



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

AGENDA • JUNE 4, 2020

Workshop

Maple Place School

7:00 PM

2 Maple Place, Oceanport, NJ 07757

I. Meeting Called to Order

II. Statement of Compliance with Open Public Meetings Act: *This meeting complies with the Open Public Meetings Act by notification on January 6, 2020 this location, date and time to the Asbury Park Press and the LINK News and by the posting of same on the municipal bulletin board and Borough Web Site.*

This meeting further complies with the Open Public Meetings Act by notification on June 1, 2020 of this virtual/remote meeting, its location, date and time to the Asbury Park Press and the LINK News and by the posting of same on the municipal bulletin board and Borough Web Site. Registration for this meeting is required in order to participate. Register from the Borough website at www.oceanportboro.com "Click Here to REGISTER..." This meeting is also being broadcast on Verizon FiOS Channel 28. The public will be muted upon entry to the meeting but will be able to participate during public portions of the meeting by using one of the following options:

- Submit text comments through the web-based application to be read out loud during the live-stream public portions of the meeting.
- Use the "Raise Your Hand" icon to be acknowledged for an opportunity to speak
- Email your question/comments to public.comments@oceanportboro.com
[<mailto:public.comments@oceanportboro.com>](mailto:public.comments@oceanportboro.com)
- Call the Borough's Public Comments Line # 732-272-8337 that is answered only during the live-stream. Callers' information will be taken and called back for their designated time to speak allowing the caller to be put on speaker and enter his or her comment on the record.

III. Flag Salute

IV. Invocation

V. Roll Call

VI. Administrator's Report

1. Resolution authorizing hiring of Michele Smallze to assist with Sea Bright Municipal Court
2. Resolution awarding contract to Maser Consulting - CDBG Application

VII. Clerk's Report

1. Technology Services for New Municipal Complex
2. Liquor License Renewals

June 18, 2020 Meeting Items

3. Resolution authorizing refund due to tax appeal - Block 41, Lot 2
4. Resolution authorizing refund due to tax appeal - Block 74, Lot 17
5. Resolution authorizing self-examination of the 2020 Municipal Budget
6. Receipt of Minutes from Recreation Committee, March 11, 2020
7. Receipt of Minutes from Recreation Committee, April 15, 2020
8. Regular Meeting Minutes, April 23, 2020

VIII. RESOLUTIONS:

#2020-139 Resolution authorizing payment of BILL LIST 06-04-2020

#2020-140 Resolution authorizing execution of Reimbursement Agreement with Monmouth County

IX. Discussion Items

1. Boundary Line with Eatontown, Mayor Coffey
2. Proposal for On-Street Parking Along a Portion of Crescent Place, Councilman Tvrdik
3. Werah Place Bulkhead Replacement, Councilman Tvrdik

X. Petitions from the Public

XI. Executive Session

#2020-141 Resolution authorizing an Executive Session

Litigation, Negotiations and the Attorney Client Privilege N.J.S.A. 10:4-12(b)(7)
New Municipal Complex

XII. Adjournment

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE BOROUGH ADMINISTRATOR TO HIRE MICHELE
SMALLZE TO ASSIST ON A TEMPORARY BASIS WITH THE SEA BRIGHT
MUNICIPAL COURT WHEN SESSION IS HELD IN THE BOROUGH OF
RUMSON MUNICIPAL COURT FACILITIES**

Resolution

WHEREAS, the Borough of Oceanport has an agreement with the Borough of Shrewsbury for use of their municipal court facilities; and

WHEREAS, due to the ongoing pandemic surrounding COVID-19 and the novel coronavirus, the Borough of Shrewsbury has closed its facilities to the public; and

WHEREAS, the Borough of Oceanport has an interlocal agreement with the Borough of Sea Bright to provide municipal court services; and

WHEREAS, there is a need for the Sea Bright Municipal Court to resume its court sessions and an arrangement has been made for the temporary use of court facilities in the Borough of Rumson; and

WHEREAS, the Borough of Rumson requires that one of their court personnel be present at the expense of the Borough of Oceanport and Michele Smallze, Rumson Court Administrator is willing to assist,

WHEREAS, the Borough Administrator advises that funds are available and has recommended that Michele Smallze be hired in order to effectuate same,

NOW, THEREFORE, BE IT RESOLVED by the Mayor & Council of the Borough of Oceanport that the Borough Administrator is hereby authorized to hire Michele Smallze on a temporary basis while Sea Bright court sessions are conducted using the Borough of Rumson's facilities.

BE IT FURTHER RESOLVED, that the Borough Administrator is authorized to set an hourly rate of compensation in accordance with the salary ordinance.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AWARDING CONTRACT FOR PROFESSIONAL SERVICES TO MASER
CONSULTING FOR THE PREPARATION AND SUBMITTAL OF THE 2021
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION**

Resolution

WHEREAS, the Borough of Oceanport is a duly organized Municipal Corporation (hereinafter referred to as "Borough") having principal offices at 315 E. Main Street, Oceanport, New Jersey 07757; and

WHEREAS, there is a need for the Borough to obtain professional services for the preparation and submittal of the 2021 Monmouth County Community Development Block Grant application; and

WHEREAS, the services to be provided are deemed to be "professional services" pursuant to the Local Public Contracts Law (N.J.S.A. 40:A 11-1, et seq.) and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a Contract for "professional services" without public advertising for bids, provided that the Resolution authorizing the Contract and the Contract itself, are available for public inspection in the Office of the Borough Clerk and that notice of the awarding of the Contract is published in a newspaper of general circulation in the Municipality; and

WHEREAS, Maser Consulting has submitted a proposal dated May 20, 2020 to provide said services on a per diem/hourly basis with an estimated budget of \$3,000.00 and having considered the matter, the Borough now wishes to authorize the Borough's Special Projects Engineer, Maser Consulting to perform the associated services for the project.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport as follows:

1. That the Borough of Oceanport has awarded a Professional Service Contract to Maser Consulting as Borough Special Projects Engineer for 2020 and the work to be performed will be consistent with their existing contract and a proposal for services dated May 20, 2020 for the preparation and submittal of the 2021 Monmouth County Community Development Block Grant application.
2. That the compensation associated with the proposal shall not exceed \$3,000.00.
3. That the within Resolution shall be subject to the Borough CFO confirming that funds are available for the stated purpose.
- 4.

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 funds are available in Account #01-201-20-165-243, not to exceed \$3,000.00 for the above referenced professional services contract.


Catherine D. LaPorta, CFO



Consulting, Municipal & Environmental Engineers
Planners ■ Surveyors ■ Landscape Architects

6.2.a

DATE: _____

CLIENT AUTHORIZATION FORM

CLIENT: _____

PROJECT NAME: _____

MC PROJ NO.: _____ **PHASE NAME:** _____

WE REQUEST YOUR REVIEW AND AUTHORIZATION OF SERVICES AS OUTLINED BELOW IN ORDER TO PROCEED:

SERVICES REQUESTED BY : _____

DESCRIPTION OF SERVICE CONTRACT SCOPE:

SERVICES OUTLINED ABOVE SHALL BE INVOICED:

☐ **PER DIEM/HOURLY** Estimated Budget = \$ _____

☐ **LUMP SUM** Fee = \$ _____

I (we) hereby authorize the services
to proceed as outlined above:

Client Authorization Form prepared by:

Signer's Name (Print)

Project Manager's Name (Print)

Signature

Date

Project Manager's Signature

Date

PLEASE SIGN THE FORM WHERE INDICATED & FAX, EMAIL OR MAIL TO MASER CONSULTING P.A. FOR OUR RECORDS.
IF BUSINESS TERMS AND CONDITIONS ARE ATTACHED, PLEASE INITIAL EACH PAGE AND RETURN WITH THIS FORM.



Engineers
Planners
Surveyors
Landscape Architects
Environmental Scientists

6.2.b

Corporate Headquarters
331 Newman Springs Road, Suite 203
Red Bank, NJ 07701
T: 732.383.1950
F: 732.383.1984
www.maserconsulting.com

MEMORANDUM

To: Donna Phelps, Business Administrator

From: Kelsey Howard, Sr. Associate/ Grants & Funding

Date: May 20, 2020

**Re: 2021 Monmouth County CDBG Grant Application
Borough of Oceanport, Monmouth County, NJ
MC Proposal No. OPB-001P**

The below Scope of Services corresponds to the Client Authorization Form for the same project.

PHASE 1.0 GRANT APPLICATION

Our team will prepare and submit a grant application by the deadline anticipated in July 2020 to the Monmouth County Division of Planning, Office of Community Development.

The anticipated schedule is as follows:

Milestone	Date
Hold pre-application meeting with the county	To Be Determined
Publish display ad for Council Meeting	At least 10 days prior to meeting
Council Meeting to discuss/approve grant application (**no separate citizen participation group meeting is required**)	7/18/19
Application Due	Anticipated in July 2020

The proposed project for funding is anticipated to include the expansion of the parking lot at Old Wharf Park, which is utilized by the Senior group for meetings.

The maximum grant award per application is \$200,000.

Please note that all applicants are responsible for making a short presentation before the Community Development Block Grant Committee, anticipated for early September 2020.

Please note that the County is prioritizing projects that can be implemented quickly. Selected projects are required to submit plans and specifications and permit applications within 90 days of grant award notification. The project should be able to be completed within 12 months of the date of county clearance.



Our team will prepare and provide the following for the application:

- Submit one (1) original and two (2) copies of the application;
- Draft display advertisement for the Mayor and Council meeting during which the project will be presented for discussion;
- Attendance and presentation of the project at Mayor and Council meeting that will serve as the Public Hearing;
- A Cost Estimate;
- An Engineering Schematic Plan;
- Census map with project location identified;
- Color photographs of project area;
- Firmette Map with the project location identified;
- Complete the application form;
 - Applicant and project information;
 - Project Summary;
 - Project Description;
 - Description of how the project supports the Monmouth County Master Plan;
 - Project Site Location and Block and Lot;
 - Prioritized list of improvements and associated cost;
 - Environmental conditions checklist;
 - Checklist of applicable permits and/or approvals;
 - Construction Schedule;
 - Information on project funding;
 - Information on CDBG funding history;
- Prepare PowerPoint presentation on the project/application for the Borough's presentation to the Community Development Block Grant Committee.

ITEMS AND INFORMATION NEEDED FROM THE BOROUGH:

- Our team will consult with Borough personnel as needed to complete the application;
- Signature on application form;
- Public Hearing Minutes and Affidavit.

EXCLUSIONS:

- Services not specifically outlined above;
- Attendance at or presentation before the Community Development Block Grant Committee. **This service will be billed hourly, if requested by the Borough;**
- Survey work;
- Engineering plans and specifications;
- Permitting work.

KH/

R:\General\Projects\Opb\Opb-001\Proposals\2020\200520_KH_phelps_CAF Scope of Services.docx

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING TAX REFUND DUE TO APPEAL FOR BLOCK 41, LOT 2
ALSO KNOWN AS 169 COMANCHE DRIVE**

Resolution

WHEREAS, the following property is due a refund due to a successful State Tax Court judgment and an overpayment from the property owner; and

WHEREAS, the Tax Collector is recommending that the amount of overpayment due be refunded

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that the Tax Collector is hereby authorized to refund overpayment due to a successful State Tax Court judgment to the following property owner as follows:

Block 41 Lot 2	Jennifer R Jacobus Esq Trustee for Diamante, Genevieve 201 Littleton Rd 1 st Floor Morris Plains NJ 07950
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Comparison of assessment which was agreed upon in settlement:

	Old Assessment	New Assessment	Refund
2019	\$1,149,900	\$1,099,600	\$ 905.90

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING TAX REFUND DUE TO APPEAL FOR BLOCK 74, LOT 17
ALSO KNOWN AS 85 GOOSENECK POINT ROAD**

Resolution

WHEREAS, the following property is due a refund due to a successful State Tax Court judgment and an overpayment from the property owner; and

WHEREAS, the Tax Collector is recommending that the amount of overpayment due be refunded,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that the Tax Collector is hereby authorized to refund overpayment due to a successful State Tax Court judgment to the following property owner as follows:

Block 74 Lot 17	Sitar Law Offices, LLC Attorney Trust Acct 1481 Oak Tree Rd Iselin NJ 08830
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Comparison of assessment which was agreed upon in settlement:

	Old Assessment	New Assessment	Refund
2019	\$3,149,100	\$2,528,000	\$ 11,186.01

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING CONDUCTING ANNUAL BUDGET EXAMINATION**

Resolution

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Borough of Oceanport has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Borough meets the necessary conditions to participate in the program for the 2020 budget year, so now therefore

BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officers certification. The governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the "CAP" law.)
3. That the budget is in such form arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate, and correctly stated
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised, and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

CERTIFICATION OF APPROVED BUDGET

It is hereby certified that the Approved Budget complies with the requirements of law and approval is given pursuant to N.J.S.A. 40A:4-78(b) and NJAC 5:30-7.

It is further certified that the municipality has met the eligibility requirements of NJAC 5:30-7.4 and 7.5, and that I, as Chief Financial Officer, have completed the local examination in compliance with NJAC 5:30-7.6.

Catherine D. LaPorta, CFO

**OCEANPORT RECREATION COMMITTEE
MEETING MINUTES
March 11, 2020**

Minutes of the regular meeting of the Oceanport Recreation Committee held on
Wednesday evening, March 11, 2020, Blackberry Bay Park Building

In attendance: Members:
 Jay Silverman
 Mike MacStudy
 Joanne Hunt
 Scott Marcantano
 Spencer Carpenter
 Greg Lockwood
 Beth Watkins
 Bill Deerin
 Chris Macioch
 David Walker

Absent: Spencer Carpenter
 Therese Wollman

Open Meeting/Flag Salute

Meeting called to order by Beth Watkins at 7:30pm. Motion to open the meeting was made by Jay Silverman and seconded by Mike MacStudy.

Approval of Minutes

The February 2020 meeting minutes were reviewed. The motion to approve the meeting minutes was made by Mike MacStudy and seconded by Greg Lockwood. All were in favor.

Correspondence:

Prior to continuing the meeting Beth Watkins and Mike MacStudy clarified that Mayor Coffey has made membership appointments to the Recreation Committee. There was some confusion as to who was appointed and who was not, stating that there were 3 openings. It was further clarified by Bill Deerin that the 3 people to be approved by Council were:
 David Walker
 Chris Macioch
 Kristian Karlson

In an email to Joanne Hunt, Jeanne Smith wanted to remind the Committee that it the duty of the Mayor to appoint members.

Public Comments: Motion to open to the public was made by Beth Watkins and seconded by Mike MacStudy 7:35 pm.

Present:

Tom O'Brien- Shore Youth Lacrosse

Tom came to speak about the request for a multi sports "wall". This could be used for practice by numerous sports. It was suggested that the old roller hockey rink would be a good location although noise could be an issue. Jay Silverman suggested that Tom speak to Spencer Carpenter as he installed one when he was DPW in Old Bridge. Mike MacStudy also requested that Shore Youth Lacrosse obtain a cost estimate and specs for the project to assist in decision making.

As there were no other members of the public present, in a motion made by Beth Watkins and seconded by Greg Lockwood, the meeting was closed to the public at 7:41 pm.

Recreation Coordinator Report- Joanne Hunt

Report Highlights:

Next event- April 4- Egg Scramble. Bill Deerin has secured the "bunny". Joanne Hunt will order all the eggs, prizes and candy to fill eggs. Beth Watkins will work on a flier. Therese Wollman will order the banner.

Field Requests- All approved. Clarification was needed for Maple Place Challenge event. Joanne Hunt mentioned to Mike MacStudy that Kim Parent is requesting dates and times from men's softball and all adult leagues so that the schedule can be made.

Revenue:

2020 Boat Permits \$1300.00

Field Revenue \$500.00

Council Liaison Report:

Bill Deerin – Bill Deerin confirmed that \$14,000.00 was received from the OP Sports Foundation. The money was also distributed to other sports organizations. The

Recreation Committee agreed to approve spending for 3 AED machines. Joanne Hunt will order via Team Life. Locations: BBB, Gatta, Community Center.

Joanne Hunt suggested that as in other towns, a vandalism ordinance be passed to address fines for tampering, disabling or vandalizing the AEDs. The Committee agreed that this was a good idea.

Subcommittee Reports:

Subcommittee & Officer Review Panel- Spencer Carpenter- not present, no report

Nominations- Mike MacStudy- no report

Sonny Giordano Award- Greg Lockwood- No report.

Egg Scramble- Beth Watkins-Previously discussed

Mini Golf- Mike MacStudy-The course is all set. Mike will speak with course regarding food and possibly cooking or bringing in refreshments

Memorial Day Parade Committee- Beth Watkins –All set for parade.

Movies- Joanne Hunt- after a brief discussion, the Committee chose Toy Story for July and Joanne will check to see if Star Wars is available for September.

Summer's End-Jay Silverman- the Committee approved securing 4 “carnival” games to keep with the Centennial theme.

Halloween- Scott Marcantano- No report

Tree Lighting- Spencer Carpenter- No report

Decorating Contest- Jay Silverman- No report

Disc Golf- Scott Marcantano –New date is July 25. Scott will contact club about possible skills competition/clinic. Joanne will work on insurance once permit is approved.

Grants/Parks- Joanne Hunt reported DPW has task list to complete for 3/15 opening.

Finance Report- Greg Lockwood- Greg Lockwood reported we did receive \$14,000 from the Sports Foundation and it is reflected in the updated budget.

Old Business:

Pool- Beth Watkins stated that there is no update and that there will be no action taken at this time.

Sunshade- Joanne Hunt shared some sunshade options but Mike MacStudy stated that he is looking for a picnic table with built in covering. Joanne reported that these would need to meet salt water standards if at Charles Park and she will continue to investigate.

Sports Foundation- Beth Watkins opened the discussion of additional purchases for funds. A discussion continued as to possible options.

2 Goals for Gatta Park- Joanne will look into costs

Backstop repair- Mike will look into costs

Field Repair- Mike MacStudy secured costs for field repair. Approx. \$30,000 and it can finished quickly. Mike MacStudy proposed that OP Baseball would pay approx. \$14,875 (Include \$5K from Sports Foundation) and we would then need \$15,000 from Open Space.

Action Camp- After a brief discussion regarding options for camp, it was agreed that \$190 per camper should stay the same for early registration. Beth Watkins suggested a snack truck but Joanne Hunt stated that camp does provide ice pops on Tuesdays and Thursdays. Beth felt that the campers missed the pool snack bar. Beth will look into some options. It would be paid by users, not camp. Joanne also mentions that “Snapology” was secured and Beth suggested an “activity” person to assist with day to day coordinating of events. Beth Watkins has a suggestion for that positron.

New Business:

T- Ball- Mike MacStudy reported that they had 50 kids signed up for t-ball. Coaches are also needed for all levels and this has been a challenge.

Greg Lockwood inquired about the possibility of volleyball net for BBB. All thought this was a great idea.

Adjourn: Motion to adjourn was made by Beth Watkins and seconded by Jay Silverman at 9:10 pm. Next meeting: April 8, 7:30 PM Blackberry Bay Park Building.

Refreshments-Greg Lockwood

Respectfully submitted, Joanne Hunt

**OCEANPORT RECREATION COMMITTEE
MEETING MINUTES
April 15, 2020**

Minutes of the regular meeting of the Oceanport Recreation Committee held on
Wednesday evening, April 15, 2020, Virtual via WebEx

In attendance: Members:
 Jay Silverman
 Joanne Hunt
 Therese Wollman
 Scott Marcantano
 Greg Lockwood
 Beth Watkins
 Bill Deerin
 David Walker

Absent: Spencer Carpenter
 Mike MacStudy
 Chris Macioch
 Kristen Karlson

Open Meeting/Flag Salute

Meeting called to order by Beth Watkins at 7:47pm. Motion to open the meeting was made by Therese Wollman and seconded by Greg Lockwood.

Approval of Minutes

The March 2020 meeting minutes were reviewed. The motion to approve the meeting minutes was made by Therese Wollman and seconded by Greg Lockwood. All were in favor.

Correspondence:

Joanne Hunt reported that there was no correspondence.

Public Comments: Motion to open to the public was made by Jay Silverman and seconded by Greg Lockwood at 8:04 pm.

As there were no other members of the public present, in a motion made by Greg Lockwood and seconded by Jay Lockwood, the meeting was closed to the public at 8:05 pm.

Recreation Coordinator Report- Joanne Hunt

Report Highlights:

AEDS have been ordered and funds allocated

April 4- Egg Scramble- cancelled

May 1 Mini Golf- cancelled

All other programs on hold during State of Emergency

Revenue:

2020 Boat Permits \$2650.00

Field Revenue \$500.00

Council Liaison Report:

Bill Deerin – Bill Deerin reported that all parks remain open but playgrounds and active recreation is prohibited.

AEDs will be installed as soon as they are received.

Locations: BBB, Gatta, Community Center.

Subcommittee Reports:

Subcommittee & Officer Review Panel- Spencer Carpenter- no report

Nominations- Mike MacStudy- no report

Sonny Giordano Award- Greg Lockwood- This will still happen and Greg will sent this out.

Egg Scramble- Beth Watkins-Previously discussed- cancelled. Beth wanted to acknowledge and thank Dave Walker for serving as the “Easter Bunny” and covering the whole town. Residents were very appreciative.

Mini Golf- Mike MacStudy- Previously discussed- cancelled

Memorial Day Parade Committee- Beth Watkins –TBD but probably cancelled.

Movies- Joanne Hunt- This will be on hold TBD but contracts have been received.

Summer’s End-Jay Silverman- Jay wanted the Committee to be aware that Summer’s End “may look very different”. We will need to reevaluate each month to understand what we can and should be able to do. Joanne Hunt will proceed with securing all contracts but will not sign or send any deposits. A discussion was held regarding fireworks and perhaps music if needed. Jay also felt that seeking business contributions at this time may not be wise. Jay also reassured everyone that there is lots of time and we can be flexible

Halloween- Scott Marcantano- No report

Tree Lighting- Spencer Carpenter- No report

Decorating Contest- Jay Silverman- No report

Disc Golf- Scott Marcantano – July 25. This is on hold.

Grants/Parks- Joanne Hunt – Bill Deerin reported that Gatta was 2/3 complete. Joanne Hunt stated that she spoke to Donna regarding DPW and task lists. Donna told Joanne that DPW is following social distancing requirements and working staggered times.

Finance Report- Greg Lockwood- Greg Lockwood reported we did receive \$14,000 from the Sports Foundation. He also reported that there have been no new expenditures.

Old Business:

AED- Previously discussed. Joanne Hunt added that a separate ordinance is not needed as this would come under vandalism but Dinna Phelps and Jeanne Smith were going to inquire further.

Sunshade- Joanne Hunt- no report

Field Repair- No Update

Action Camp- Camp has been priced at \$190 per camper in a motion made by Beth Watkins and seconded by Jay Silverman- all were in favor. Joanne Hunt is working with other Recreation Departments and the CDC draft recommendations for camps that include- health screening, mandatory quarantining, social distancing etc.... Joanne stated we have time but we will need to comply with many regulations and she is unsure that we have the staff or capacity to comply. She would like to discuss further next month and make a determination.

New Business:

Events- Beth Watkins reported that the Halloween photo contest has 3 winners. She further suggested that we consider other ideas like- re-create your spring break- something for people to do. After a brief discussion Greg Lockwood suggested something around the Kentucky Derby, like hat decorating. All agreed and Beth Watkins will take the lead. Joanne Hunt will work on prizes. Dordash, gift cards etc. were suggested. The Committee agreed that we need to go beyond Facebook and advertise in the “Mayor’s Message”. Continuing beyond the Derby ideas included a Memorial Day house decorating and/or July 4th.

Adjourn: Motion to adjourn was made by Therese Wollman and Jay Silverman at 8:34 pm. Next meeting: May 13, 2020 via WebEx.

Respectfully submitted, Joanne Hunt



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

MINUTES • APRIL 23, 2020

Regular Meeting

Maple Place School

7:00 PM

2 Maple Place, Oceanport, NJ 07757

I. **Call to Order:** Mayor Coffey called the meeting to order at 7:12 p.m.

II. **Statement of Compliance with Open Public Meetings Act:** This meeting further complies with the Open Public Meetings Act by notification on March 31, 2020 of this virtual/remote meeting, its location, date and time to the Asbury Park Press and the LINK News and by the posting of same on the municipal bulletin board and Borough Web Site.

Mayor Coffey then read the virtual/remote meeting advisory advising the public how to attend and participate during public portions of the meeting

III. **Flag Salute:** Mayor Coffey led the attendees and members of the Council in the flag salute

IV. **Invocation:** Mayor Coffey advised no invocation as Reverend Deerin was not available but called for a moment of silence for Clem Sommers, a 25-year member of the Governing Body and 91 years of influence over the Borough of Oceanport who passed away on April 15.

V. **Roll Call:**

Attendee Name	Title	Status	Arrived
Jay Coffey	Mayor	Remote	
William Deerin	Councilman	Remote	
Richard Gallo	Councilman	Remote	
Bryan Keeshen	Councilman	Remote	
Michael O'Brien	Councilman	Remote	
Thomas Tvrdik	Councilman	Remote	
Meghan Walker	Councilwoman	Remote	
Jeanne Smith	Borough Clerk	Remote	
Donna M. Phelps	Borough Administrator	Remote	
Scott Arnette	Board Attorney	Remote	
Catherine D. LaPorta	Chief Financial Office	Remote	

VI. **GUEST: FMERA Staff Monthly Update:** Mayor Coffey advised that they were unable to attend, that most activity was at a standstill due to the coronavirus, last meeting there had been some extension of contracts but a full report would come next month.

VII. **Administrators Report:**

1. Results of Solid Waste & Recycling Bids

Ms. Phelps reported two bids were submitted, with the current company coming in as the lowest bidder, summarized the results, reviewed the options for savings with the removal of bulk collection service from the contract and consider using DPW to provide bulk services, consultation with the Borough's risk managers on best practice for DPW to provide service, and while the Borough Engineer had recommended Option A, based on her discussions with him they both are recommending Option C to award separate contracts for recycling and solid waste and asked for any questions. Council President Gallo stated he would like additional time to review with his Council Committee and believes they have time to award next month. There was discussion on time remaining to award, the options to consider, the savings versus costs for DPW to service. After which it was decided to carry to the May 7th meeting and allow the Committee to discuss further.

Ms. Phelps next reported that she had submitted a scope change to State OEM for the roof replacements at

the municipal complex and was waiting on a determination if the request would be eligible for reimbursement in order to submit formal request to FEMA. An outstanding reimbursement request for \$14,609 was received. The Borough's request to FEMA for reimbursement submitted on Feb. 5th in the amount of \$1,132,460.23 was approved and should be received shortly. She has further prepared an additional request for reimbursement in the amount of \$1,239,629.66 which the Borough should be eligible for 90% of that amount. A request for public assistance for COVID19 costs was submitted and approved making the Borough eligible for reimbursement of 75% of COVID19 expenses.

Ms. Phelps next reported that Chief Kelly advised that Oceanport Avenue between Port au Peck Avenue to Crescent Place will be closed from 7 p.m. on Sunday April 26th to Tuesday, April 28 for improvements in conjunction with New Jersey American Water. NJAW requested permission to park trucks and or equipment at Gatta Park which she and the Chief agreed would be acceptable.

VIII. Clerk's Report:

1. Policy for conducting remote meetings
2. Resolution Setting the Fees for 2020 Summer Action Camp
3. Go-To-Webinar Meeting Software
4. Annual Financial Disclosures
5. Primary Election Rescheduled for July 7, 2020

Ms. Smith reviewed a proposed remote meeting policy to formalize the Borough's steps to conduct remote meetings and asked for any questions. Mayor Coffey stated he had reviewed it as did other Council members. As there were no objections, a resolution to adopt was added to the agenda for action.

Ms. Smith next reported that while there was uncertainty of whether action camp would take place this summer, in the event it would, the Council needed to set the fees recommended by the Recreation Committee for this year's registrations. As there were no objections a resolution to adopt was added to the agenda for action.

Ms. Smith reported on items including the Borough's use of Go-To-Webinar software for the conducting of remote meetings and other useful tools for providing access to meetings by the public; reminded those who had not filed yet to please get their Annual Financial Disclosure submitted; the Primary Election had been reschedule for July 7, 2020 with all polling locations confirmed available; 60+ requests for public records to date and the planning board remains very active.

IX. Consent Agenda:

- | | |
|------------------|--|
| #2020-114 | 1. Resolution authorizing payment of BILL LIST 04-23-2020 |
| #2020-115 | 2. Resolution authorizing Tax Sale Redemption #19-00006 |
| | 3. Acceptance of Minutes, Historical Committee, Feb. 13, 2020 |
| | 4. Receipt of Minutes, Recreation Committee, Jan. 8, 2020 |
| | 5. Acceptance of Minutes, Recreation Committee, Feb. 12, 2020 |
| #2020-116 | 6. Resolution adopting a policy for conducting remote meetings |
| #2020-117 | 7. Resolution Setting the Fees for 2020 Summer Action Camp |

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

X. Minutes:

1. Mayor & Council - Workshop - Mar 5, 2020 7:00 PM

RESULT: ACCEPTED [UNANIMOUS]
MOVER: Meghan Walker, Councilwoman
SECONDER: Richard Gallo, Councilman
AYES: Deerin, Gallo, Keeshen, O'Brien, Tvrdek, Walker

2. Mayor & Council - Regular Meeting - Mar 19, 2020 7:00 PM

RESULT: ACCEPTED [UNANIMOUS]
MOVER: Meghan Walker, Councilwoman
SECONDER: Richard Gallo, Councilman
AYES: Deerin, Gallo, Keeshen, O'Brien, Tvrdek, Walker

XI. Resolutions:

#2020-118 Resolution authorizing an emergency temporary appropriation

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

#2020-119 Resolution authorizing execution of a Hold Harmless Agreement with The Goldstein Partnership

Councilman Tvrdek asked for the Borough Attorney to expound on this item. Mr. Arnette briefly explained that the hold harmless agreement stems from the new roof installation at the new municipal complex and does not deal with any pre-bid or post bid inspections of the site specifically. This came up because the roof system design drawings were not prepared by The Goldstein group. The Borough wishes to move the project forward in an expedited fashion so the Borough has relied upon the installation and design specifications prepared by the manufacturer GAF regarding that roof system. The Goldstein Partnership approached the Borough because we needed them to prepare the change order and have requested a hold harmless agreement in the event that the roof system fails or that something happens with the roof system. As they didn't do anything with regard to it was deemed to be a reasonable request. Mayor Coffey stated that an agreement with very particular language was prepared which was attached, noted that it specifies that it is for the GAF TPO roof and does not in any way release or relieve that other issue that we talked about with regard to the pre and post bid inspection obligations.

Councilman Deerin questioned if there is a problem, who do we go after? Mr. Arnette responded that it depends on what the problem is and why the Roof System fails. If it is a consequence of installation, then we would go after the installer. If it's a consequence of a manufacturing defect, then it's the Manufacturer. Councilman Tvrdek added that the GAF roof comes with a 35-year warranty by GAF and the installers are all GAF certified installers, which they monitor the installation process.

Discussion ensued including questions about whether the hold harmless would include failures from the roof that causes other damage to internal structures, why the agreement was necessary and if they didn't design anything with regard to the new roof system being put in why were they seeking insulation from that when the obligation would be on the installer, the Goldstein Partnership's request for the agreement before issuing the necessary change order, the inclusion of language that specifically excludes from the agreement the issue of whether or not a new roof was needed or should have been included in the in the bid specs.

RESULT: ADOPTED [UNANIMOUS]
MOVER: William Deerin, Councilman
SECONDER: Thomas Tvrdek, Councilman
AYES: Deerin, Gallo, Keeshen, O'Brien, Tvrdek, Walker

XII. Honorable Clement V. Sommers:

#2020-120 Resolution designating 910 Oceanport Ave as "The Clement V. Sommers Municipal Building"

Mayor Coffey read the resolution in full honoring former Mayor Clement V. Sommers which was moved by Councilman Keeshen and seconded by Council President Gallo.

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

XIII. First Reading Ordinances - None:**XIV. Second Reading Ordinances:**

#1022 An Ordinance Limiting Use of Single Use Plastics

Councilman Tvrdik called for the 2nd reading and Public Hearing of an ordinance limiting use of single-use plastics 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 AND SUPPLEMENTING CHAPTER X, 'POLICE REGULATIONS', NEW SECTION X-Y ENTITLED "LIMITING USE OF SINGLE-USE PLASTIC BAGS, PLASTIC UTENSILS, POLYSTYRENE FOAM CONTAINERS, AND PLASTIC STRAWS BY BUSINESSES" OF THE CODE OF THE BOROUGH OF OCEANPORT"** was published one time in the Asbury Park Press on April 14, 2020.

PUBLIC HEARING: Mayor Coffey opened the meeting for public comment for this ordinance.

Kari Martin, 34 Hedge Drive, commended Councilwoman Walker and Councilman O'Brien for putting this ordinance forward, it was a long-time coming in order to recognize the impacts of plastics on the environment and the community itself and urged the Council to vote yes.

As no one else from the public wished to be heard, Mayor Coffey closed the public hearing on a motion by Councilman Deerin, which was seconded by Councilman O'Brien and approved by Council.

Councilman Deerin commented that he was in favor of the ordinance but proposed postponing the ordinance in light of information coming out regarding the virus, facts concerning other reusable bags, only a handful of stores would be affected and that until the virus gets cleared up he prefers to postpone it until more facts come out as far as the availability and the transmitting of this virus. A lot of other states have decided that and he thinks it would be prudent right now until they get more information.

Councilwoman Walker responded that she respects that request but pointed out that the ordinance effective date is not for another 200 days – about November. Councilman Deerin agreed then he doesn't have a problem with it.

Councilman O'Brien commented that introducing those into the store potentially creates an issue and there are alternative ways to get goods out of the store that don't necessarily involve plastic such as paper bags instead of plastic - whatever helps the public be cognizant of the plastic use that really impacts our community more so than maybe other nearby communities.

Council President Gallo commented that he was voting no as the ordinance doesn't really tell the store owners what they can use, he's noticed if you go into a food store and you see the plastic bag that they allow you to buy 15 cents, it's about 10 times thicker than the single use plastic bag and that's going to end up in the landfill if it's not recycled. If you look at the food stores and you're giving up the Styrofoam, they no use a big hard plastic container and plastic lid filling the landfill faster than Styrofoam would have. His point being that when we're changing one thing something else is going to have to change also.

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

RESULT:	ADOPTED [5 TO 1]
MOVER:	Thomas Tvrdik, Councilman
SECONDER:	Meghan Walker, Councilwoman
AYES:	Deerin, Keeshen, O'Brien, Tvrdik, Walker
NAYS:	Gallo

#1023 An Ordinance to Amend Chapter 223 designating Eatontown as the local enforcement agency

Councilman Tvrdik called for the 2nd reading and Public Hearing of an ordinance designating Eatontown as the fire prevention enforcement agency 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 223 "FIRE PREVENTION" TO DESIGNATE THE BOROUGH OF EATONTOWN BUREAU OF FIRE SAFETY AS THE BOROUGH OF OCEANPORT'S LOCAL ENFORCEMENT AGENCY"** was published one time in the Asbury Park Press on April 14, 2020.

PUBLIC HEARING: Mayor Coffey opened the meeting for public comment for this ordinance and gave the contact information for chat, email or phone.

As no one from the public wished to be heard, Mayor Coffey closed the public hearing on a motion by Councilman Deerin, which was seconded by Councilman O'Brien and approved by Council.

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:	William Deerin, Councilman
AYES:	Deerin, Gallo, Keeshen, O'Brien, Tvrdik, Walker

XV. Committee Reports:

1. Councilman Deerin, Parks and Recreation

Councilman Deerin reported most everything is on hold, a decision would need to be made by June 1st, whether to hold action camp as a number of things have to be put in place such as staffing, storage, tents and communication with parents. Recreation Committee looking at some virtual events, possibly decorating for Memorial Day, maybe a derby day; thanked Meghan and Dave Walker for the easter bunny event which was a tremendous success; Oceanport one of few towns that have tennis courts still open with many out of town people coming in to use and expressed concern that Oceanport residents have access and how the Mayor had addressed that with signups required;

2. Councilman Gallo, Public Works and Engineering

Discussion on Temporary Shared Services Agreement with Monmouth Beach

Council President Gallo reported on protocols implemented with the Department of Public Works, considerations of entering into a shared service agreement with Monmouth Beach who also has a small public works should there be an issue with staff related to coronavirus and allocation of resources. Also spring leaf collection ends April 30th.

Councilman Deerin added that he wanted to thank everyone for their support as his wife Stacy, Borough Chaplain, Police Chaplain had been diagnosed with COVID and very appreciative of the thanks and prayers poured out for them

4. Councilman O'Brien, Finance and Administration

- **CFO's Report - Delinquent Property Taxes**

Councilman O'Brien reported that work continues on the municipal budget, expectations regarding revenues should not be impacted by measures taken for covid-19 however expenses remain unknown

and unpredictable and working to limit any additional strains on the residents; provided information to the community concerning availability of loans and other resources for small businesses; encouraged public to reach out to congressmen regarding a bill being considered that would allow FEMA to reimburse 100% of Covid19 expenses compared to the current reimbursement of 75%. Councilman O'Brien lastly took time to commend the efforts of our volunteer First Responders, Police Department, our resident healthcare workers and those just simply volunteering in big ways and small to improve the lives of our friends and families. He has met walkers along his street (abiding by the 6' social distancing) and finds spirits are high amongst the public and under the current circumstances things seem to be going as well as it can be expected. He also extended well wishes and good health to all, the public, members of the council, the Borough employees and Mr. Mayor. He concluded by turning over to CFO Katie LaPorta on the topic of property tax payments.

Ms. LaPorta and Mayor Coffey brought an update on the upcoming 2nd quarter tax payments, discussions on how to delay the due date which is not provided for statutorily – only the ability to waive the grace period; only option was to adjust the interest rate for delinquent payments which involved notice requirement challenges - every taxpayer would need to be notified by mail which would cost the Borough a lot of time and money; additionally the Borough is still required to remit to the regional and the local school district as well as the counties with the borough retaining about 28% for Borough business for which there was no postponement. Mayor Coffey questioned each council member as to their interest in adjusting the interest rate based on that information to which each member responded no interest.

Mayor Coffey advised that taxpayers should make their 2nd quarter tax payment on May 1st in order for the Borough to be able to meet its obligations.

3. Councilman Keeshen, Public Safety

Councilman Keeshen reported on great success with cooperation between the different departments working really well together, a plus for the Borough, OEM coordinators are doing great job actually of keeping everyone up to date, residents have been cooperating with the different situations that arise as far as our Emergency Services go and asked everybody to watch the Oceanport OEM website. He also reported on discussions with Monmouth Beach and a meeting scheduled for next week, they are in full support of this and looking to work with us and us with them should the situation arise where the public works is impacted by the virus and will be flexible to adapt and overcome anything.

5. Councilman Tvrdik, Planning and Development Liaison

Councilman Tvrdik advised he has been attending the bi-weekly job site meetings and performing a weekly walkthrough of the new Municipal complex. We have seen great progress at the Municipal complex as the interior framing and roughing is taking place right now at Police Headquarters; siding is almost complete and looking forward to seeing the roofing contractor start. They are full speed ahead after navigating through a few challenges with the building's change orders which have exceeded 20% of the original contract, but we are still under the \$11 million bond projected budget for the complex with the purchase price for the 13 .25 acres at a million and fifty-three dollars. I believe is a fantastic deal. It might not be as good as the Louisiana Purchase from France or the purchase of Alaska from Russia, but it was a great deal. \$11 million dollars is a great deal of money but when you consider the room that we will have 13 acres and the amount of office space we will have in both the new municipal building and the new police station – it's a bargain because to build these new would probably cost us around \$25 to 30 million dollars.

Our Planning and Zoning Board will be fully online this Tuesday so we can continue business. We will have our first virtual meeting with applicants testimony and a public comment portion. If all goes well, we will continue business as usual. If not, we will stop and head back to the drawing board. Oceanport is on the forefront with leading local municipalities thanks to the hard work efforts and dedication from our Borough Clerk Jeanne Smith, Board Attorney Kevin Kennedy, Board chairman Christopher Widdis, Vice chairman James Watson and president and CEO of Tetherview, Michael Abboud. Thank you all for your efforts everything you're doing. We are also currently working on starting virtual inspections on construction projects and asked that the public be patient with our building department as they are working tirelessly to get us back on track taking turns in the building.

Councilman Tvrdik further reported that the Martelli project at the former Borough site has completed almost all the berms around the property, with landscaping started on the berms. He addressed a few phone calls received about the trees and they are doing the best they can with what they have to work with and planting of all the new trees and bushes there was really coming out nice.

Councilman Tvrdik concluded with remarks on the passing of former mayor Clem Sommers, his accomplishments as he was responsible for a lot of the modernization of the town focusing on the future while recognizing the past. Clem was instrumental in improving our infrastructure and also beautification of our parks. One of his crowning achievements was removing the old downtown and replacing it. He was also responsible for the construction of the senior citizen building, Port au Peck chemical hose company and the former Borough Hall. Most importantly, he was a friend and mentor to anyone that knew him.

6. Councilwoman Walker, Health and Human Services Liaison

Councilwoman Walker reported on the number of covid cases from the County Board of Health, provided information for those in need of mental health support; an opportunity for those recovered from covid19 to donate plasma through a donor program with Robert Wood Johnson; assistance available for children and families for youth up to age 21, including mental health and substance use; available and free online webinars on various topics affecting us all including mental health tips, social, emotional needs, suicide prevention and for parents and teachers how to keep your sanity; extension of school closures and implementation of remote learning district-wide; commended both school districts for adopting on the "fly"; library remains closed but a new app available "Libby" that allows for e-books; she also highlighted volunteer groups "OCHO" (Oceanport community helping others) and "FLAG" "Frontline Appreciation Group" providing services and food to the public and health care workers.

Councilwoman Walker concluded her report by stating that there's been a lot of gratitude for first responders and she echoes that but also wanted to highlight the Borough Hall staff, Jeanne, Donna, Katie and everyone else at Borough Hall; It's remarkable how seamlessly it all seems to be continuing, and It's a lot of work to make it seem like it's normal and it's really not normal and she wanted those guys to know they all appreciate that very much.

XVI. Mayor Coffey's Report: Mayor Coffey offered remarks on the passing of Clem Sommers, the amount of years and influence exerted for the town, and the incredible things he was able to accomplish in his 91 years. Mayor Coffey also commented on the remarkable volunteerism from the community to help those less fortunate; Oceanport Gardens has been taken care of with donations of toilet paper and paper towels and other items; he and others remain in touch with the residents and seniors there; the tax issue has been exhausted but again payments are due May 1st, and while he anticipates further discussion by the State, the Borough remains beholden to make its payments when they are due. Mayor Coffey also commented on the emergency and, "unlike Sandy where the 'calvary' came in from different parts of the country, we're our calvary and I think Donna, Jeanne, John Johnson, Katie and everybody at Borough Hall. I can't tell you how amazing this has been to watch you all work together and with the employees there to get everything done that needs to get done... and we're getting it done by observing the mandates from the state of New Jersey as far as separation of our workers and social distancing and it's a testament to all of you at how easy this has been and we are far ahead of most municipalities as far as this digital lead that we've taken it even though we had some problems in the beginning and I'll hear about it from the Board of Education members that their meeting may have gone smoother last time than ours, but the fact of the matter is that we are far ahead of other municipalities and that's all through your hard work and determination before we have meetings and I can't say enough about how seamless it has been".

XVII. Petitions from the public: Mayor Coffey opened the meeting to petitions from the public. Public was advised to click button on "raise hand" to want to speak, email to publiccomments@oceanportboro.com or call the meeting line at 732.272.8337.

Mike Matthews, 22 Wardell Circle, asked what was the town's exposure if the Track didn't open this year. Mayor Coffey responded the track is like and other taxpayer and if they did not make payment it would go to tax sale. The Borough when short would have to do what's called tax anticipation notes in the short-term to make up whatever difference there is in our revenue.

XVIII. Adjournment: As there was no further business, the meeting was adjourned at 8:50 PM on a motion by Councilman Deerin, seconded by Council President Gallo and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING PAYMENT OF BILL LIST FOR
JUNE 4, 2020**

**Resolution #2020-139
06/4/20**

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of June 4, 2020.

BE IT RESOLVED, by the Mayor and Council that the bills be paid as on the attached bill list dated June 4, 2020 totaling \$2,077,115.90.

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

I certify that the foregoing Resolution #2020-139 was adopted by the Oceanport Governing Body at the Regular Meeting held June 4, 2020

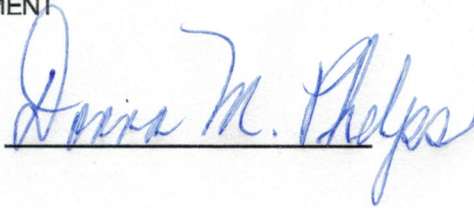
JEANNE SMITH, RMC
BOROUGH CLERK

**BOROUGH OF OCEANPORT
BILL LIST**

4-Jun-20

PAYEE	AMOUNT
PAYROLL ACCOUNT	\$110,113.11 11th PAY
CAPITAL TRUST TOTAL	\$668,529.15
DOG REGISTRY TOTAL	\$425.00
TRUST OTHER TOTAL	\$0.00
ESCROW TRUST TOTAL	\$2,014.43
OPEN SPACE TRUST TOTAL	\$10,327.50
SUI	\$0.00
UCC TRUST	\$49.98
2019 VOUCHERS PAID THIS MEETING	\$540.00
2020 VOUCHERS PAID THIS MEETING	\$1,285,116.73
TOTAL	\$2,077,115.90

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


Dennis M. Phelps

List of Bills - (All Funds)

8.1.a

Vendor	Description	Payment	Check Total
Current Fund			
1116 - ASBURY PARK PRESS	PO 5789 Legal Notices	100.60	100.60
1032 - BOB JENSEN PLUMBING, INC	PO 5738 TOILET REPAIR - PD	100.00	100.00
1047 - CENTRAL JERSEY HEALTH INSURANC	PO 5855 HEALTH/DENTAL INSURANCE JUNE 2020	73,646.00	73,646.00
1057 - COMCAST (MODEM @ 222 MONMOUTH)	PO 5853 CALL FORWARDING 05/20-06/19/2020	83.21	83.21
1060 - COMCAST BUSINESS COMMUNICATION	PO 5840 BORO HALL INTERNET/TELEPHONE 05/14-06/1	561.01	561.01
1628 - CUSTOM CARE SERVICES	PO 5795 MONTHLY MAINTENANCE NOV 2019	5,312.50	5,312.50
1075 - DELL MARKETING L.P.	PO 5447 DELL H815DW DRUM	36.07	36.07
1446 - DIRECT ENERGY BUSINES	PO 5895 2 PEMBERTON AVE 04/17-05/14/20	173.02	
	PO 5896 282 BARKER & 900 MURPHY 04/18-05/15/2020	272.21	
	PO 5897 433 MYRTLE 04/17-05/14/20	47.39	492.62
1453 - DONNA PHELPS	PO 5908 ZOOM MEETING PARTICIPATION 05/20-06-19	89.24	89.24
1081 - DRAGER SAFETY DIAGNOSTICS INC	PO 5791 Alcotest Solution case	120.00	120.00
1428 - JERSEY AUTO SPA CAR WASH	PO 5830 CAR WASH - 2nd QUARTER 2020	450.00	450.00
1153 - JERSEY CENTRAL POWER & LIGHT	PO 5841 JCPL #009 - 04/02-05/01/2020	696.73	
	PO 5842 JCPL #015 - 04/01-04/29/2020	1,133.49	1,830.22
1164 - KEMPTON FLAGS LLC	PO 5771 US FLAGS	245.36	245.36
1499 - KEVIN E KENNEDY, ESQ	PO 5898 Planning Board Litigation	60.00	
	PO 5899 Planning Board Monthly Meeting	500.00	560.00
1724 - LogMEIN USA, inc.	PO 5892 Go-To-Webinar Services	199.00	199.00
1195 - MASER CONSULTING, P.A.	PO 5881 SOLID WASTE BID SPECS	540.00	
	PO 5884 APRIL 2020 ENGINEERING	5,250.00	5,790.00
1204 - MGL PRINTING SOLUTIONS	PO 5674 2020 ESTIMATED TAX BILLS - ORIGINAL & A	333.00	333.00
1245 - NJ AMERICAN WATER CO	PO 5846 OLD WHARF 04/14-05/11/2020	48.00	
	PO 5847 LIBRARY WATER - 04/14-05/11/2020	19.21	
	PO 5848 PAP FIRE HOUSE - 04/14-05/11/2020	160.28	
	PO 5849 262 ARNOLD AVE IRRG2 04/14-05/11/2020	25.82	253.31
1251 - NJ NATURAL GAS CO	PO 5885 TOHICON - LIBRARY - 04/15-05/13/2020	97.39	
	PO 5886 2 PEMBERTON AVE - 04/16-05/14/2020	351.47	
	PO 5887 315 E MAIN - OLD WHARF - 04/16-05/14/20	119.80	
	PO 5888 433 MYRTLE 04/16-05/14/20	94.41	
	PO 5900 282 HILDRETH - 04/17-05/15/20	450.35	
	PO 5901 900 MURPHY DRIVE (DPW) 04/17-05/15/20	263.92	
	PO 5902 977 MURPHY (NEW PD) 04/17-05/15/20	34.00	
	PO 5903 901 MURPHY - 04/17-05/15/20	202.19	1,613.53
1261 - OCEANPORT BOARD OF EDUCATION	PO 5889 JUNE 2020 SCHOOL TAX REMITTANCE	813,165.63	813,165.63
1275 - PITNEY BOWES GLOBAL FINANCIAL	PO 5800 LEASE OF DIGITAL MAILING SYSTEM 04/30-06	423.99	423.99
1282 - POSTMASTER	PO 5879 POSTAGE FOR JULY/AUG 2020 BULLETIN	500.00	500.00
1303 - RESERVE ACCOUNT	PO 5878 POSTAGE METER REFILL - ESTIMATED TAX BIL	2,000.00	2,000.00
1315 - SEABOARD WELDING SUPPLY, INC.	PO 5780 OXYGEN & CYLINDER - 04/30/2020	20.75	20.75
1323 - SHORE REGIONAL HIGH SCHOOL	PO 5890 JUNE 2020 TAX REMITTANCE	268,540.00	268,540.00
1337 - SUBURBAN DISPOSAL	PO 5837 DISPOSAL FEE & RECYCLING & CONTAINER AP	27,549.53	
	PO 5850 COLLECTION FEES CERTIFICATION - MAY 2020	37,166.66	64,716.19
1348 - THE HOME DEPOT	PO 5860 TABLE - CONSTRUCTION CODE	8.97	
	PO 5863 SAKRETE ALL WEATHER BLACKTOP	70.80	79.77
1671 - US BANK CUST/PRO CAP8/PRO CAITAL MGT II	PO 5784 LIEN REDEMPTION FOR 19-00008	40,674.48	40,674.48
1383 - V&B AUTO REPAIR LLC	PO 5817 Service & Repairs to patrol vehicles	2,597.85	2,597.85
1387 - VERIZON	PO 5843 LIBRARY TELEPHONE 05/07-06/06/2020	253.35	
	PO 5844 POLICE - 05/13-06/12/2020	824.15	
	PO 5845 FIRE ALARM - OLD WHARF 05/08-06/07/2020	44.90	1,122.40
Capital Fund			
1630 - BENJAMIN R HARVEY CO, INC.	PO 5904 10TH PAYMENT DUE	650,727.35	650,727.35
1138 - HALE TRAILER BRAKE & WHEEL INC	PO 5785 TRAILER 900 MURPHY DR - DPW MAY 2020	340.00	340.00
1195 - MASER CONSULTING, P.A.	PO 5880 MAIN STREET CONSTRUCTION OVERSIGHT CERTI	9,752.50	
	PO 5894 2019 ROAD PROGRAM	5,045.00	14,797.50
1200 - McMANIMON*SCOTLAND*BAUMANN LLC	PO 5796 MUNICIPAL BLDG REDEVELOPMENT 03/31/2020	2,664.30	2,664.30
DOG TRUST FUND			
1445 - Monmouth County SPCA	PO 5822 ANIMAL CONTROL -APRIL 2020	425.00	425.00

List of Bills - (All Funds)

8.1.a

Vendor	Description	Payment	Check Total
OPEN SPACE TRUST			
1628 - CUSTOM CARE SERVICES	PO 5795 MONTHLY MAINTENANCE NOV 2019	5,312.50	5,312.50
1310 - RYSER'S LANDSCAPE SUPPLY INC	PO 5769 STONE DUST - MARIA GATTA	5,015.00	5,015.00
UCC Trust			
1348 - THE HOME DEPOT	PO 5860 TABLE - CONSTRUCTION CODE	49.98	49.98
DEVELOPERS ESCROW TRUST			
1116 - ASBURY PARK PRESS	PO 5790 Legal Notices - KKF University Enterpris	210.85	210.85
1195 - MASER CONSULTING, P.A.	PO 5876 FORT PARTNERS GROUP	82.50	
	PO 5883 PLOT PLAN REVIEW - CATALOG 7764520001	125.00	207.50
1200 - McMANIMON*SCOTLAND*BAUMANN LLC	PO 5820 KKF UNIVERSITY 03/31/2020	246.08	246.08
1557 - MICHAEL P BOLAN PP/AICP	PO 5797 COAH LEGAL SERVICES APRIL 2020	1,350.00	1,350.00
TOTAL			1,967,002.79

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-101-01-000-011	CASH OPERATING			0.00	1,285,656.73
01-113-04-000-026	TAX SALE PREMIUMS			21,000.00	
01-201-20-100-200	ADMINISTRATIVE & EXECUTIVE OE	1,558.19			
01-201-20-130-200	FINANCIAL ADMINISTRATION OE	36.07			
01-201-20-145-200	COLLECTION OF TAXES OE	2,333.00			
01-201-20-155-200	LEGAL SERVICES OE	60.00			
01-201-20-165-200	BOROUGH ENGINEER OE	5,250.00			
01-201-21-180-200	PLANNING BOARD OE	500.00			
01-201-23-210-202	HEALTH	69,462.00			
01-201-23-210-203	DENTAL	4,184.00			
01-201-25-240-200	POLICE OE	3,167.85			
01-201-25-260-200	FIRST AID ORGANIZATION OE	524.49			
01-201-26-300-200	STREETS & ROADS OTHER EXPENSES	29.72			
01-201-26-300-277	BITUMINOUS CONCRETE	70.80			
01-201-26-305-200	SANITATION-TRASH REMOVAL OE	23,833.33			
01-201-26-306-200	RECYCLING OE	13,333.33			
01-201-26-310-200	PUBLIC BUILDINGS & GROUNDS OE	5,312.50			
01-201-26-310-252	REPAIRS & EQUIPMENT	100.00			
01-201-31-430-201	ELECTRICITY	1,468.39			
01-201-31-430-203	TELEPHONE/INTERNET	1,513.27			
01-201-31-430-204	WATER/SEWER	253.31			
01-201-31-430-205	NATURAL GAS	1,581.66			
01-201-31-430-207	STREET LIGHTING	615.18			
01-201-31-465-200	SANITATION DUMPING FEES	27,549.53			
01-203-20-165-200	(2019) BOROUGH ENGINEER OE		540.00		
01-206-55-000-046	REGIONAL SCHOOL TAX			268,540.00	
01-207-55-000-045	LOCAL SCHOOL TAX			813,165.63	
01-214-55-000-003	DUE 3RD PARTY LIEN HOLDERS			19,674.48	
TOTALS FOR	Current Fund	162,736.62	540.00	1,122,380.11	1,285,656.73
=====					
04-101-01-100-011	CAPITAL CASH - TD			0.00	668,529.15
04-215-55-474-000	MUNICIPAL COMPLEX ORD #970			653,731.65	
04-215-55-988-A00	ROADS, DRAINAGE, TRAFFIC SIGNAL, BULKHEA			9,752.50	
04-215-55-989-A00	2019 #1001 VARIOUS ROAD/DRAINAGE			5,045.00	
TOTALS FOR	Capital Fund	0.00	0.00	668,529.15	668,529.15
=====					

8.1.a

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
05-101-00-100-011	CASH - TD			0.00	425.00
05-270-00-500-020	RESERVE FOR EXPENDITURES			425.00	

TOTALS FOR	DOG TRUST FUND	0.00	0.00	425.00	425.00
=====					
06-101-01-100-011	OPEN SPACE CASH - TD			0.00	10,327.50
06-270-00-500-020	RESERVE FOR OPEN SPACE			10,327.50	

TOTALS FOR	OPEN SPACE TRUST	0.00	0.00	10,327.50	10,327.50
=====					
18-101-01-100-101	CASH UCC TRUST			0.00	49.98
18-270-55-600	RESERVE FOR UCC TRUST			49.98	

TOTALS FOR	UCC Trust	0.00	0.00	49.98	49.98
=====					
61-101-01-100-101	CASH-DEV.ESCROW/TD			0.00	2,014.43
61-270-55-600-205	RES.FOR DEV.ESCROW			2,014.43	

TOTALS FOR	DEVELOPERS ESCROW TRUST	0.00	0.00	2,014.43	2,014.43
=====					

Total to be paid from Fund 01 Current Fund	1,285,656.73
Total to be paid from Fund 04 Capital Fund	668,529.15
Total to be paid from Fund 05 DOG TRUST FUND	425.00
Total to be paid from Fund 06 OPEN SPACE TRUST	10,327.50
Total to be paid from Fund 18 UCC Trust	49.98
Total to be paid from Fund 61 DEVELOPERS ESCROW TRUST	2,014.43

	1,967,002.79

8.1.a

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

From 06/01/2020 to 06/30/2020 With a Line Amount > 10000

DATE	ENTRY #	PO#	CHECK #	ACCOUNT	VENDOR/EXPLANATION	DEBIT	CREDIT	ACCOUNT
6/01/2020	5889			01-207-55-000-045	JUNE 2020 TAX REMITTANCE OCEANPORT BOARD OF EDUCATION	813,165.63	813,165.63	01-101-01-000-011
6/01/2020	5890			01-206-55-000-046	SHORE REGIONAL HIGH SCHOOL	268,540.00	268,540.00	01-101-01-000-011
6/01/2020	5904			04-215-55-474-009	NEW BOROUGH HALL RENOVATION BENJAMIN R HARVEY CO, INC.	650,727.35	650,727.35	04-101-01-100-011

JUNE SUMMARY BY ACCOUNT:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	PENDING CR
01-101-01-000-011	CASH OPERATING				1,081,705.63
04-101-01-100-011	CAPITAL CASH - TD				650,727.35
01-206-55-000-046	REGIONAL SCHOOL TAX		268,540.00		
01-207-55-000-045	LOCAL SCHOOL TAX		813,165.63		
04-215-55-474-009	RENOVATION		650,727.35		
JUNE TOTALS (FOR RANGE):			1,732,432.98		1,732,432.98
		=====	=====	=====	=====

SUMMARY BY ACCOUNT FOR RANGE:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	DISBURSED
01-101-01-000-011	CASH OPERATING				1,081,705.63
04-101-01-100-011	CAPITAL CASH - TD				650,727.35
01-206-55-000-046	REGIONAL SCHOOL TAX		268,540.00		
01-207-55-000-045	LOCAL SCHOOL TAX		813,165.63		
04-215-55-474-009	RENOVATION		650,727.35		
TOTALS (FOR RANGE):			1,732,432.98		1,732,432.98
		=====	=====	=====	=====

**RESOLUTION OF THE BOROUGH OF OCEANPORT
RATIFYING AND AFFIRMING THE EXECUTION OF THE MONMOUTH
COUNTY MUNICIPAL CORONAVIRUS RELIEF FUND PROGRAM
REIMBURSEMENT AGREEMENT**

**Resolution #2020-140
06/4/20**

WHEREAS, the United States of America, the State of New Jersey, Monmouth County and the Borough of Oceanport are victim to the novel coronavirus and COVID-19 virus pandemic; and

WHEREAS, the coronavirus has caused economic damage and hardships to states, counties and municipalities throughout the United States of America; and

WHEREAS, on March 27, 2020 the Coronavirus Aid Relief and Economic Security Act (the "CARES Act") was signed by President Donald J. Trump; and

WHEREAS, the CARES Act was enacted, among other purposes, in order to combat the economic damage caused to states, counties and municipalities because of the Coronavirus; and

WHEREAS, Monmouth County has received CARES Act funds from the United States Treasury (the "Stimulus Funds") to be used to reimburse Monmouth County due to economic damage caused to it and municipalities such as the Borough of Oceanport by the coronavirus; and

WHEREAS, as the recipient of the "Stimulus Funds" it will be the responsibility of Monmouth County to disburse the Stimulus Funds to eligible recipients such as the Borough of Oceanport in accordance with the terms and provisions of the CARES Act and any guidelines or regulations issued by United States government or any of its agencies and/or departments; and

WHEREAS, in order to be eligible to receive a portion of the Stimulus Funds it is necessary for a duly authorized representative of the Borough of Oceanport to sign the Monmouth County Municipal Coronavirus Relief Fund Program Reimbursement Agreement ("Reimbursement Agreement"); and

WHEREAS, it is in the best interest of the Borough of Oceanport to enter into the Reimbursement Agreement.

WHEREAS, due to the exigent need to submit the agreement prior to obtaining a formal written resolution approving of said agreement, the Mayor and Administrator executed the agreement conditioned upon approval by the Borough Council at the next meeting of the Governing Body,

NOW THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Oceanport hereby ratifies and affirms the actions of the Mayor and Administrator in executing the Reimbursement Agreement between the County of Monmouth and the Borough of Oceanport.

I certify that the foregoing Resolution #2020-140 was adopted by the Oceanport Governing Body at the Regular Meeting held June 4, 2020

JEANNE SMITH, RMC
BOROUGH CLERK

MONMOUTH COUNTY
MUNICIPAL CORONAVIRUS RELIEF FUND PROGRAM
REIMBURSEMENT AGREEMENT

This Municipal Coronavirus Relief Fund Program Reimbursement Agreement (the "Agreement"), dated this ____ day of _____, 2020 between the County of Monmouth ("Monmouth County") located at One East Main Street, Hall of Records, Freehold, New Jersey 07728 and _____ (the "Municipality") located at _____, New Jersey

WHEREAS, the United States of America, the State of New Jersey, Monmouth County and the Municipality have become victims of the COVID-19 Virus and Pandemic (the "Coronavirus"); and

WHEREAS, the Coronavirus has caused economic damage and hardships to states, counties and municipalities throughout the United States of America; and

WHEREAS, on March 27, 2020 the Coronavirus Aid Relief and Economic Security Act (the "CARES Act") was signed by President Donald J. Trump; and

WHEREAS, the CARES Act was enacted, among other purposes, in order to combat the economic damage caused to states, counties and municipalities because of the Coronavirus; and

WHEREAS, Monmouth County has received CARES Act funds from the United States Treasury (the "Stimulus Funds") to be used to reimburse Monmouth County due to economic damage caused to them by the Coronavirus; and

WHEREAS, as the recipient of the "Stimulus Funds" it will be the responsibility of Monmouth County to disburse the Stimulus Funds to eligible recipients in accordance with the terms and provisions of the CARES Act and any guidelines or regulations issued by United States government or any of its agencies and/or departments; and

WHEREAS, the Freeholders have determined that it is in the best interest of the citizens of Monmouth County to dedicate a share of the funding to reimburse municipalities for COVID-19 related costs and expenses under the Municipal Coronavirus Relief Fund Program.

NOW, THEREFORE, it is stipulated and agreed as follows:

1. Purpose of Stimulus Funds. The Municipality understands and agrees that its eligibility for the receipt of any Stimulus Funds shall be determined by the terms of the "Coronavirus Relief Fund - Guidance for State, Territorial, Local and Tribal Governments - April 22, 2020" (the "Guidelines"), attached hereto as Schedule A, and any subsequent amendments and/or changes to the Guidelines. Currently excluded from the "Guidelines" as eligible reimbursements are the categories detailed in Schedule B.

2. Role of County. As the recipient of the Stimulus Funds, it shall be the responsibility of Monmouth County to act as an intermediary and establish a reasonable process for the Municipality to submit an eligible reimbursement from the Stimulus Funds. The Municipality agrees and understands that the decision as to the eligibility for reimbursement sought by the Municipality is within the sole discretion of Monmouth County.

3. Use of Stimulus Funds. The Municipality understands that the Stimulus Funds represent an amount of funds which Monmouth County has received from the Federal Government for COVID-19 related expenses. The Freeholders have determined that it is in the best interest of the citizens of Monmouth County that municipalities be permitted to request reimbursement which meets the eligibility requirements established by the CARES Act and the Federal Guidelines.

4. Processing of Claims. Monmouth County shall process and accept claims for reimbursement and shall pay eligible claims. All requests for expenditure reimbursement must be submitted to Monmouth County (using the forms and process prescribed by Monmouth County) on a cost reimbursement basis.

5. Non-Liability of Monmouth County. The Municipality understands that Monmouth County cannot guaranty that a claim for reimbursement is eligible for payment nor that any claims for reimbursements beyond the amount of the Stimulus Funds can be paid.

6. Indemnification by Municipality. The Municipality acknowledges that the role of Monmouth County as to the distribution of the Stimulus Funds shall be as an intermediary. Consequently, if, as the result of any audit performed by the United States Treasury or any other auditing agency, department or office of the United States Government, State of New Jersey, or County determines that any reimbursement made to the Municipality by Monmouth County from the Stimulus Funds was not eligible for reimbursement, then the Municipality shall

repay any ineligible reimbursement within the time mandated by the United States Treasury or the agency, department or office of the United States Government for the return of any Stimulus Funds. The Municipality shall indemnify and hold harmless Monmouth County from any claim made by the United States Treasury or any agency, department or office of the Government of the United States for the return of any payment received by the Municipality from the Stimulus Funds. Included in the claim for reimbursement shall be any legal fees, court costs or professional fees incurred by Monmouth County in defense of any claim made for return of any Stimulus Funds received by the Municipality.

7. Documents Required and Preservation of Records. Any application for reimbursement must be sufficiently documented so that Monmouth County can determine the eligibility of the claim for reimbursement including a provision whereby the Municipality certifies that it has not applied to the State or Federal governments or any insurer for the reimbursement of the same claim submitted to Monmouth County. The Municipality agrees that it will not destroy or discard any documents or records maintained and/or relied upon by the Municipality until December 31, 2027. Monmouth County shall have the right to make copies of any documents or records pertinent to the claim for Stimulus Funds and the Municipality shall provide Monmouth County with reasonable access to the documents and records.

8. Funding Reimbursement and Schedule. As Monmouth County is obligated to expend funds on or before December 30, 2020, Monmouth County will provide reimbursement for eligible expenditures incurred by participating municipalities for the period that begins March 1, 2020 and ends on November 30, 2020 using the following schedule:

- Participating municipalities shall submit requests for expenditure reimbursement for eligible expenditures to Monmouth County by no later than June 15, 2020 for the period of March 1, 2020 through June 14, 2020.
- Participating municipalities shall forward requests for expenditure reimbursement for eligible expenditures to Monmouth County by no later than September 15, 2020 for the period of March 1, 2020 through August 31, 2020. *Monmouth County will allow Municipality to submit expenses for monies expended during the prior reporting period not previously submitted.*
- Participating municipalities shall forward requests for expenditure

reimbursement for eligible expenditures to Monmouth County by no later than December 15, 2020 for the period of March 1, 2020 through November 30, 2020. *Monmouth County will allow Municipality to submit expenses for monies expended during the two prior reporting periods not previously submitted.*

- Participating municipalities shall ensure that all eligible expenditures are disbursed, in cash, by no later than December 15, 2020.

Monmouth County shall review the claims for reimbursement and may make adjustments to the reimbursement based upon a determination of eligible expenditures.

Municipality understands that availability of funds is contingent on appropriations made by funding sources external to Monmouth County, such as Federal funds, and appropriations by the Monmouth County Board of Chosen Freeholders. If, at any time, Monmouth County determines that federal, state or local funds are insufficient to sustain existing or anticipated spending levels, Monmouth County may reduce, suspend, or terminate any cash, reimbursements, other payments, or allocations of funds provided by Monmouth County to Municipality, or other form of financial assistance as Monmouth County determines appropriate. If funding sources external to Monmouth County, such as Federal funds, or the Monmouth County Board of Chosen Freeholders fails at any time to continue funding Monmouth County for the payments due under this Agreement, this Agreement will be terminated as of the date funding expires without further obligation of Monmouth County.

Because there is only a finite amount of Federal funding, a pro rata allocation may be required. Municipality understands that the availability of funds is based on the total Monmouth County-wide apportionment of funds resulting from cost based reimbursement claims reported by each municipality participating in this program as well as cost based reimbursement claims incurred by Monmouth County. Depending on the total amount of cost based reimbursement claims, Monmouth County may find it necessary to reapportion funds to each participating Municipality to ensure that the total cost based reimbursement does not exceed the total amount of funds available under this program.

9. Subsequent Funds. Should Monmouth County be in receipt of any additional funds provided by the United States Government and/or the State of New Jersey to combat the Coronavirus for which the Municipality may be eligible to receive payment, at the discretion of Monmouth County, the terms and

provisions of this Agreement shall apply to the disposition and processing of those claims.

10. Compliance with Federal Law and New Jersey Law. The Municipality acknowledges that the Stimulus Funds are subject to the oversight of the United States government and its agencies. Consequently, in incurring expenses for which reimbursements will be sought from the Stimulus Funds, the Municipality shall adhere to the procedures established by the Federal government. Additionally, the Municipality shall, when incurring any expenses for which reimbursement is sought, adhere to all New Jersey purchasing and procurement laws and regulations.

As a subrecipient of federal funds, Municipality hereby specifically acknowledges its obligations relative to the expenditure reimbursement provided under this Agreement and pursuant to Federal cost principles, 2 CFR Part 200, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards", as applicable under other federal, state and local laws, including, but not limited to:

- a. Fiscal and account procedures;
- b. Accounting records;
- c. Internal control cover cash, real and personal property, and other assets;
- d. Budgetary control to compare actual expenditures or outlays to budgeted amounts;
- e. Source documentation; and
- f. Cash management.

11. Applicable Law and Attorney Fees. Any action for the enforcement of any term or provision of this Agreement shall be governed by the law of the State of New Jersey and shall be filed in the Superior Court of the State of New Jersey, Monmouth County.

12. Duration of Agreement. This Agreement shall begin on the date first written and shall continue until either party terminates it upon thirty (30) days written notice, the depletion of the Stimulus Funds, or the end of the program period, whichever event occurs sooner.

13. Approval. By signing below the individual signing this Agreement represents that this Agreement has been approved and ratified by the governing body of the party signing it.

14. Counterparts. This Agreement may be fully executed in any number of counterparts, each of which shall be deemed to be an original and all of which taken together shall constitute one agreement binding upon all parties, notwithstanding that all parties have not signed the same counterpart. Such executions may be transmitted to the parties electronically or by facsimile, and such electronic or facsimile execution shall have the same force and effect as an original signature.

15. Notices. Any notices that are provided pursuant to this Contract shall be in writing (including facsimile and electronic transmissions) and mailed or transmitted or delivered as follows:

To Monmouth County:

County of Monmouth
Hall of Records, Room 236
1 East Main Street
Freehold, NJ 07728
Attn: Michael D. Fitzgerald, County Counsel
Email: michael.fitzgerald@co.monmouth.nj.us
Fax: 732-431-0437

To the Municipality:

Name
Address
Email:
Fax

16. Severability. If any part of this Agreement is declared unenforceable or invalid, the remainder of the Agreement will continue in full force and effect.

17. Force Majeure. No party shall be liable or responsible to the other party, nor be deemed to have defaulted under or breached the Agreement, for the delay in performance of this Agreement when and to the extent such failure or delay is caused by acts beyond the parties' control.

18. Amendment. This Agreement cannot be modified in any way except in writing signed by the parties to the Agreement.

19. Assignment. This agreement will not be assignable by "Municipality" in whole or in part without the prior written consent of the "County".

IN WITNESS WHEREOF, the parties have signed and sealed this Agreement on the date set forth above.

ATTEST:

COUNTY OF MONMOUTH

ATTEST:

Coronavirus Relief Fund
Guidance for State, Territorial, Local, and Tribal Governments
April 22, 2020

The purpose of this document is to provide guidance to recipients of the funding available under section 601(a) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”). The CARES Act established the Coronavirus Relief Fund (the “Fund”) and appropriated \$150 billion to the Fund. Under the CARES Act, the Fund is to be used to make payments for specified uses to States and certain local governments; the District of Columbia and U.S. Territories (consisting of the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands); and Tribal governments.

The CARES Act provides that payments from the Fund may only be used to cover costs that—

1. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID–19);
2. were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
3. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.¹

The guidance that follows sets forth the Department of the Treasury’s interpretation of these limitations on the permissible use of Fund payments.

Necessary expenditures incurred due to the public health emergency

The requirement that expenditures be incurred “due to” the public health emergency means that expenditures must be used for actions taken to respond to the public health emergency. These may include expenditures incurred to allow the State, territorial, local, or Tribal government to respond directly to the emergency, such as by addressing medical or public health needs, as well as expenditures incurred to respond to second-order effects of the emergency, such as by providing economic support to those suffering from employment or business interruptions due to COVID-19-related business closures.

Funds may not be used to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify under the statute. Although a broad range of uses is allowed, revenue replacement is not a permissible use of Fund payments.

The statute also specifies that expenditures using Fund payments must be “necessary.” The Department of the Treasury understands this term broadly to mean that the expenditure is reasonably necessary for its intended use in the reasonable judgment of the government officials responsible for spending Fund payments.

Costs not accounted for in the budget most recently approved as of March 27, 2020

The CARES Act also requires that payments be used only to cover costs that were not accounted for in the budget most recently approved as of March 27, 2020. A cost meets this requirement if either (a) the cost cannot lawfully be funded using a line item, allotment, or allocation within that budget *or* (b) the cost

¹ See Section 601(d) of the Social Security Act, as added by section 5001 of the CARES Act.

is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation.

The “most recently approved” budget refers to the enacted budget for the relevant fiscal period for the particular government, without taking into account subsequent supplemental appropriations enacted or other budgetary adjustments made by that government in response to the COVID-19 public health emergency. A cost is not considered to have been accounted for in a budget merely because it could be met using a budgetary stabilization fund, rainy day fund, or similar reserve account.

Costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020

A cost is “incurred” when the responsible unit of government has expended funds to cover the cost.

Nonexclusive examples of eligible expenditures

Eligible expenditures include, but are not limited to, payment for:

1. Medical expenses such as:
 - COVID-19-related expenses of public hospitals, clinics, and similar facilities.
 - Expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs.
 - Costs of providing COVID-19 testing, including serological testing.
 - Emergency medical response expenses, including emergency medical transportation, related to COVID-19.
 - Expenses for establishing and operating public telemedicine capabilities for COVID-19-related treatment.
2. Public health expenses such as:
 - Expenses for communication and enforcement by State, territorial, local, and Tribal governments of public health orders related to COVID-19.
 - Expenses for acquisition and distribution of medical and protective supplies, including sanitizing products and personal protective equipment, for medical personnel, police officers, social workers, child protection services, and child welfare officers, direct service providers for older adults and individuals with disabilities in community settings, and other public health or safety workers in connection with the COVID-19 public health emergency.
 - Expenses for disinfection of public areas and other facilities, *e.g.*, nursing homes, in response to the COVID-19 public health emergency.
 - Expenses for technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety.
 - Expenses for public safety measures undertaken in response to COVID-19.
 - Expenses for quarantining individuals.
3. Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

4. Expenses of actions to facilitate compliance with COVID-19-related public health measures, such as:
 - Expenses for food delivery to residents, including, for example, senior citizens and other vulnerable populations, to enable compliance with COVID-19 public health precautions.
 - Expenses to facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions.
 - Expenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions.
 - Expenses of providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions.
 - COVID-19-related expenses of maintaining state prisons and county jails, including as relates to sanitation and improvement of social distancing measures, to enable compliance with COVID-19 public health precautions.
 - Expenses for care for homeless populations provided to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions.
5. Expenses associated with the provision of economic support in connection with the COVID-19 public health emergency, such as:
 - Expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures.
 - Expenditures related to a State, territorial, local, or Tribal government payroll support program.
 - Unemployment insurance costs related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.
6. Any other COVID-19-related expenses reasonably necessary to the function of government that satisfy the Fund's eligibility criteria.

Nonexclusive examples of ineligible expenditures²

The following is a list of examples of costs that would *not* be eligible expenditures of payments from the Fund.

1. Expenses for the State share of Medicaid.³
2. Damages covered by insurance.
3. Payroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

² In addition, pursuant to section 5001(b) of the CARES Act, payments from the Fund may not be expended for an elective abortion or on research in which a human embryo is destroyed, discarded, or knowingly subjected to risk of injury or death. The prohibition on payment for abortions does not apply to an abortion if the pregnancy is the result of an act of rape or incest; or in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed. Furthermore, no government which receives payments from the Fund may discriminate against a health care entity on the basis that the entity does not provide, pay for, provide coverage of, or refer for abortions.

³ See 42 C.F.R. § 433.51 and 45 C.F.R. § 75.306.

4. Expenses that have been or will be reimbursed under any federal program, such as the reimbursement by the federal government pursuant to the CARES Act of contributions by States to State unemployment funds.
5. Reimbursement to donors for donated items or services.
6. Workforce bonuses other than hazard pay or overtime.
7. Severance pay.
8. Legal settlements.

SCHEDULE B

Currently excluded from the “Guidelines” as eligible reimbursements are the categories below:

- COVID-19 related expenses of public hospitals, clinics, and similar facilities.
- Expenses for food delivery to residents, including, for example, senior citizens and other vulnerable populations, to enable compliance with COVID-19 public health precautions.
- Expenses to facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions.
- Expenditures related to the provisions of grants to small businesses to reimburse the costs of business interruption caused by required closures.
- Expenditures related to a State, territorial, local, or Tribal government payroll support program.



Mayor & Council

SCHEDULED

DISCUSSION ITEM (ID # 1724)

Meeting: 06/04/20 07:00 PM
Department: Administration
Category: Development
Prepared By: Jeanne Smith
Initiator: Jeanne Smith
Sponsors:
DOC ID: 1724

9.1

Boundary Line with Eatontown, Mayor Coffey



May 21, 2020

Via Email

Honorable Mayor Jay Coffey, Oceanport
Honorable Mayor Anthony Talerico, Jr., Eatontown

Re: Eatontown / Oceanport Boundary within Fort Monmouth

Gentlemen:

After many months of discussion, and several iterations of possible revised boundaries, I am asking for each Borough's formal support and approval of the boundary as shown in the attached map. We have discussed this last revision with each of you. It is the most equitable version based on the desire to accommodate existing streets and buildings, and to prepare for future redevelopment projects. Respectfully, I am asking that Eatontown and Oceanport undertake the steps necessary to adopt the new boundary line as soon as is practicable. Thank you.

Sincerely,

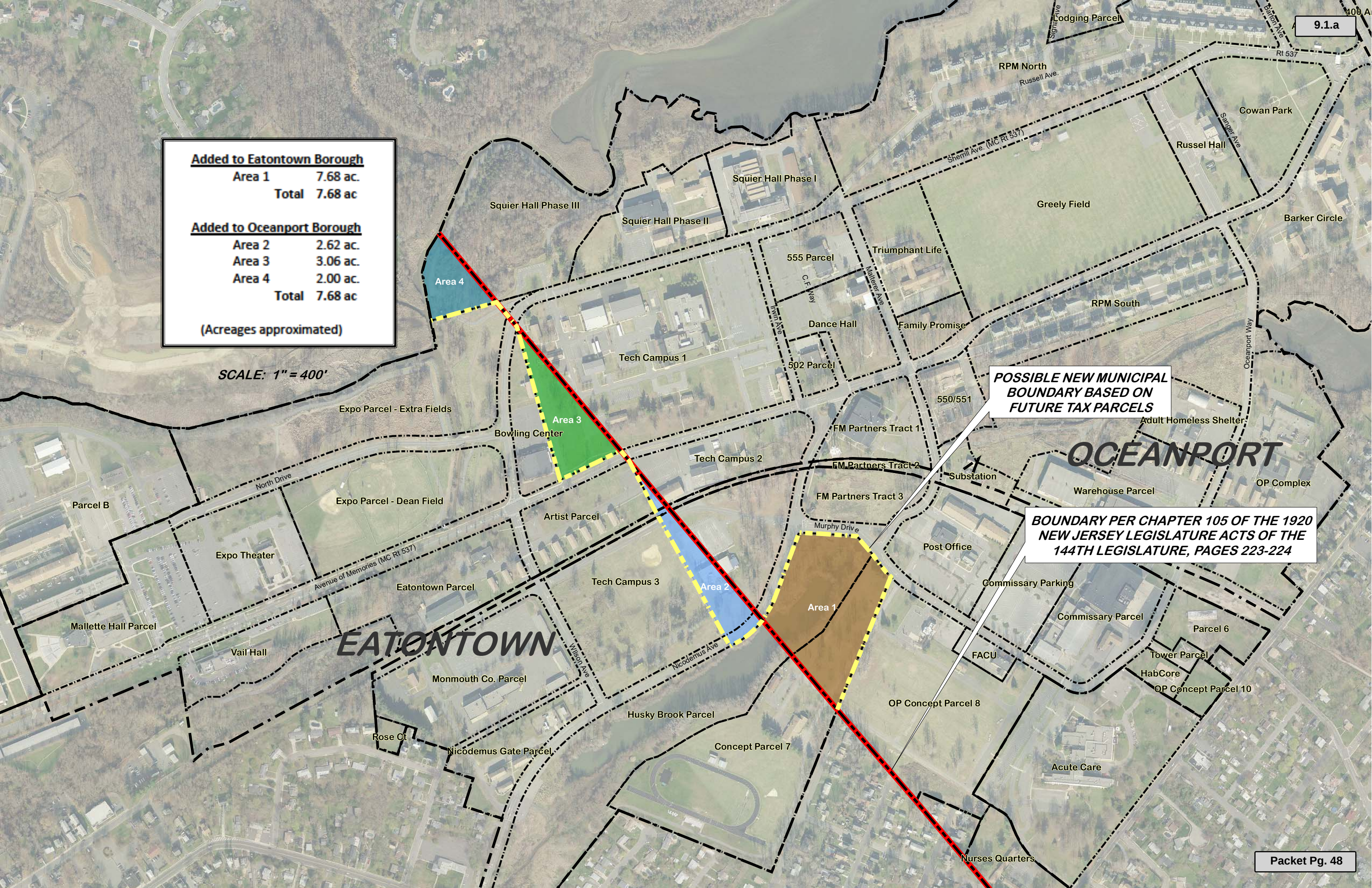
Bruce Steadman

Bruce Steadman
Executive Director

cc: FMERA Board
Office of the Attorney General

<u>Added to Eatontown Borough</u>	
Area 1	7.68 ac.
Total	7.68 ac
<u>Added to Oceanport Borough</u>	
Area 2	2.62 ac.
Area 3	3.06 ac.
Area 4	2.00 ac.
Total	7.68 ac
(Acreages approximated)	

SCALE: 1" = 400'



**ORDINANCE OF THE BOROUGH OF
OCEANPORT, COUNTY OF MONMOUTH, STATE
OF NEW JERSEY, AMENDING ORDINANCE § 64-3
AND §64-33 TO AUTHORIZE THE
RECONFIGURATION AND CONSTRUCTION OF
PUBLIC, ON-STREET PARKING ALONG THE
WIDTH OF BLOCK 127, LOT 4 AND TO PERMIT
PARKING DURING CERTAIN TIMES ON
CRESCENT PLACE**

WHEREAS, MPCC II, LLC, is the owner of the property located at Block 127, Lot 4, also known as 2 Crescent Place (the “Lot”); and,

WHEREAS, the Lot is commonly known as Monmouth Park Corporate Center II; and,

WHEREAS, under Ordinance Sections 64-3 and 64-33 parking is currently prohibited on both sides of Crescent Place; and,

WHEREAS, Tenants and visitors to the Monmouth Park Corporate Center II have parked on both sides of Crescent Place; and,

WHEREAS, to create uniformity and organization to the current parking situation, MPCC II, LLC, at its own cost, proposes the construction of 116 marked on-street parking spaces on the south side of Crescent Place for public use from the hours of 7:00 a.m. to 9:00 p.m.; and,

WHEREAS, MPCC II, LLC, has agreed to insert a cross-walk from the Monmouth Park Corporate Center II to the adjacent Wolf Hill Park; and,

WHEREAS, MPCC II, LLC, has also agreed to include a six (6) foot wide sidewalk in front of the parking spaces along Crescent Place and include street lights along the proposed parking.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Borough of Oceanport in the County of Monmouth, and State of New Jersey, as follows:

1. The Council of the Borough of Oceanport hereby authorizes MPCC II, LLC, to construct the following road and other improvements along Crescent Place on property owned by the Borough of Oceanport:

- a. 116 on-street parking spaces to be used by the public;
- b. Cross-walk from Monmouth Park Corporate Center II to the adjacent Wolf Hill Park;
- c. A Six (6) foot wide sidewalk in front of the parking spaces on property owned by the Borough of Oceanport; and
- d. Street lights along the parking area.

2. Ordinance Sections 64-33 and 64-3 are hereby amended to permit parking on the south side of Crescent Place in the designated on-street parking spaces.

3. Parking on Crescent Place will be limited to the designated on-street parking spaces from 7:00 a.m. to 9:00 p.m.

4. This Ordinance shall take effect upon passage by the Council of the Borough of Oceanport and publication.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE GOVERNING BODY TO ENTER EXECUTIVE SESSION**

**Resolution #2020-141
06/4/20**

WHEREAS, the Open Public Meetings Act provides that the Borough Council may go into executive session to discuss matters that may be confidential or listed pursuant to N.J.S.A. 10:4-12; and

WHEREAS, it is recommended by the Borough Attorney that the Borough Council go into executive session to discuss matters set forth hereinafter which are permissible for discussion in executive session.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport that the Council shall go into executive session to discuss the following items:

Litigation, Negotiations and the Attorney Client Privilege N.J.S.A. 10:4-12(b)(7)
New Municipal Complex

BE IT FURTHER RESOLVED that formal action may be taken after the Executive Session.

I certify that the foregoing Resolution #2020-141 was adopted
by the Oceanport Governing Body at the Regular Meeting held
June 4, 2020

JEANNE SMITH, RMC
BOROUGH CLERK