



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:**

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| #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

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| <p>☒ N.J.S.A. 10:4-12(b)(5)</p> <p>☒ N.J.S.A. 10:4-12(b)(7)</p> | <p><i>Matters Relating to the Purchase, Lease or Acquisition of Real Property</i></p> <ul style="list-style-type: none"> - Potential Open Space Acquisitions <p><i>Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege</i></p> <ul style="list-style-type: none"> - Potential Open Space Acquisitions - RFP Turf Field Sports Consultant |
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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