

**REGULAR MEETING AGENDA
MAYOR AND COUNCIL
April 16, 2015**

Call to Order.

Statement of Compliance with Open Public Meetings Act: *This meeting complies with the Open Public Meeting Act by publication of this location, date and time in the Asbury Park Press and the LINK News on January 8, 2015 and by the posting of same on the municipal bulletin board and Borough Web Site.*

Flag Salute

Invocation

Roll Call

Administrator's Report:

Clerk's Report:

1. Consent Agenda:

- | | | |
|------------------|-----|--|
| #2015-074 | 1.1 | Resolution authorizing the payment of bills. |
| #2015-075 | 1.2 | Resolution authorizing Task 5 of the Maser Proposal dated 9/16/2014 for Construction Observation Phase of the BBB Boat Ramp Rehabilitation |
| #2015-076 | 1.3 | Resolution waiving the reading in full of the 2015 municipal budget |
| #2015-077 | 1.4 | Resolution authorizing an application for Zoning Code Enforcement Grant from DCA |

2. Minutes Approval of the Workshop Minutes of April 2, 2015
 Approval of the Regular Meeting Minutes of April 2, 2015
3. Police Report, March 2015

COMMITTEE REPORTS:

- Public Works & Engineering, Councilman Gallo, Chair
 - Public Safety, Councilman Irace, Chair
 - Finance & Administration, Council President Lynch, Chair
 Public Hearing 2015 Municipal Budget
 - Health & Human Services, Councilwoman Kahle, Chair
 - Planning & Development, Councilman Paglia, Chair
- | | | |
|-------------|----|---|
| #947 | 1. | 2 nd Reading and Public Hearing of a Bond Ordinance for Acquisition of Russel Hall |
| #948 | 2. | 2 nd Reading and Public Hearing of an Ordinance Establishing a Zoning Permit & Fee |
| | 3. | Introduction of an Ordinance for Licensing of Food Handlers and Mobile Food Vendors |
- Parks & Recreation, Councilman Patti, Chair

MAYOR MAHON'S REPORT:

Petitions from the public.

Resolution #2015-078 authorizing the Governing Body to enter into Executive Session

Litigation/Potential Litigation – N.J.S.A. 10:4-12(b)(7)

Sharkey v. GRC, et. als.
NJSEA Tax Appeal

Adjournment.

REGULAR MEETING MINUTES

Oceanport, New Jersey
April 16, 2015

The Regular Meeting of the Oceanport Mayor and Council was called to order on April 16, 2015 at 8:19 PM with the Statement of Compliance with the Open Public Meetings Act given by Mayor Mahon.

"Adequate notice of this meeting has been provided by notice to the Asbury Park Press and The Link News on January 8, 2015, and by the posting of same on the municipal bulletin board and Borough Web Site."

PLEDGE OF ALLEGIANCE: Mayor Mahon led the audience and members of the Council in the flag salute.

INVOCATION: Reverend Wayne Smith, Retired Colonel, gave the invocation.

MEMBERS PRESENT: Councilpersons Gallo, Irace, Lynch, Patti, Paglia and Mayor Mahon

MEMBERS ABSENT: Councilwoman Kahle

OFFICIALS PRESENT: Borough Clerk, Jeanne Smith, Borough Attorney, Scott Arnette, Chief Financial Officer Greg Mayers, Borough Auditor Robert Oliwa

ADMINISTRATOR'S REPORT: Borough Administrator, John Bennett, had nothing to add to his workshop report.

CLERK'S REPORT:

1. Consent Agenda:

- #2015-074** 1.1 Resolution authorizing the payment of bills.
- #2015-075** 1.2 Resolution authorizing Task 5 of the Maser Proposal dated 9/16/2014 for Construction Observation Phase of the BBB Boat Ramp Rehabilitation
- #2015-076** 1.3 Resolution waiving the reading in full of the 2015 municipal budget
- #2015-077** 1.4 Resolution authorizing an application for Zoning Code Enforcement Grant from DCA

The Clerk advised that there were 4 items on the consent agenda and asked for a motion which was made by Council President Lynch and seconded by Councilwoman Gallo.

The Clerk called roll:

AYES: Gallo, Irace, Lynch, Paglia and Patti
NAYES: None
ABSTAIN: None
ABSENT: Kahle

The Clerk stated that the motion carried.

- #2015-081** 1.5 Resolution authorizing DPW Lease

The Clerk brought forth a Resolution authorizing a lease between the Borough of Oceanport and FMERA for 5 buildings on Fort Monmouth for use by DPW and OEM. Motion by Councilman Gallo and seconded by Councilman Patti.

Discussion on the motion called for by Councilman Irace. The Councilman reiterates that there were concerns regarding the original lease of these premises and wants to make sure that the Borough enters into this lease with eyes wide open. The Mayor closed discussion.

The Clerk called roll:

AYES: Gallo, Irace, Lynch, Paglia and Patti
NAYES: None
ABSTAIN: None
ABSENT: Kahle

2. Approval of the Workshop Meeting Minutes of April 2, 2015
Approval of the Regular Session Minutes of April 2, 2015

The Clerk asked for a motion which was made by Councilman Irace and seconded by Councilman Gallo.

The Clerk called roll:

AYES: Gallo, Irace, Lynch and Paglia
NAYES: None
ABSTAIN: Patti
ABSENT: Kahle

The Clerk stated that the motion carried

3. Police Report, March 2015 - The Clerk stated that she was in receipt of the March 2015 Police Reports which had been distributed and would be posted at Borough Hall.

COUNCILMAN GALLO: Councilman Gallo had no report

COUNCILMAN IRACE: Councilman Irace welcomed Councilman Patti to the Borough Council and thanked him for serving. He also thanked the Police Department for their quick actions during a recent Medical Emergency.

COUNCIL PRESIDENT LYNCH: Council President Lynch had no report regarding Finance and Administration.

Council President Lynch also welcomed Councilman Patti to Borough Council. Mr. Lynch stated that he was in receipt of communication from a Borough Resident regarding his abstention from the vote nominating Councilman Patti. Apparently, there has been a misunderstanding regarding this vote. Council President explained that he abstained regarding the vote for the nomination of Councilman Patti: not because of any objection to the Councilman but because he was unfamiliar with any of the nominees handed down by the Republican Party.

Mayor Mahon asked for a motion to open public hearing on the 2015 Municipal Budget. Motion by Councilman Gallo and seconded by Councilman Paglia. Borough Auditor, Robert Oliwa provided a summary of the 2015 Municipal Budget. Budget was introduced at the March 19, 2015 meeting. It includes \$8,032,012 in appropriations which is \$562,000 under the 2015 cap and \$36,450 under the 2014 Budget. This year's surplus is up by \$20,000 after utilization. Budget includes an item of revenue (fund balance) in the amount of \$963,000. The estimated local municipal tax rate for 2015 is 52.9 cents per \$100 of assessed value - up 1 cent from 2014 or 1.93%. The effect on an average assessment of \$440,000 is \$44.00. State Aid remains stable at \$542, 848. Open Space tax is the same. There are decreases in Police and Firemen Pensions, Dispatch costs, Infrastructure Trust Fees. Budget increases come from Employee Group Health and payment of Bond Principal. Capital Budget includes \$1,056,000 for Police, Fire, Administration, OEM Equipment and 2015 Road Program. Expenditures must be authorized by Capital Ordinance.

The intent was to adopt the budget tonight however an amendment is being required by the State in the appropriation amount of \$194,000 to allow for repayment of FEMA overpayments. Amendment Resolution will be introduced after the public hearing.

Mr. Oliwa invited members of the public to be heard.

PUBLIC:

Stuart Briskey, 46 Werah Place referenced savings but asked about budget increases. Mr. Oliwa mentioned payment of Bond Principal, Employee Group Health, Administrative & Executive Salary and Wage Increases. A discussion regarding Bond percentage rates followed.

Auditor Oliwa was asked for and agreed to provide a budget summary for publication in the Borough Bulletin.

As there were no further questions or discussion, the Mayor closed the public hearing on a motion by Council President Lynch and seconded by Councilman Irace.

#2015-079 1.6 Resolution amending the 2015 Municipal Budget

Council President Lynch asked the Clerk to introduce a resolution amending the 2015 Municipal Budget as introduced on March 19th. The Clerk stated that this resolution is required to address the State's issues regarding FEMA proceeds and then asked for a motion. Motion by Council President Lynch and seconded by Councilman Irace.

The Clerk called roll:

AYES: Gallo, Irace, Lynch and Paglia

NAYES: None

ABSTAIN: Patti

ABSENT: Kahle

The Clerk stated that the motion carried

#2015-080 1.7 Resolution amending the Capital Budget.

The Clerk brought forth a Resolution further amending the Capital Budget which was introduced March 19th and amended April 2nd. This resolution is to provide an additional 2 years of capital budget planning within the Municipal Budget. Motion by Council President Lynch and seconded by Councilman Gallo. Discussion on the motion called for by Councilman Irace.

Councilman Irace wanted it noted that neither this Council nor future councils are hamstrung to any items on this capital budget list. The list is not binding and represents general categories only. Hearing no further discussion, the Mayor asked the Clerk to call the roll.

The Clerk called roll:

AYES: Gallo, Irace, Lynch and Paglia

NAYES: None

ABSTAIN: Patti

ABSENT: Kahle

The Clerk stated that the motion carried

COUNCILMAN PAGLIA: Councilman Paglia welcomed Councilman Patti to the Council. He went on to report on his recent discussion with his contact at Lowey's regarding office furnishings and equipment. While we did miss out on the CommVault move, we were asked to create a "wish list" should Lowey's come across useful items during commercial moves. Councilman Paglia reminded everyone that the Marathon is scheduled for April 26th - 7:30am start at Monmouth Park.

Lastly, a Town Hall Meeting is scheduled for Tuesday the 21st at Maple Place School to discuss possible locations for the New Borough Hall. Borough Officials, members of the Site Selection Committee, the Borough Engineer, Borough Planner and Site Selection Architectural Firm will be on hand to answer questions and entertain comments. Residents are encouraged to express opinions via the survey which will be provided. There will also be a presentation on the Borough website in advance of the meeting in addition to community wide notification via The Borough website, Code Red (OEM) and Facebook pages.

#947

2nd Reading and Public Hearing of a Bond Ordinance for Acquisition of Russel Hall

Councilman Paglia called for the 2nd Reading and Public Hearing of a bond ordinance for acquisition of Russel Hall. He then asked the Clerk to read the affidavit of publication of the proposed ordinance by title only. **"AN ORDINANCE OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, PROVIDING FOR THE ACQUISITION AND IMPROVEMENT OF RUSSEL HALL (BUILDING 286), FORT MONMOUTH, OCEANPORT AND APPROPRIATING \$1,200,000 THEREFOR AND PROVIDING FOR THE ISSUANCE OF \$1,140,000 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE BOROUGH OF OCEANPORT TO FINANCE THE SAME"** was published in The Link News on April 9, 2015. The Mayor reported that 3 bids for the purchase of Russel Hall were submitted on April 13th. Two were from private entities and the last was from the Borough. Depending on the outcome of site selection and/or the competitive nature of the other bids and their value to the community regarding ratability or job creation, the Borough may end up withdrawing this ordinance. The Mayor opened the meeting for any public comments on this ordinance only. There being none, the Mayor closed public hearing for this ordinance. Councilman Paglia made a motion to adopt the ordinance and advertise in accordance with law which was seconded by Councilman Irace.

The Clerk called roll:

AYES: Gallo, Irace, Lynch, Paglia
NAYES: None
ABSTAIN: Patti
ABSENT: Kahle

The Clerk stated that the motion carried.

#948

2nd Reading and Public Hearing of an Ordinance Establishing a Zoning Permit & Fee

Councilman Paglia called for 2nd Reading and Public Hearing of an ordinance establishing a zoning permit and fee and then asked the Clerk to read the affidavit of publication of the proposed ordinance by title only. **"AN ORDINANCE AMENDING CHAPTER 390 (ZONING) AND CHAPTER 204 (FEES) OF THE CODE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY ESTABLISHING THE REQUIREMENT FOR A ZONING PERMIT AND SETTING FORTH A FEE FOR SAME"** was published on April 9, 2015. The Mayor opened the meeting for public comments on this ordinance only. There being none, the Mayor closed the public hearing for this ordinance on a motion by Councilman Irace and seconded by Councilman Paglia. Councilman Paglia made a motion to adopt the ordinance and advertise in accordance with law which was seconded by Councilwoman Irace.

The Clerk called roll:

AYES: Gallo, Irace, Lynch, Paglia
NAYES: None
ABSTAIN: Patti
ABSENT: Kahle

The Clerk stated that the motion carried.

#949

Introduction of an Ordinance for Licensing of Food Handlers and Mobil Food Vendors

Councilman Paglia called for the introduction of an ordinance for licensing Food Handlers and Mobil Food Vendors and then asked the Clerk to read the proposed ordinance by title only. **"AN ORDINANCE CREATING CHAPTER 230, FOOD HANDLING AND MOBIL FOOD VENDORS AND AMENDING CHAPTER 204 (FEES) OF THE CODE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY"** was read. Councilman Paglia moved

to approve the Ordinance upon first reading and to hold the public hearing on the proposed ordinance at the Council meeting of May 7, 2015 and to advertise same in accordance with the law. It was seconded by Councilman Irace.

The Clerk called roll:

AYES: Gallo, Irace, Kahle, Lynch and Paglia
NAYES: None
ABSTAIN: Patti
ABSENT: Kahle

The Clerk stated that the motion carried.

COUNCILMAN PATTI: Councilman Patti thanked the Mayor and Council for their confidence in placing him on the Council. As an attorney, he serves the public. Serving on Council provides the opportunity to return something to the Oceanport Community which has been great for his family. Councilman Patti stated that his abstentions tonight were because he wasn't familiar with the resolutions and ordinances put before him. He did review the budget. Going forward, he will make sure that he fully understands what's being put forth to the Council. He will also make Parks and Recreations a top priority.

Mayor Mahon welcomed him aboard.

MAYOR MAHON: Mayor Mahon had no further report.

PUBLIC:

Mayor Mahon then opened the meeting to anyone from the public who wished to be heard.

Stuart Briskey, 46 Werah Place, asked that the record to reflect, that on Friday, March 20th Oceanport Fire Department was dispatched to Maple Place School for a transformer fire with Students and Staff in the building.

#2015-078 Resolution authorizing the Governing Body to enter into an Executive Session

At 8:51PM the Mayor asked for a motion on **Resolution #2015-078** authorizing the Governing Body to enter Executive Session. Motion was made by Council President Lynch seconded by Councilman Paglia and approved by Council.

At 9:40 PM Council returned from Executive Session. The Mayor asked for a motion to return from Executive Session. Motion was made by Councilman Gallo, seconded by Councilman Paglia and approved by Council.

As there was no further business, the meeting was adjourned at 9:41 p.m. on a motion by Councilman Gallo seconded by Councilman Patti and approved by Council.

Respectfully submitted,



JEANNE SMITH
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING PAYMENT OF BILL LIST FOR APRIL 16, 2015**

**RESOLUTION #2015-074
04-16-15**

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated April 16, 2015; and

WHEREAS, the Governing Body has determined that the bill list as prepared comports with the vouchers submitted by various vendors; and

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of April 16, 2015.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill lists dated April 16, 2015 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

CERTIFICATION OF FUNDS

I, Gregory S. Mayers, Chief Financial Officer, of the Borough of Oceanport, do hereby certify that funds are available for the purpose stated herein.



Gregory Mayers, CFO

Motion: *Lynch* Second: *Gallo*

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Gallo	(☒)	()	()	()
Irace	(☒)	()	()	()
Kahle	()	()	()	(☒)
Lynch	(☒)	()	()	()
Paglia	(☒)	()	()	()
Patti	(☒)	()	()	()
Mahon	()	()	()	()

I certify this to be a true copy of Resolution #2015-074 approved by the Oceanport Borough Council at the Regular Meeting held April 16, 2015



JEANNE SMITH, RMC
BOROUGH CLERK

**BOROUGH OF OCEANPORT
BILL LIST**

APRIL 16 2015

PAYEE	AMOUNT
PAYROLL ACCOUNT	\$ 88,938.43 8TH PAY

2014 EXPENDITURES

CAPITAL TRUST TOTAL

DOG REGISTRY TOTAL	\$ 85.80
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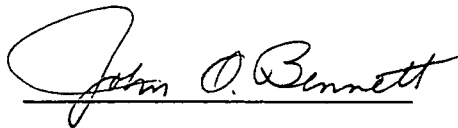
ESCROW TRUST TOTAL

OPEN SPACE TRUST TOTAL

2014 VOUCHERS PAID	\$ 160,443.31
2014 VOUCHERS PAID THIS MEETING	\$ 1,800.00
TOTAL	\$ 162,243.31

2015 VOUCHERS PAID	\$ 7,885,045.25
2015 VOUCHERS PAID THIS MEETING	\$ 122,743.89
TOTAL	\$ 8,007,789.14

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


John D. Bennett

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AWARDING CONTRACT FOR PROFESSIONAL SERVICES TO MASER CONSULTING FOR THE
CONSTRUCTION OBSERVATION AND ADMINISTRATION OF THE REHABILITATION OF THE
BLACKBERRY BAY PARK BOAT LAUNCH FACILITY**

**Resolution #2015-075
04-16-2015**

WHEREAS, Resolution #2014-186 awarded a contract to Maser Consulting for specific engineering services related to the Rehabilitation of the Blackberry Bay Park Boat Launch Facility; and

WHEREAS, the project is approaching the construction phase of said improvements and now requires services for construction observation and administration; 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, the Borough having considered the matter, now wishes to authorize Maser Consulting to perform Task 5 of their proposal dated September 16, 2014 for the construction observation and administration phase of the Rehabilitation of the Blackberry Bay Park Boat Launch Facility.

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, P.A. for the purpose of Borough Engineer for 2015 and the work to be performed will be consistent with their existing contract and a proposal for the Rehabilitation of the Blackberry Bay Park Boat Launch Facility dated September 16, 2014 for Task 5.
2. That the compensation associated with the Task shall be for an amount not to exceed \$25,000.00.
3. That the Clerk shall publish a Notice of Award in an official newspaper of the Borough.
4. That the within Resolution shall be subject to the Borough CFO confirming that funds are available for the stated purpose.

Motion: *Lynch* Second: *Gallo*

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Gallo	(☒)	()	()	()
Irace	(☒)	()	()	()
Kahle	()	()	()	(☒)
Lynch	(☒)	()	()	()
Paglia	(☒)	()	()	()
Patti	(☒)	()	()	()
Mahon	()	()	()	()

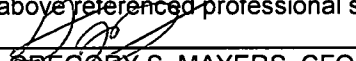
I certify this to be a true copy of Resolution #2015-075 approved by the Oceanport Borough Council at the Regular Meeting held April 16, 2015.



JEANNE SMITH, RMC
BOROUGH CLERK

CERTIFICATION OF FUNDS

As required by N.J.A.C. 5:34-5.1 et. seq., and any other applicable requirement, I, Gregory S. Mayers, Chief Financial Officer of the Borough of Oceanport, have ascertained that there are sufficient uncommitted funds in the Open Space Trust not to exceed \$25,000.00 for the above referenced professional services contract.



GREGORY S. MAYERS, CFO

**RESOLUTION OF THE BOROUGH OF OCEANPORT
WAIVER OF READING IN FULL THE 2015 MUNICIPAL BUDGET**

**Resolution #2015-076
04-16-2015**

WHEREAS, the public hearing for 2015 Municipal Budget is scheduled for April 16, 2015; and

WHEREAS, the Governing Body of the Borough of Oceanport desires to read the 2015 Municipal Budget by title only at the time of the public hearing and adoption of said budget; and

WHEREAS, the Governing Body of the Borough of Oceanport has caused or will cause the 2015 Municipal Budget to be posted in a public place in the Borough Hall of the Borough of Oceanport at least seven (7) days prior to the date of the public hearing; and

WHEREAS, said budget was made available to any person requesting to review same at least, seven (7) days prior to the public hearing scheduled for the 2015 budget; and

WHEREAS, the Municipal Clerk, Jeanne Smith, has certified she has complied with N.J.S.A. 40A:4-8.1a and 1b. (copy of Certification below as Exhibit A);

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council shall read the 2015 Municipal Budget by its title only at the public hearing at the time of the adoption of the budget and hereby declares that the conditions set forth in N.J.S.A. 40A:4-8, Subsection 1.a and 1.b have been met therewith.

Exhibit A

CERTIFICATION

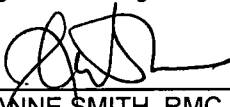
I, Jeanne Smith, Borough Clerk of the Borough of Oceanport do hereby certify that I have caused to be posted in the Borough Hall and delivered to the Free County Library a copy of the 2015 Municipal Budget at least seven days prior to the public hearing of April 16, 2015. I further certify that I have made the 2015 Municipal Budget available to any person requesting same at least seven days prior to the public hearing of April 16, 2015



JEANNE SMITH
BOROUGH CLERK

Motion: <i>Lynch</i>	Second: <i>Gallo</i>			
ROLL CALL	YES	NO	ABSTAIN	ABSENT
Gallo	(✓)	()	()	()
Irace	(✓)	()	()	()
Kahle	()	()	()	(✓)
Lynch	(✓)	()	()	()
Paglia	(✓)	()	()	()
Patti	(✓)	()	()	()
Mahon	()	()	()	()

I certify this to be a true copy of Resolution #2015-076 approved by the Oceanport Borough Council at the Regular Meeting held April 16, 2015



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
COUNTY OF MONMOUTH, AUTHORIZING AN APPLICATION TO OBTAIN A ZONING CODE
ENFORCEMENT GRANT (Round 2) FROM
THE NJ DEPARTMENT OF COMMUNITY AFFAIRS**

**Resolution #2015-077
04-16-15**

WHEREAS, the Governing Body of the Borough of Oceanport desires to apply for and obtain a Zoning Code Enforcement Grant from the New Jersey Department of Community Affairs (DCA); and

WHEREAS, the Borough of Oceanport intends to apply for a Zoning Code Enforcement Grant for one or more of the activities listed below to assist in our Superstorm Sandy recovery efforts:

1. Extend the hours of existing municipal staff.
2. Hire additional technical and administrative staff.
3. Procure experts if needed for application hearings.
4. Pay for additional office space.

NOW THEREFORE BE IT RESOLVED that the Governing Body of the Borough of Oceanport does hereby authorize the application for the above grant; and

BE IT FURTHER RESOLVED that the Borough of Oceanport has experienced a reduction in property assessments, in accordance with N.J.S.A. 54:4-35.1, on 100 or more properties or has seen a 10 percent increase in zoning application filings since November 1, 2012 that can be ascribed to Superstorm Sandy; and

BE IT FURTHER RESOLVED that the Borough of Oceanport authorizes the execution of the grant agreement in the amount offered and approved by DCA and further authorizes the expenditure of funds pursuant to the terms of the grant agreement entered into by the Borough of Oceanport and DCA; and

BE IT FURTHER RESOLVED that the Borough of Oceanport agrees to comply with all CDBG-DR regulations, Zoning Code Enforcement Grant Program procedures and also accepts that the proposed use(s) of CDBG-DR funds are not reimbursable by FEMA, SBA or other federal agencies; and

Motion: *Lynch* Second: *Gallo*

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Gallo	(<i>✓</i>)	()	()	()
Irace	(<i>✓</i>)	()	()	()
Kahle	()	()	()	(<i>✓</i>)
Lynch	(<i>✓</i>)	()	()	()
Paglia	(<i>✓</i>)	()	()	()
Patti	(<i>✓</i>)	()	()	()
Mahon	()	()	()	()

I certify this to be a true copy of Resolution #2015-077 approved by the Oceanport Borough Council at the Regular Meeting held April. 16, 2015.



JEANNE SMITH, RMC
BOROUGH CLERK

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

**Resolution #2015-078
04-16-2015**

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/Potential Litigation – N.J.S.A. 10:4-12(b)(7)

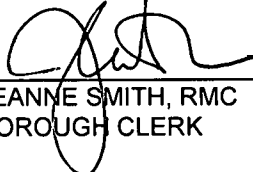
Sharkey v. GRC, et. als.
NJSEA Tax Appeal

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

Motion: *Lynch* Second: *Paglia*

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Gallo	(☒)	()	()	()
Irace	(☒)	()	()	()
Kahle	()	()	()	(☒)
Lynch	(☒)	()	()	()
Paglia	(☒)	()	()	()
Patti	(☒)	()	()	()
Mahon	()	()	()	()

I certify this to be a true copy of Resolution #2015-078 approved by the Oceanport Borough Council at the Regular Meeting held April 16, 2015.



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AMENDING THE 2015 MUNICIPAL BUDGET**

**Resolution #2015-079
04-16-2015**

WHEREAS, the local municipal budget for the year 2015 was approved on March 19, 2015; and

WHEREAS, the public hearing on said budget has been held as advertised; and

WHEREAS, it is desired to amend said approved budget.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Oceanport, County of Monmouth that the following amendments to the approved budget of 2015 be made:

	<u>From</u>	<u>To</u>
General Revenues		
3. Miscellaneous Revenues - Section G: Other Special Items of General Revenue		
Reserve for FEMA Proceeds	0.00	194,097.48
Total Section G: Other Special Items of General Revenue	307,682.00	501,779.48
3. Total Miscellaneous Revenues	1,363,874.00	1,557,971.48
5. Subtotal General Revenues (Items 1, 2, 3 and 4)	2,590,305.00	2,784,402.48
7. Total General Revenues	8,032,012.00	8,226,109.48
8. General Appropriations		
(A) Operations - Within "CAPS"		
Insurance		
Employee Group Health	838,501.00	853,871.00
Total Operations (Items 8(A)) Within "CAPS"	5,292,279.00	5,307,649.00
Total Operations including Contingent - Within "CAPS"	5,292,279.00	5,307,649.00
Detail:		
Other Expenses	2,793,891.00	2,809,261.00
(H-1) Total General Appropriations for Municipal Purposes within "CAPS"	5,714,289.00	5,729,659.00
8. General Appropriations		
(A) Operations - Excluded from "CAPS"		
Employee Group Health Insurance (P.L. 2007, C.62)	41,499.00	26,129.00
Total Other Operations - Excluded from "CAPS"	361,499.00	346,129.00
Total Operations - Excluded from "CAPS"	575,563.00	560,193.00

Other Expenses	455,563.00	440,193.00
(E) Deferred Charges - Municipal - Excluded from "CAPS"		
(1) Deferred Charges:		
Reimbursement of FEMA Overpayment	0.00	194,097.48
Total Deferred Charges - Municipal - Excluded Form "CAPS"	150,000.00	344,097.48
(H-2) Total General Appropriations for Municipal Purposes Excluded from "CAPS"		
	1,887,723.00	2,066,450.48
(O) Total General Appropriations for Municipal Purposes Excluded from "CAPS"		
	1,887,723.00	2,066,450.48
(L) Subtotal General Appropriations (Items (H-1) and (O))	7,602,012.00	7,796,109.48
9. Total General Appropriations	8,032,012.00	8,226,109.48

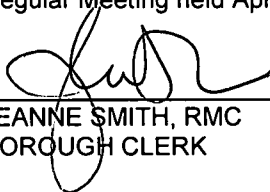
BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith to the Office of the Director of Local Government Services for certification of the local municipal budget so amended.

BE IT FURTHER RESOLVED, that this complete amendment, in accordance with the provisions of N.J.S.A. 40A:4-9, be published in the LINK News in the issue of April 23, 2015, and that said publication contain notice of public hearing on said amendment to be held on May 7, 2015 at 7:00 pm, at Maple Place School, 2 Maple Place, Oceanport, New Jersey.

Motion: *Lynch* Second: *Irace*

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Gallo	(✓)	()	()	()
Irace	(✓)	()	()	()
Kahle	()	()	()	(✓)
Lynch	(✓)	()	()	()
Paglia	(✓)	()	()	()
Patti	()	()	(✓)	()
Mahon	()	()	()	()

I certify this to be a true copy of Resolution #2015-079 approved by the Oceanport Borough Council at the Regular Meeting held April 16, 2015


 JEANNE SMITH, RMC
 BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
FURTHER AMENDING THE 2015 CAPITAL BUDGET AS INTRODUCED MARCH 19, 2015 AND
AMENDED APRIL 2, 2015**

**Resolution #2015-080
04-16-15**

WHEREAS, the Borough of Oceanport approved the 2015 Capital Budget as introduced on March 19, 2015, and amended the approved 2015 Capital Budget on April 2, 2015; and

WHEREAS, it is desired to amend said amended approved 2015 capital budget relative to the 2016 and 2017 capital projects.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Oceanport of the County of Monmouth, that the amended approved 2015 Capital Budget be amended as follows:

**Capital Budget of the Borough of Oceanport
(Current Year Action) 2015**

<u>Project Title</u>	<u>Project Number</u>	<u>Estimated Total Cost</u>	<u>Capital Improvement Fund</u>	<u>Grant in Aid and Other Funds</u>	<u>Debt Authorized</u>	<u>To be Funded in Future Years</u>
2016 Road Program	G-7	\$1,067,000.00				\$1,067,000.00
Fire Rescue Pumper	G-8	650,000.00				650,000.00
Public Works Equipment	G-9	40,000.00				40,000.00
First Aid Equipment	G-10	40,000.00				40,000.00
Police Equipment	G-11	50,000.00				50,000.00
2017 Road Program	G-12	247,000.00				247,000.00
Bulkhead Replacement	G-13	107,000.00				107,000.00
Avon Avenue Drainage	G-14	23,000.00				23,000.00
Port Au Peck Firehouse						
Parking Lot	G-15	75,000.00				75,000.00
Fire Equipment	G-16	112,500.00				112,500.00
Public Works Vehicles	G-17	200,000.00				200,000.00
Police Vehicles	G-18	70,000.00				70,000.00
Totals - All Projects	33-199	\$4,937,500.00	\$97,800.00	\$300,000.00	\$1,858,200.00	\$2,681,500.00

**Capital Budget of the Borough of Oceanport
3 Year Capital Program 2015 - 2017
Anticipated Project Schedule and Funding Requirements**

<u>Project Title</u>	<u>Project Number</u>	<u>Estimated Total Cost</u>	<u>Estimated Completion Time</u>	<u>Budget Year 2015</u>	<u>Budget Year 2016</u>	<u>Budget Year 2017</u>
2016 Road Program	G-7	\$1,067,000.00	2016		\$1,067,000.00	
Fire Rescue Pumper	G-8	650,000.00	2016		650,000.00	
Public Works Equipment	G-9	40,000.00	2016		40,000.00	
First Aid Equipment	G-10	40,000.00	2016		40,000.00	
Police Equipment	G-11	50,000.00	2016		50,000.00	
2017 Road Program	G-12	247,000.00	2017			\$247,000.00
Bulkhead Replacement	G-13	107,000.00	2017			107,000.00
Avon Avenue Drainage	G-14	23,000.00	2017			23,000.00
Port Au Peck Firehouse						
Parking Lot	G-15	75,000.00	2017			75,000.00
Fire Equipment	G-16	112,500.00	2017			112,500.00
Public Works Vehicles	G-17	200,000.00	2017			200,000.00
Police Vehicles	G-18	70,000.00	2017			70,000.00
Totals - All Projects	33-299	\$4,937,500.00	-	\$2,256,000.00	\$1,847,000.00	\$834,500.00

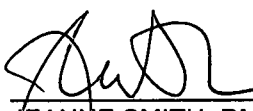
Capital Budget of the
Borough of Oceanport
3 Year Capital Program 2015 - 2017
Summary of Anticipated Funding Sources and Amounts

<u>Project Title</u>	<u>Project Number</u>	<u>Estimated Total Cost</u>	<u>Capital Improvement Fund</u>	<u>Grants in Aid and Other Funds</u>	<u>Bonds and Notes General</u>
2016 Road Program	G-7	\$1,067,000.00	\$43,350.00	\$200,000.00	\$823,650.00
Fire Rescue Pumper	G-8	650,000.00	32,500.00		617,500.00
Public Works Equipment	G-9	40,000.00	2,000.00		38,000.00
First Aid Equipment	G-10	40,000.00	2,000.00		38,000.00
Police Equipment	G-11	50,000.00	2,500.00		47,500.00
2017 Road Program	G-12	247,000.00	12,350.00		234,650.00
Bulkhead Replacement	G-13	107,000.00	5,350.00		101,650.00
Avon Avenue Drainage	G-14	23,000.00	1,150.00		21,850.00
Port Au Peck Firehouse					
Parking Lot	G-15	75,000.00	3,750.00		71,250.00
Fire Equipment	G-16	112,500.00	5,625.00		106,875.00
Public Works Vehicles	G-17	200,000.00	10,000.00		190,000.00
Police Vehicles	G-18	70,000.00	3,500.00		66,500.00
Totals - All Projects	33-399	<u>\$4,937,500.00</u>	<u>\$221,875.00</u>	<u>\$500,000.00</u>	<u>\$4,215,625.00</u>

BE IT FURTHER RESOLVED, that the Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after adoption of this project for the 2015 Approved Capital Budget, to be included in the 2015 Permanent Capital Budget as adopted.

Motion:		Second:		
ROLL CALL	YES	NO	ABSTAIN	ABSENT
Gallo	(✓)	()	()	()
Irace	(✓)	()	()	()
Kahle	()	()	()	(✓)
Lynch	(✓)	()	()	()
Paglia	(✓)	()	()	()
Patti	()	()	(✓)	()
Mahon	()	()	()	()

I certify this to be a true copy of Resolution #2015-080 approved by the Oceanport Borough Council at the Regular Meeting held April 16, 2015


JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING EXECUTION OF A
LEASE AGREEMENT BETWEEN
THE BOROUGH OF OCEANPORT AND THE FORT MONMOUTH ECONOMIC
REVITALIZATION AUTHORITY**

**Resolution #2015-081
04-16-15**

WHEREAS, the Oceanport Public Works Building was severely impacted by Superstorm Sandy; and

WHEREAS, there are 5 buildings known as the "900 area" located that would be suitable to adapt for use by the Oceanport Departments of Public Works and Office of Emergency Management; and

WHEREAS, FMERA staff proposed that the Army lease the 900 area to FMERA for a term of one year with an option for an additional six month extension at the discretion of FMERA; and

WHEREAS, a sublease of the property to the Borough would allow for renovations and the occupation of the buildings while the Borough arranges for a permanent location and renovation costs will be offset by Federal Emergency Management Agency assistance; and

WHEREAS, the Borough will insure the property for liability, fire and extended coverage and indemnify and hold FMERA harmless against all claims, and the consideration for the sublease is the operation and maintenance of the property by the Borough including all utility costs; and

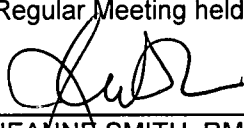
NOW THEREFORE BE IT RESOLVED, that Borough Council of the Borough of Oceanport authorize the Mayor and Clerk to sign and effectuate said documents of the Lease Agreement between FMERA and the Borough of Oceanport subject to review by the Borough Attorney.

Motion: *Gallo*

Second: *Patti*

I certify this to be a true copy of Resolution #2015-081 approved by the Oceanport Borough Council at the Regular Meeting held April 16, 2015

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Gallo	(<i>/</i>)	()	()	()
Irace	(<i>/</i>)	()	()	()
Kahle	()	()	()	(<i>/</i>)
Lynch	(<i>/</i>)	()	()	()
Paglia	(<i>/</i>)	()	()	()
Patti	(<i>/</i>)	()	()	()
Mahon	()	()	()	()



JEANNE SMITH, RMC
BOROUGH CLERK