultivated, handled, processed, transported, or sold pursuant to the New Jersey Hemp Farming Act, P.L. 2019, c. 238 (N.J.S.A. 4:28-6 et seq.).

OFFENSIVE OR INDECENT LANGUAGE

The use of words, phrases, or expressions that are considered disrespectful, insulting, or vulgar with content that is intended to harm, offend, or belittle individuals or groups based on their race, gender, religion or other characteristics.

OBSTRUCT

Render impassible without unreasonable inconvenience or hazard. No person shall be deemed guilty of recklessly obstructing in violation of this article because of a gathering of persons to hear him or her speak or otherwise communicate or solely because of being a member of such a gathering.

PERSON

Wherever appropriate in connection with the context, includes corporation, partnership, association and individual and shall include the plural.

PUBLIC PLACE

Any place to which the public has access that is not privately owned; or any place to which the public has access where alcohol or cannabis consumption is not allowed, including, but not limited to, a public street, road, thoroughfare, sidewalk, bridge, alley, plaza, park, playground, swimming pool, shopping area, public transportation facility, vehicle used for public transportation, parking lot, public library, or any other public building, structure, or are, including beach area.

SMOKING

The smoking, vaping, aerosolizing, burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe or any other matter or substance which contains tobacco, cannabis or any other matter that can be smoked, or the inhaling or exhaling of smoke or vapor from an electronic smoking device.

284-2 Prohibited Acts.

No person, shall within the Borough of Oceanport:

- A. Deface or place graffiti on any public property or private property of another;
- B. Dump any garbage, refuse, paper, glass or cans upon any public highway or any private property.
- C. Place or throw any glass, bottle, can or other sharp and dangerous substance upon any public highway.
- D. Cause or permit any sound which by its length or volume creates a disturbance or annoyance to adjacent property owners;
- E. Without any legal privilege to do so, purposely or recklessly obstruct any public passage to any place of business or house of worship or residence;
- F. Refuse to obey a reasonable official request or order to move to prevent obstruction of a public passage to a place of business or house of worship or residence;
- G. Appear on any street, road, avenue, park or other parks, including in vehicles parked on the same in a state of nudity;
- H. Remove or interfere with or disturb any lantern, warning signal, obstruction or barricade lawfully placed in or across any public street by a public authority, its contractors, agents, servants or employees;
- I. It shall be unlawful for any person to engage in the smoking of marijuana, cannabis or cannabis item in or on any indoor public place or public place.
- J. Loiter in any public, quasi-public or private place not of their own, who indulges in and utters loud and offensive and/ or indecent language. shall be adjudged a disorderly person.
- K. No person shall engage in, or attempt or offer to engage in, or aid, abet or participate in any fight, assault, quarrel, brawl, battery, altercation, disturbance, riot or unruly, boisterous, noisy conduct. unlawful, or disorderly assemblage, nor shall any person in any way breach or disturb the peace.
- L. To urinate or defecate in public places, including public and private parking lots, or streets, or on the lawns or yards of private homes and residences, or in the public view.
- M. Maliciously destroy, tamper with, damage, or injure any property, public or private.

284-3 Violations and Penalties.

Any person violating any of the provisions of this article shall, upon conviction, be punished by a minimum fine of \$250, but not exceeding \$2,000, or by imprisonment not exceeding 90 days, or any combination thereof in the discretion of the Municipal Court Judge.

BE IT FURTHER ORDAINED a copy of this Ordinance shall be supplied to the Police Chief and Code Enforcement Officer.

BE IT FURTHER ORDAINED that all other Ordinances or parts of Ordinances, which are inconsistent herewith, repealed, only to the extent of such inconsistency. All other parts not inconsistent herewith are ratified and confirmed.

BE IT FURTHER ORDAINED this Ordinance shall become effect immediately upon final passage and publication as required by law.

APPROVED ON FIRST READING

DATED: January 18, 2024

JEANNE SMITH

Clerk of the Borough of Oceanport

ADOPTED ON SECOND READING

DATED: September 19, 2024

JEANNE SMITH

Clerk of the Borough of Oceanport

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____.

THOMAS J. TVRDIK

Mayor

ORDINANCE #1101

AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY REPEALING AUTHORIZING EASEMENT AGREEMENT WITH NETFLIX, INC. FOR THE RELOCATION OF OSPREY NESTS ON BOROUGH PROPERTIES

WHEREAS, under the Local Land and Buildings Law, N.J.S.A. 40A:12-1 et. seq., the Borough of Oceanport (the "Borough") is authorized to convey any interest in real property, including an easement interest, through the adoption of an ordinance; and

WHEREAS, Netflix, Inc. ("Netflix") Netflix is the contract purchaser of certain parcels of real property located in Oceanport and Eatontown from the Fort Monmouth Economic Revitalization Authority ("FMERA") pursuant to a Purchase and Sale Agreement and Redevelopment Agreement dated January 13, 2023, (the "Mega Parcel") in order to construct and develop a sustainable and integrated film studio campus (the "Project"); and

WHEREAS, Netflix is obligated to relocate certain osprey nests that are currently located on the Mega Parcel (collectively, the "Existing Osprey Nests") to one or more off-site locations within the Borough or locations outside the Borough which the New Jersey Department of Environmental Protection has approved (the "Avian Mitigation Plan"); and

WHEREAS, the Borough is the fee owner of certain parcels of real property identified on Exhibit A to the Easement Agreement (the "Borough Parcels") that are appropriate alternative sites to which some or all of the Existing Osprey Nests located on the Mega Parcel may be relocated, and it has requested that the Borough enter into an Easement Agreement which would allow for the construction and installation of new osprey nests on the Borough Parcels in furtherance of the NJDEP approved Avian Mitigation Plan.

WHEREAS, the Borough Council believes it is in the best interest of the Borough to authorize the Easement Agreement with Netflix to allow for the implementation of the Avian Mitigation Plan to further the development of the Project on the Mega Parcel.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Oceanport, County of Monmouth and State of New Jersey, that it hereby approves the Easement Agreement with Netflix, Inc. for the Borough Parcels for and Netflix, Inc. is authorized to construct and install osprey nests on the Borough properties identified herein in accordance with the terms and conditions of the Easement Agreement.

BE IT FURTHER ORDAINED the Mayor is authorized to execute the Easement Agreement in a form approved by the Borough Attorney.

IT IS FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

IT IS FURTHER ORDAINED that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

IT IS FURTHER ORDAINED that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

APPROVED ON FIRST READING

DATED: August 15, 2024

JEANNE SMITH
Clerk of the Borough of Oceanport

ADOPTED ON SECOND READING

DATED: September 19, 2024

JEANNE SMITH
Clerk of the Borough of Oceanport

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____.

THOMAS J. TVRDIK
Mayor



Mayor & Council
910 Oceanport Way
Oceanport, NJ 07757

SCHEDULED

DISCUSSION ITEM (ID # 3337)

Meeting: 09/19/24 07:00 PM
Department: Mayor & Council
Category: Policy
Prepared By: Jeanne Smith
Initiator: Jeanne Smith
Sponsors:
DOC ID: 3337

15.1

E-Bikes

§ 279-1. Definitions.

As used in this article:

BOROUGH — The Borough of Oceanport in the County of Monmouth.

BOROUGH-APPROVED RECREATION SPORTS ASSOCIATIONS — Those entities that have been officially recognized, by ordinance, as being charged with the responsibility of planning, promoting, organizing and operating specific recreation sports programs on behalf of the Borough, for the benefit of the Borough, its residents and, in certain instances, the residents of neighboring communities.

COUNCIL — The Borough Council of the Borough of Oceanport.

GROUP — Four or more persons.

PARK, FIELD, COURT, PLAYGROUND, FACILITY or PARK PROPERTY —

- A. Blackberry Bay Park;
- B. Maria Gatta Field; **[Amended 3-21-2024 by Ord. No. 1089]**
- C. Somers Park;
- D. Trinity Park;
- E. Charles Park **[Added 9-21-2023 by Ord. No. 1082¹]**
- F. Evergreen Park **[Added 9-21-2023 by Ord. No. 1082]**
- G. Old Wharf Park; **[Amended 9-21-2023 by Ord. No. 1082]**
- H. Mike MacStudy Field; **[Amended 3-16-2023 by Ord. No. 1069]**
- I. Community Center Park; and **[Amended 9-21-2023 by Ord. No. 1082]**
- J. Veterans Field **[Added 3-21-2024 by Ord. No. 1089²]**
- K. Any other park, reservation, playground, recreation center or any other area in the Borough owned or used by the Borough, and devoted to active or passive recreation.

PERMITTEE — Any person or persons to whom a facility use permit is issued.

PERSON — Any person, firm, partnership, association, team corporation, company or organization of any kind.

RESIDENT ORGANIZATIONS — Any person, firm partnership, association, team, corporation or organization of any kind whose membership is comprised of a majority of Oceanport residents. **[Amended 9-21-2023 by Ord. No. 1082]**

VEHICLE — Any wheeled conveyance, whether motor powered, animal drawn, or self-propelled. The term shall include any trailer in tow of any size, kind or description. Exception is made for baby carriages and vehicles in the service of the Borough parks.

1. Editor's Note: This ordinance also redesignated Subsections E through H as Subsections G through J.

2. Editor's Note: This ordinance also redesignated former Subsection J as Subsection K.

§ 279-2. Prohibited activities.

No person in a public park, facility or recreation area shall:

- A. Willfully mark, deface, disfigure, injure, tamper with or displace or remove any buildings, bridges, tables, benches, fireplaces, railings, pavings or paving materials, waterlines or other public utilities or parts or appurtenances thereof, signs, notices or placards, whether temporary or permanent, monuments, stake posts or other boundary markers or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal;
- B. Fail to cooperate in maintaining restrooms and washrooms in a neat and sanitary condition. **[Amended 9-21-2023 by Ord. No. 1082]**
- C. Dig or remove any soil, rock, sand, stones, trees, shrubs or plants or other wood or materials or make any excavation by tool, equipment, blasting or other means or agency;
- D. Construct or erect any building or structure of whatever kind, whether permanent or temporary, or run or string any public service utility into, upon or across such lands, except on special written permit issued hereunder;
- E. Damage, cut, carve, transplant or remove any tree or plant or injure the bark or pick the flowers or seeds of any tree or plant, dig in or otherwise disturb grass areas or in any other way injure the natural beauty or usefulness of any area;
- F. Climb any tree or walk or stand upon monuments, vases, planters, fountains, railings, fences or upon any other property not designated or customarily used for such purposes;
- G. Tie or hitch an animal to any tree or plant;
- H. Hunt, molest, harm, frighten, kill, trap, pursue, chase, tease, shoot or throw missiles at any animal, wildlife, reptile or bird; nor shall he or she remove or have in his or her possession the young of any wild animal or the eggs or nest or young of any reptile or bird. Exception to the foregoing is made in that snakes known to be deadly poisonous, or deadly reptiles, may be killed on sight; **[Amended 9-21-2023 by Ord. No. 1082]**
- I. Throw, discharge or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream or other body of water in or adjacent to any park or any tributary stream, storm sewer or drain flowing into such water, any substance, matter or thing, liquid or solid, which will or may result in the pollution of such waters;
- J. Have brought in or shall dump in, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage or refuse or other trash. No such refuse or trash shall be placed in any waters in or contiguous to any park, or shall be left anywhere on the grounds thereof, but shall be placed in the proper receptacles where these are provided; where receptacles are not provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere.
- K. Drive any vehicle on any area except the paved park roads or parking areas, or such areas as may on occasion be specifically designated as temporary areas by the Borough. **[Amended 9-21-2023 by Ord. No. 1082]**

§ 279-2

§ 279-2

- L. Park a vehicle in other than an established or designated parking area, and such shall be in accordance with posted directions thereat and with the instruction of any attendant who may be present.
- M. Park, store or place a motor vehicle when the parks and/or playgrounds are not open for public use. (This section shall not apply to municipal vehicles.)
- N. ³Hit any type of golf ball.
- O. Use or possess a motorized toy, model miniature or remote control aircraft.
- P. Park, store or place any motor vehicle or other personal property when the owner of the subject vehicle/property (or owner's agent) is not presently utilizing the subject park or playground area. This section shall not apply to municipal vehicles, nor shall it apply during periods of emergency, as proclaimed by the Mayor or any other duly appointed authority.
- Q. Carry or possess firearms of any description or air rifles, spring guns, bows and arrows, slings or any other forms of weapons potentially inimical to wildlife and dangerous to human safety or any instrument that can be loaded with and fire blank cartridges or any kind of trapping device. Shooting into park areas from beyond park boundaries is forbidden.
- R. Walk a dog in or permit a dog into the playground area of any park.
- S. Set up tents, shacks or any other temporary shelter for the purpose of overnight camping, nor shall any person leave in a park after closing hours any movable structure or special vehicle to be used or that could be used for such purpose, such as a house trailer, camp trailer, camp wagon or the like, except in those areas designated by the Borough for those purposes. **[Amended 9-21-2023 by Ord. No. 1082]**
- T. Take part in or abet the playing of any games involving thrown or otherwise propelled objects such as stones, arrows, javelins, horseshoes, quoits or model airplanes except in those areas set apart for such forms of recreation. **[Amended 9-21-2023 by Ord. No. 1082]**
- U. Rollerblade, skateboard, roller skate or ride a bicycle on any tennis, basketball or pickleball court. **[Amended 9-21-2023 by Ord. No. 1082]**
- V. Bring into or operate any boat, raft or other watercraft, whether motor-powered or not, upon any waters, except at places designated for boating. Such activity shall be in accordance with applicable regulations as are now or hereafter may be adopted.
- W. Sell, rent or lease (or advertise for same) any vehicle, vessel, boat, personal watercraft, bicycle, motorcycle or any other personal property, without first having obtained a permit from the Borough of Oceanport.
- X. Launch, dock or operate any boat of any kind on any water between the closing hour of the park at night and the opening hour of the park the following morning, or be on or remain on or in any boat during the closed hours of the park.

3. Editor's Note: Former Subsection N, regarding parking, storing or placing a motor vehicle along the roller hockey rink located at Blackberry Bay, was repealed 9-21-2023 by Ord. No. 1082. This ordinance also provided for the redesignation of former Subsections O through Y as Subsections N through X, respectively.