



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

AGENDA • MARCH 21, 2019

Regular Meeting

Maple Place School

7:00 PM

2 Maple Place, Oceanport, NJ 07757

1. Call to Order

2. Statement of Compliance with Open Public Meetings Act: *This meeting complies with the Open Public Meetings Act by notification on January 9, 2019 of 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.*

3. Flag Salute

4. Invocation

5. Roll Call

6. Executive Session

#2019-75 Resolution authorizing an Executive Session

Personnel Matters - N.J.S.A. 10:4-12(b)(8)

Police Chief's Request to Attend FBI Academy

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

Oceanport Gardens Renewal Project

7. Administrators Report

8. Consent Agenda

- #2019-76** 1. Resolution authorizing payment of BILL LIST 03-21-2019
- #2019-77** 2. Resolution approving certified LOSAP lists for 2018
- #2019-78** 3. Resolution authorizing aerial mosquito control operations
- #2019-79** 4. Resolution authorizing permits for Facility Use - Spring 2019
- #2019-80** 5. Resolution awarding contract for Milton Avenue Drainage Project
- #2019-81** 6. Resolution authorizing renewal of agreement with Sea Bright for Court Facilities
- #2019-82** 7. Resolution authorizing Tax Sale Redemption #18-00015
- #2019-83** 8. Resolution appointing a Safety Coordinator
- #2019-84** 9. Resolution accepting the Tax Collector's Annual Report for 2018
- #2019-85** 10. Resolution authorizing Tax Sale Redemption #18-00002

9. Minutes

- 1. Approval of Workshop Minutes, February 7, 2019
- 2. Approval of Executive Session Minutes, February 7, 2019
- 3. Approval of Regular Minutes, February 21, 2019

10. Resolutions

#2019-86 Resolution setting fees for extra duty assignments

#2019-87 Resolution authorizing an Emergency Temporary Appropriation

#2019-88 Resolution authorizing liquor license appraisal

11. First Reading Ordinances

12. Second Reading & Public Hearing Ordinances

#996 2nd Reading and PUBLIC HEARING of Amendments to Property Maintenance Ordinance

#997 2nd Reading and PUBLIC HEARING of An Ordinance for the Maintenance of the Borough's Right of Ways

#998 2nd Reading and PUBLIC HEARING of An Ordinance establishing the Environmental Advisory Committee

13. Committee Reports

1. Councilman Proto, Planning and Development Liaison
2. Council President Itrace, Finance and Administration Liaison
3. Councilman Gallo, Public Works and Engineering Liaison
4. Councilman O'Brien, Health and Human Services Liaison
5. Councilman Solan, Public Safety Liaison
6. Councilman Deerin, Parks and Recreation Liaison

14. Mayor Coffey's Report

15. Petitions from the public

16. Adjournment



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

MINUTES • MARCH 21, 2019

Regular Meeting

Maple Place School

7:00 PM

2 Maple Place, Oceanport, NJ 07757

1. **Call to Order:** Mayor Coffey called the meeting to order at 7:00 p.m.
2. **Statement of Compliance with Open Public Meetings Act:** Mayor Coffey stated "Adequate notice of this meeting has been provided by notice to the Asbury Park Press and The Link News on January 9, 2019, and by the posting of same on the municipal bulletin board and Borough Web Site."
3. **Flag Salute:** Mayor Coffey led the audience and members of the Council in the flag salute
4. **Invocation:** Borough Chaplain Stacy Deerin gave the invocation.
5. **Roll Call:**

Attendee Name	Title	Status	Arrived
Jay Coffey	Mayor	Present	
William Deerin	Councilman	Absent	
Richard Gallo	Councilman	Present	
Joseph A. Irace	Councilman	Present	
Michael O'Brien	Councilman	Present	
Robert Proto	Councilman	Present	
Stephen Solan	Council President	Present	
Donna M. Phelps	Borough Administrator	Present	
Jeanne Smith	Borough Clerk	Present	
Scott Arnette	Board Attorney	Present	

6. **Motion to Amend Agenda:**
 1. Amend the Agenda to Take Executive Session Item for Chief Kelly in Public Session and move the Executive Session to the end of the meeting

Ms. Smith confirmed that Chief Kelly had signed the RICE notice requesting that the discussion be held in public session.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Stephen Solan, Council President
SECONDER: Joseph A. Irace, Councilman
AYES: Gallo, Irace, O'Brien, Proto, Solan
ABSENT: Deerin

#2019-89 Resolution approving Police Chief's Request to Attend FBI Academy

Mayor Coffey read the resolution in full for the record. Afterwards Councilman Proto made a motion to adopt the resolution which was seconded by Councilman Irace.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robert Proto, Councilman
SECONDER: Joseph A. Irace, Councilman
AYES: Gallo, Irace, O'Brien, Proto, Solan
ABSENT: Deerin

Chief Kelly appeared and gave additional details about the academy and his intent to commute to see his family on some of the weekends over the 10-week period. He thanked the Governing Body for allowing him to take advantage of the opportunity.

7. **Administrators Report:** Ms. Phelps reported on items including Right to Know compliance, public works, RFP for the Oceanport pool, obtaining quotes for work at Community and Blackberry Bay and Evergreen parks, new municipal complex and police headquarters, existence of an osprey nest near the new complex, and her attendance at a MEL/JIF course for new administrators.
8. **Consent Agenda:** Mayor Coffey stated there were 10 items on the Consent Agenda. Councilman Gallo requested that #2019-77 be taken separately. Ms. Smith stated that leaves 9 items on the Consent Agenda which was moved by Council President Solan and seconded by Councilman Irace.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Stephen Solan, Council President
SECONDER:	Joseph A. Irace, Councilman
AYES:	Gallo, Irace, O'Brien, Proto, Solan
ABSENT:	Deerin

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|----------|----|--|
| #2019-76 | 1. | Resolution authorizing payment of BILL LIST 03-21-2019 |
| #2019-78 | 2. | Resolution authorizing aerial mosquito control operations |
| #2019-79 | 3. | Resolution authorizing permits for Facility Use - Spring 2019 |
| #2019-80 | 4. | Resolution awarding contract for Milton Avenue Drainage Project |
| #2019-81 | 5. | Resolution authorizing renewal of agreement with Sea Bright for Court Facilities |
| #2019-82 | 6. | Resolution authorizing Tax Sale Redemption #18-00012 |
| #2019-83 | 7. | Resolution appointing a Safety Coordinator |
| #2019-84 | 8. | Resolution accepting the Tax Collector's Annual Report for 2018 |
| #2019-85 | 9. | Resolution authorizing Tax Sale Redemption #18-00002 |

Consent - Separate:

- #2019-77 10. Resolution approving certified LOSAP lists for 2018

RESULT:	ADOPTED [4 TO 0]
MOVER:	Joseph A. Irace, Councilman
SECONDER:	Stephen Solan, Council President
AYES:	Irace, Proto, Solan
ABSTAIN:	Gallo, O'Brien
ABSENT:	Deerin

9. **Minutes:**
1. Approval of Workshop Minutes, February 7, 2019

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joseph A. Irace, Councilman
SECONDER:	Robert Proto, Councilman
AYES:	Gallo, Irace, O'Brien, Proto, Solan
ABSENT:	Deerin

2. Approval of Executive Session Minutes, February 7, 2019

RESULT: ADOPTED [UNANIMOUS]
MOVER: Joseph A. Irace, Councilman
SECONDER: Stephen Solan, Council President
AYES: Gallo, Irace, O'Brien, Proto, Solan
ABSENT: Deerin

3. Approval of Regular Minutes, February 21, 2019

RESULT: ADOPTED [UNANIMOUS]
MOVER: Joseph A. Irace, Councilman
SECONDER: Richard Gallo, Councilman
AYES: Gallo, Irace, O'Brien, Proto, Solan
ABSENT: Deerin

10. Resolutions:

#2019-86 Resolution setting fees for extra duty assignments

RESULT: ADOPTED [UNANIMOUS]
MOVER: Stephen Solan, Council President
SECONDER: Joseph A. Irace, Councilman
AYES: Gallo, Irace, O'Brien, Proto, Solan
ABSENT: Deerin

#2019-87 Resolution authorizing an Emergency Temporary Appropriation

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robert Proto, Councilman
SECONDER: Joseph A. Irace, Councilman
AYES: Gallo, Irace, O'Brien, Proto, Solan
ABSENT: Deerin

#2019-88 Resolution authorizing liquor license appraisal

RESULT: ADOPTED [UNANIMOUS]
MOVER: Stephen Solan, Council President
SECONDER: Richard Gallo, Councilman
AYES: Gallo, Irace, O'Brien, Proto, Solan
ABSENT: Deerin

11. First Reading Ordinances: None

12. Second Reading & Public Hearing Ordinances:

#996 Amendments to Property Maintenance Ordinance

Councilman Proto called for the 2nd reading and Public Hearing of an amendment to the Property Maintenance ordinance and asked the Clerk to read the affidavit of publication of the proposed ordinance by title only. **"AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY AMENDING CHAPTER 295 OF THE CODE OF THE BOROUGH OF OCEANPORT, ENTITLED "PROPERTY MAINTENANCE" PASSED AND APPROVED ON OCTOBER 3, 2013, AS LAST REVISED AND PASSED ON AUGUST 20, 2015"**

PUBLIC HEARING: Mayor Coffey opened the meeting for public comment for this ordinance. As no one from the public wished to be heard, Mayor Coffey closed the public hearing on a motion by Council President Solan, which was seconded by Councilman Irace.

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robert Proto, Councilman
SECONDER:	Joseph A. Irace, Councilman
AYES:	Gallo, Irace, O'Brien, Proto, Solan
ABSENT:	Deerin

#997 An Ordinance for the Maintenance of the Borough's Right of Ways

Councilman Proto called for the 2nd reading and Public Hearing of an ordinance for the Maintenance of the Borough's right of ways and asked the Clerk to read the affidavit of publication of the proposed ordinance by title only. **"AN ORDINANCE AMENDING CHAPTER 331 "STREETS & SIDEWALKS" AND CHAPTER 371 "TREES" OF THE CODE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY FOR THE MAINTENANCE OF RIGHT OF WAYS"**

PUBLIC HEARING: Mayor Coffey opened the meeting for public comment for this ordinance. As no one from the public wished to be heard, Mayor Coffey closed the public hearing on a motion by Councilman Irace, which was seconded by Council President Solan.

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robert Proto, Councilman
SECONDER:	Joseph A. Irace, Councilman
AYES:	Gallo, Irace, O'Brien, Proto, Solan
ABSENT:	Deerin

#998 An Ordinance establishing the Environmental Advisory Committee

Councilman Proto called for the 2nd reading and Public Hearing of an ordinance establishing an Environmental Advisory Committee 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 §29, ARTICLE IV AND REPEALING §250-13 OF THE CODE OF THE BOROUGH OF OCEANPORT DISSOLVING THE BOROUGH OF OCEANPORT ENVIRONMENTAL COMMISSION AND CREATING AN ENVIRONMENTAL ADVISORY COMMITTEE OF THE BOROUGH OF OCEANPORT"**

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

Ron Sickler, 45 Morris Place, asked why the Environmental Commission (EC) was being changed to a committee. He stated rumors are that someone on Council had an issue with someone in the Commission, and that's the reason for the change and who started it. Councilman Proto advised that he started it, and the rumor is fake news. He explained that Mr. Forlini, who is on the Commission, showed up at his property about a year and a half ago. He advised that Mr. Forlini agreed with his position that the commission has no right to involve itself in residents' applications that are before the DEP. It is a laborious, expensive and time-consuming process when a resident on the waterfront wants to make changes to his/her property. Based on his personal experience, he

felt it was an unnecessary level of bureaucracy. The Committee has been acting as an advisory committee for the last several years and regulatory requirements have not been followed. These volunteers do important work, but they are serving in an advisory capacity, which is more than enough. Mr. Sickler stated the Commission serves a purpose and understands the issue of bureaucracy. However, when developers come in, it makes it easy for them to circumvent environmental rules without the Commission in place. He would like the Commission to remain.

Anthony Forlini, Bridgewaters Drive, stated Mr. Proto was correct in his statements regarding their conversations. He stated there is a duplication. He provided his qualifications in environmental sciences and owns an environmental company in Oceanport. The problem is that the Planning Board, Borough Engineer and Council are all involved in the process. The Commission reviews docks that were built 30 years ago and deciding if they can be kept or removed. The recent fish kill in Oceanport Creek is more important than that. The Borough should be looking at ways to improve the quality of the environment. He stated Oceanport should concentrate its efforts on evaluating improvement of water quality.

Tom Cox, 18 Hunters Run, member of the EC, disagreed with some of Councilman Proto's comments. First, if the DEP is involved, then the Commission does not step in. Second, while the Commission did not comply with the Sunshine regulations, it is a trivial matter. He had offered to personally advertise in accordance with the Open Public Meetings Act, but was advised the Borough Clerk should handle it. About 20 years ago, the EC, Water Watch Committee and Governing Body were responsible for getting Monmouth Park to clean up their act. Branchport Creek was not swimmable during the racing season. The EC also created an Environmental Resource Inventory. He stated that the Association of New Jersey Environmental Commissions (ANJEC) does not consider a commission another layer of bureaucracy. Mr. Cox stated that his understanding was that a committee does not get site plans for review.

Rich Gruskos, 204 Comanche Dr., Mayor's delegate to FMERA's environmental advisory board, stated that his comments as well as Tinton Falls' and Eatontown's, are taken under advisement and later presented by someone else to the full Board. Mr. Gruskos provided additional comparison between the board for Fort Monmouth and the Environmental Commission and their similarities in review

He talked about formal training available from ANJEC. He noted that applications he has reviewed have missing, misleading or self-serving information. He talked about the Commission's liaison to the Planning Board. He disagreed with the proposal to turn the Commission into a committee. Councilman Irace noted that the Environmental Commission did not comment on FMERA Amendment #13. Mr. Gruskos explained he was not the chair of the EC and could not respond.

Elizabeth Ritter, 45 Center Rd., Randolph, Deputy Director of ANJEC, appeared and advised it has been training Environmental Commissions for 50 years. She offered the opinion that the Committee should not be demoted to a committee. Oceanport's EC has been active and offered ANJEC's assistance with regulations if needed. She stated the EC is local people whose job is to worry about the natural resources with regard to development issues. She reviewed the EC's Environmental Resource Inventory from 2012.

Mike Sikand, 34 Riverside Ave., stated that long time ago, he built the most expensive shed in Oceanport. The process included getting a CAFRA permit, newspaper advertisements, and a \$700 or 800 fee and was very expensive. He understands the process can be difficult, but that should not be the reason to change the Commission. He stated it would behoove the Council to defer the decision until there is a semblance of fairness and due process. He expressed concern about development.

George Moffet, 20 Pemberton Ave., shared a story about former Red Bank Mayor Rooney representing a developer before the Zoning Board. He stated incremental steps led to large problems. The Borough is facing some serious problems with environmental issues. Mr. Moffet stated an advisory committee has no authority, but a commission has statutory responsibilities. He urged the Governing Body to keep the Commission.

Kari Martin, 34 Hedge Dr., a member of the Water Watch Committee, which she finds as an outlet for her professional and personal experience. She stated volunteers would not volunteer if it was going to be a burden. She asked if anyone on Council had any degrees or education in environmental science or policy. No one does. The EC's job is to inform the Planning Board and Council of environmental factors, laws and regulations. She urged Council to vote no on the ordinance. It is imperative to have a strong EC at a time of such change, with numerous plans at Ft. Monmouth and climate change and other environmental factors are affecting the community. She discussed changes in the proposed ordinance which eliminates the requirement of the Planning Board to provide copies of every proposal to the EC. She discussed the need for local review of applications. She urged everyone to attend meetings and make suggestions and recommendations.

Jeff Oakes, 60 Pemberton Ave., urged the Governing Body to vote no on the proposed ordinance. It is a slap in the face to remove a layer of oversight.

Ron Sickler, 45 Morris Pl., made a second appeal to Council to consider the Borough's voters opinions and vote no on the proposed ordinance.

Bob Kelly, 76 Gooseneck Pt. Rd., member of the EC, addressed misstatements regarding the visits to homes, including costing residents more money, spending Borough's resources and money for the EC to do the same job as the Borough's professionals and the burden on the residents. He discussed his many visits to job sites, advertisement of meeting dates and lack of Council members, not Council liaison, attending meetings and alleged lack of communication.

Alvine Ratcliff, 5 Riverview Rd., related a story about an assignment when she was in 6th grade regarding Love Canal, an environmental disaster that started in 1978. She stated if the Borough demoted the EC, it would not be in the best interests of the residents. The Borough needs an extra layer of protection.

Joe Foster, 29 Bradley Ave., EC member and liaison to the Planning Board, provided his credentials on environmental issues. He stated the EC and Water Watch are very busy and more effective. Having an EC is a multi-prong benefit. He explained that only a commission can apply for grants. He noted that the Environmental Resource Inventory will need to be reviewed shortly. Paid professionals do not have the insight of the volunteers.

Adam Kiernan, 293 Port Au Peck, thanked the Governing Body for their service and expressed his gratitude for living in Oceanport. He expressed concern about what Oceanport looks like 30 years from now. He noted the multiple responsibilities of the Governing Body, but having a set of people with power that are committed to the environment is important. This was his first meeting and there was a reason it was his first meeting because he feels this is such an important issue. He hopes the Council votes no and it will impact how he decides to vote come November and doesn't believe he'll be alone in that.

Ed D'Phelia, Trustee on ANJEC Board, stressed the importance of a commission versus committee, the statutory obligation upon commissions, their presence on the local planning board, their local knowledge and the ability to weigh in on developments and strongly urged the Council to keep the commission and work to make it stronger and a better resource than dissolving it.

Kevin Kornek, 22 Genesse Ave., stated he was not knowledgeable on the topic but his gut told him that the proposed ordinance was not a good thing and directed questions to Councilman Proto regarding his reasons for the ordinance and his personal experience that resulted in this initiative. Councilman Proto spoke to his experience with the EC during his own DEP application, his research amongst various borough professionals and officials, EC members and his concern that a resident may spend 6-12 months and thousands of dollars on a DEP application only for the EC to come in and torpedo the process without the knowledge of everything that the resident/applicant has put into the process and felt it unnecessary to have that kind of layer in the process.

Colleen Hobson, Steeplechase Court, lives on the isthmus of Oceanport, asked questions about any complaints regarding the commission; Councilman Irace had heard similar experience by another resident, his knowledge that other area towns with rivers and on the ocean have no environmental commission, the committee would have the same review abilities without exposing the borough to liabilities and the minimizing the burden on the residents. Ms. Hobson was surprised and that Oceanport was blessed to have an EC and tried to understand the intent of the change and it was her opinion that it was disadvantageous for the change from commission to committee and urged the Council to not make the change.

Julian Klein, Ocean Township, asked questions of the Council regarding the layers of bureaucracy, the comparison with other towns, gave several analogies to attempt to understand the reason for the change.

Rosanne Letson, 37 Morris Place, stated that the Council was elected to represent the town and the room was filled with people opposing the change with the exception of one person who continued to be rude in the audience and urged the Council to vote as to the best interests of the town.

Susan Kopisak, 57 Bridgewaters Drive, stated she agreed with the proposed changes, gave her professional environmental experience; commented as to the liability of volunteers making recommendations; Councilman Irace responded that not likely for recommendations but for decisions; Ms. Kopisak expressed concern for the minimal training and her belief that more effort should be placed on things like the fish kill, the fertilizers that go into the river and her strong concern for the liabilities.

Tom Cox, 18 Hunters Run, member of the Environmental Commission, appeared to clarify that the Environmental Commission does not make decisions, they advise.

Ellynn Kahle, 38 Burnt Mill Circle, addressed statements that there's no changes, things would continue as normal, she disagreed with those statements and outlined the current process for the Commission and their involvement with review of Site Plans from the Planning Board before things are approved; its additional layer of protection for the residents from things like wetlands encroachment and incorrect construction of docks which she has observed in her experience as a council liaison; she has never seen any duplication of services or bureaucracy and the importance of the Environmental Resource Inventory and doesn't believe that will happen. She also expressed concern that the committee wouldn't see it until after approved and questioned language in the proposed ordinance regarding the coordination with other agencies and what it meant.

Mark Patterson, 40 Itaska Place, stated he didn't have enough information to have an opinion, but it was his request that while there was a quorum present, the Council was not fully represented and for such a big decision everyone should be present and asked that the matter be tabled until all Council members were present.

Joseph Foster, 29 Bradley Ave, member of Environmental Commission, spoke to clear things up as far as regulatory or legal issues because the members are not "professional" and that when the

Commission reviewed a site plan he would raise those questions to the Engineer and Planning Board and not any decision. Mayor Coffey asked Mr. Foster to take him through the steps procedurally. Mr. Foster advised they receive a lot of the site plans late, they review it for plantings, water, topology; from Planning Board perspective he looks at the variances. Mayor Coffey asked what emanates from the commission to the planning board – a directive? A series of questions? Mr. Foster responded that he does not take a report, he applies the concerns as he understands them and brings them up during the planning board hearing and does not represent it from the commission. He continued that he wasn't sure what brought all of this about or what complaints but encouraged them to attend a commission meeting to see what they do and the meetings are advertised contrary to what some may think. Councilman Irace stated he wanted to clarify one thing – the commission gets the plans at the same time as everyone else when they are deemed complete which Ms. Smith affirmed. Mr. Foster responded they have one meeting a month. Councilman Irace added but that's not getting them late, that's just a timing matter. Mayor Coffey asked but nothing in writing from the Commission is provided to the Planning Board? Mr. Foster answered that things are captured in the minutes and there's been no need to put it in writing unless it's something major like the school that Councilman Proto was concerned for as were all of them. Councilman Irace added but no comments were provided to the Borough on amendment 13. Mr. Foster answered they did discuss it but it was on the date due. The Clerk added that the Chairman is included on the same email to all parties requested to comment on the amendments and could not recall anything received from the commission back to #11. Mr. Foster pointed out that some ECs have paid members and they are all volunteers so if they've missed something.

Colleen Hobson reappeared and attempting to get a handle on the matter and summarized the points that she had gathered from the hearing including the commission's liability on decisions but to date have only given advisories, the commission fell short on providing reviews for FMERA plans and the notion that the commission could impact an application but not that it has and questioned was there anything else that had brought this issue to the fore – the change to committee. Mayor Coffey responded that there are practical and philosophical differences and reviewed the powers under the current ordinance and the proposed ordinance and the appointments would be made by the Mayor but with consent of the Council; and the change in representation with the Planning Board.

Rich Gruskos, 204 Comanche Drive, reappeared and provided comparison with the processes made by the Fort Monmouth Environmental Advisory Board and the interchange with DEP and FMERA and he was involved with the commission by reported back what areas have been declared clean and most recently provided their liaison with a 2-page report of those.

Kari Martin, 34 Hedge Drive, reappeared and wanted to make clear one of the most important differences between the commission and the committee was the loss of the representation on the planning board and that it was more than just a name change. She continued that she appreciated the representation by the public including those by other towns as environmental issues have no borders. There was some discussion regarding respect for the public and if volunteers would be less inclined to participate.

Tony Forlini reappeared and stated that if one goes on the ANJEC website to see if communities had commissions or advisory boards, reviewed the number of towns in Monmouth County with commissions and highlighted the common factor was the same mission statement. He reiterated his belief that it was just a name change and bringing it up to regulations. He recounted his experience with a CAFRA application and the expenses.

Elizabeth Reuter, Randolph, NJ and deputy director of ANJEC, expressed that they have nothing to do with government but are a resource to local officials and does not contend that they can train anyone in 4 hours but are staffed 5 days a week to be available; commented on the Wall Township

ordinance still refers to the state statute but uses the word Advisory Board instead of commission; the ordinance removes the free resource and representation on the planning board.

Jeff King, 24 Elizabeth Parkway, Eatontown, stated he believes in environmental commissions and what they do and while a committee may do some of that, it's the class member on the planning board with access to site plans that is important.

Jeff Oakes, 60 Pemberton Ave, re-appeared and offered his thoughts on the importance of environmental issues and clean ups and related it to his position that medical cannabis and the hemp plant were solutions to both.

As no one else from the public wished to be heard, Mayor Coffey closed the public hearing on a motion by Councilman Proto, which was seconded by Councilman Irace.

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

Mayor Coffey asked for discussion or comment on the motion and hearing none, offered his own comments. He commented that there are volunteers that subject themselves to the rigors that are associated with being on the environmental commission. Initially it was his position that the EC was a duplication of efforts but after speaking with EC members at length and hearing their petitions during the public hearing he has a different perspective on what they do for the Borough and why they do what they do. The ordinance provides both practical and philosophical changes, foremost removing its representation on the Planning Board, his concern that disincentivizing the reasons for volunteers to participate may lead to less volunteers giving their time, reviewed his understanding of the statute that provides for ECs and their powers, the statute that provides for EC representation on the Planning Board but not for a Committee; discussion regarding the Class II Planning Board member typically filled by an EC member and who could fill that position going forward. Mayor Coffey concluded that its his belief this was a poor way to go about treating the volunteers. Mayor asked for roll call:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robert Proto, Councilman
SECONDER:	Joseph A. Irace, Councilman
AYES:	Gallo, Irace, O'Brien, Proto, Solan
ABSENT:	Deerin

13. Committee Reports:

1. Councilman Proto, Planning and Development Liaison

Councilman Proto reported that discussions were continuing on the financial agreement and PILOT for the Oceanport Gardens project as it was originally structured under the wrong law but ultimately may lead to additional revenue for the Borough; New Jersey City University site plan application was approved by the Planning Board and NJCU has reached out to the Council to discuss seeking a PILOT, however, since Plan Amendment #13 has not been pulled or amended by FMERA as requested by NJCU, the Council will not be engaging in any discussion until that has been addressed. Councilman Proto reiterated the position that the council is not anti-development at the Fort but are anti-overdevelopment; they are not anti-PILOT but believes that PILOTs are a tool that should only be entered into when it has a direct benefit to the Borough's taxpayers. Councilman Proto also stated that it was his opinion that the Fort Monmouth section of Oceanport should not be looked at as a city or neighborhood unto itself

and it's the residents of Oceanport that should control that development and not un-elected bureaucrats and he will continue to fight for Oceanport's "home rule".

2. Councilman Irace, Finance and Administration Liaison

Councilman Irace gave a statement to clarify items concerning Plan Amendment #13 including the receipt of a letter from NJCU requesting FMERA to reduce scope of project but no action has been taken to date; affirmed the statement that they are not against development at the Fort but are against huge, high density urban development plans that circumvent the current zoning and planning laws and don't fit into the character of the town; against the redevelopment plan that puts the burden on the current taxpayers and emergency volunteer services and doesn't believe they should be paying higher taxes to subsidize development at the Fort; also against plans that are kept secret or plans that are misleading such as #13 that was supposed to be one plan but ended up being a full blown college campus; position that the redevelopment of the Fort should be done as one overall plan and not done piece-meal; questions the process.

3. Councilman Gallo, Public Works and Engineering Liaison

Councilman Gallo advised that next month was Spring leaf pickup; public works working on cleaning up parks and getting fields ready for use and has begun to use the hot box for filling of potholes. Councilman Irace asked that Public Works being thanked for responding so quickly to a resident request for filling of a pothole.

4. Councilman O'Brien, Health and Human Services Liaison

Councilman O'Brien reported on items including Water Watch samplings and results and the recent fish kill event.

5. Council President Solan, Public Safety Liaison

Council President Solan reported on items including additional details on the Chief's opportunity to attend the FBI Academy at no cost to the Borough and wished him the best of luck; recognized members of the fire and first aid volunteers in the audience for their response to a mutual aid call for assistance to a fire in Sea Bright and read a proclamation issued by the Sea Bright mayor for their support.

6. Councilman Deerin, Parks and Recreation Liaison – Not in attendance.

14. **Mayor Coffey's Report:** Mayor Coffey commented that he had received the same Proclamation and expressed gratitude for their volunteer service and said they should all be commended and receive a proclamation every month. Mayor Coffey also commented on what was going on at the Fort and the subsidization, discussed the process, the established plan and the statute that lays out FMERA's responsibilities and that if the borough wants to change the process it has to be done legislatively and until then their zoning and land use regulations are what applies; with respect to PILOTs there shouldn't be any fear because the Borough gets to say no; let the developers come and make PILOT application but its Oceanport that gets to say no, not FMERA, not the State, not the County. Mayor Coffey addressed the outcome of the ordinance vote for the environmental committee and hoped that the volunteers were still with them and if not that they would be able to repopulate the committee. Lastly, Mayor Coffey announced that the Shining Stars had asked for a rematch which would be coming up on a Friday night in April or May.

15. **Petitions from the public:** Mayor Coffey opened the meeting to the public.

Ron Sickler, Morris Place, strongly reprimanded the Council for their actions on the ordinance, for not listening to the on masse of public in attendance opposing the ordinance and the loss of his

respect for the elected officials that had no consideration for the taxpayers and voters that had put them in their seats.

Tony Forlini, addressed the Council and asked them about what needs to be done next, that the Committee will need to be given direction and should be working on things like the fish kill, the algae bloom and the need for dredging of the areas waterways to resolve the issues. Councilman Irace responded that the Council and former Mayor has pursued the dredging but the problem was funding. There was discussion about how to find funding sources to accomplish the task.

Alvina Radcliffe, 5 Riverview Road, asked what was happening with the leftover fish from the fish kill and if they would be left to decompose, does the EPA take any action. Mayor Coffey responded he didn't know. Councilman Irace asked Ms. Phelps maybe she could look into that. Mayor Coffey added that it was an unprecedented kill and the Borough did not have the wherewith all to take it on.

Beth Watkins, 42 Elizabeth Drive, asked when the RFP for the pool would be on the website and was told tomorrow according to the web host and that it could also be obtained by emailing the Clerk. Ms. Watkins asked if there was a back up plan in the event no one responded to the RFP like what happened 2 years ago; asked why the town couldn't run it and hire a manager, Councilman Irace responded that he wasn't sure that was something that could be done but it was something they could look at. Mayor Coffey commented that he believed the only way it would happen is with volunteers like what was done for years. Discussion ensued on the challenges to keep it and maintain it or to get rid of it and the impact to the Borough's action camp. Mayor Coffey called on volunteers interested to respond to the RFP or anyone else interested.

Mark Patterson, 40 Itaska Place, asked if ownership of pool could be transferred, was told no, and asked if we had YMCA's financials numbers – yes. Councilman Irace added though the costs to be considered are the needs for filters or repairs of the pool. Mr. Patterson also directed questions to Councilman Proto concerning the development on E. Main Street across from the post office and its status, currently in review by the planning board; asked how Councilman Proto knew the details of the project.

Richard Gruskos, 204 Comanche Drive, asked about progress on cleaning of the storm drains and the equipment purchased for the work. Councilman Gallo responded that DPW had started before winter and would be continuing this spring. Mr. Gruskos asked if any drains had been found to need repairs, specifically the one that is near Cayuga. Mayor Coffey answered that they had put a camera through with the assistance of the sewer authority and a collapse had been found in the back.

Alvine Radcliffe, 5 Riverview Road, asked about the newer construction by Maria Gatta Park at the village center and an issue she has experienced with flooding in her basement from drainage off the backside of the site when it rains heavy and along the street. Councilman Irace said the Administrator and Councilman Gallo will look into it with the Borough Engineer.

Jeff Oakes, 60 Pemberton Avenue, commented on the tobacco products and jules being sold next to candy in town at the Circle K, the recent robbery attempt by a biker gang at the Circle K for jule pens where the assailants were 12-year old kids.

16. Executive Session:

#2019-75 Resolution authorizing an Executive Session

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

Oceanport Gardens Renewal Project

At 10:02 pm, the Mayor asked for a motion to approve **Resolution #2019-75**, authorizing the Governing Body to enter Executive Session.

At 10:19 pm, the Mayor & Council returned from Executive Session and the regular meeting was reopened on a motion by Councilman Gallo, seconded by Councilman Proto and approved by Council.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joseph A. Irace, Councilman
SECONDER:	Richard Gallo, Councilman
AYES:	Gallo, Irace, O'Brien, Proto, Solan
ABSENT:	Deerin

17. **Adjournment:** As there was no further business, the meeting was adjourned at 10:19 PM on a motion by Councilman O'Brien, seconded by Council President Solan and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK

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

**Resolution #2019-75
03/21/19**

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 Attorney Client Privilege - N.J.S.A. 10:4-12(b)(7)
Oceanport Gardens Renewal Project

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

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Joseph A. Irace, Councilman
SECONDER:	Richard Gallo, Councilman
AYES:	Gallo, Irace, O'Brien, Proto, Solan
ABSENT:	Deerin

I certify that the foregoing Resolution #2019-75 was adopted by the Oceanport Governing Body at the Regular Meeting held March 21, 2019



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING PAYMENT OF BILL LIST FOR MARCH 21, 2019**

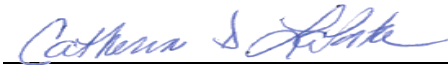
**Resolution #2019-76
03/21/19**

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of March 21, 2019.

BE IT RESOLVED, by the Mayor and Council that the bills be paid as on the attached bill list dated March 21, 2019 totaling \$806,089.47.

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

RESULT: **ADOPTED BY CONSENT VOTE
[UNANIMOUS]**

MOVER: Stephen Solan, Council President

SECONDER: Joseph A. Irace, Councilman

AYES: Gallo, Irace, O'Brien, Proto, Solan

ABSENT: Deerin

I certify that the foregoing Resolution #2019-76 was adopted by the Oceanport Governing Body at the Regular Meeting held March 21, 2019



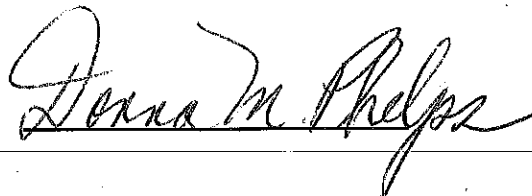
JEANNE SMITH, RMC
BOROUGH CLERK

**BOROUGH OF OCEANPORT
BILL LIST**

21-Mar-19

PAYEE	AMOUNT
PAYROLL ACCOUNT	\$119,622.17 5TH PAY \$182.02 DCRP
CAPITAL TRUST TOTAL	\$430.00
DOG REGISTRY TOTAL	\$425.00
TRUST OTHER TOTAL	\$1,220.00
ESCROW TRUST TOTAL	\$9,323.75
OPEN SPACE TRUST TOTAL	\$291.20
SUI	\$0.00
UCC TRUST	\$180.06
2018 VOUCHERS PAID THIS MEETING	\$1,525.53
2019 VOUCHERS PAID THIS MEETING	\$672,889.74
TOTAL	\$806,089.47

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



List of Bills - (All Funds)

Vendor	Description	Payment	Check Total
Current Fund			
1004 - ACME LOCKSMITH SERVICE	PO 2913 KEYS - DPW YARD	9.60	9.60
1009 - ADP, INC	PO 3019 Q4 Y/E INFO & QTRLY DOCS	799.25	799.25
1017 - AMERICAN WEAR, INC	PO 2972 FEBRUARY UNIFORMS 2019	215.60	215.60
1513 - BENCHMARK PROFESSIONAL SEMINARS, INC	PO 2917 Training for Fagliarone & Lauletta	590.00	590.00
1033 - BOB'S UNIFORM SHOP, INC	PO 2919 Uniform Purchase Leimburg	36.00	
	PO 2918 Uniforms for New SLEO II Spuler	60.00	
	PO 2916 Uniforms for Glenn Mannino new SLEO	691.39	
	PO 2964 Uniforms for SLEO Spuler	322.44	1,109.83
1034 - BORO PRINTING, INC	PO 2965 ENVELOPES FOR ADM	106.00	106.00
1054 - CITY OF LONG BRANCH	PO 2891 GASOLINE & DIESEL 1/19	3,490.53	3,490.53
1057 - COMCAST (MODEM @ 222 MONMOUTH)	PO 3006 CALL FORWARDING - FEB/MARCH 2018	237.82	237.82
1058 - COMCAST * DPW	PO 3002 DPW PHONE/INTERNET 03/08-04/07	252.65	252.65
1059 - COMCAST BUSINESS	PO 2470 2018 POLICE - 12/09-01/08/19	690.28	
	PO 3004 POLICE INTERNET/TELEPHONE 02/09-03/	733.78	
	PO 3003 POLICE INTERNET/TELEPHONE 02/09-04/	287.20	1,711.26
1062 - CONSTELLATION NEW ENERGY, INC	PO 3042 STREET LIGHTING 1/19/19 - 2/18/19	861.04	861.04
1069 - CRYSTAL SPRINGS	PO 2993 WATER SERVICE - 2/11/19	37.94	37.94
1446 - DIRECT ENERGY BUSINES	PO 3016 900 MURPHY & 282 HILDRETH 1/18/19 -	1,398.45	
	PO 3001 21 MAIN ST - HOOK & LADDER 01/17-02	357.00	1,755.45
1124 - GEORGE WALL	PO 2921 Repairs to Unit 7 & Unit 12	941.27	941.27
1144 - Institute for Professional Develop	PO 2990 IPD SEMINAR - FINANCIAL RESPONSIBIL	125.00	125.00
1461 - JACOBUS & ASSOCIATES, LLC	PO 2978 SUCCESSFUL APPEAL; RESOLUTION 2019-	5,866.13	5,866.13
1428 - JERSEY AUTO SPA CAR WASH	PO 2910 1ST QUARTER - 2019 CAR WASH	450.00	450.00
1153 - JERSEY CENTRAL POWER & LIGHT	PO 3028 JCPL #007 - 1/19/19 - 2/18/19	3,915.56	3,915.56
1158 - JOHN'S AUTO & TRUCK REPAIR LLC	PO 2911 CATERPILLAR - HYDRAULIC MOTOR	554.71	554.71
1499 - KEVIN E KENNEDY, ESQ	PO 3038 REVIEW PLAN AMENDMENT #13	150.00	150.00
1182 - LAURA McCRAE	PO 3011 MARCH/APRIL 2019 BULLETIN	425.00	425.00
1200 - McMANIMON*SCOTLAND*BAUMANN LLC	PO 2961 REDEVELOPMENT/FT MONMOUTH FOR 1/19	1,720.00	1,720.00
1220 - MONMOUTH COUNTY PUBLIC WORKS	PO 2871 SALT FOR 7 TRUCKS - 02/11/2019	3,510.38	
	PO 2970 SALT FOR 6 TRUCKS - 2/20/19	2,878.22	
	PO 2968 BRINE - 2/19/19	215.00	6,603.60
1220 - MONMOUTH COUNTY PUBLIC WORKS	PO 2967 SALT FOR 3 TRUCKS - 2/19/19	1,429.86	
	PO 2966 SALT FOR 3 TRUCKS - 2/12/19	953.24	2,383.10
1222 - MONMOUTH COUNTY TREASURER	PO 2959 2019 MONMOUTH CNTY SHERIFF'S OFFICE	110,000.00	110,000.00
1237 - MUNICIPAL CLERKS ASSOCIATION	PO 2803 DUES - SMITH	75.00	
	PO 2844 DUES - LAPORTA	75.00	150.00
1241 - NAPA AUTO PARTS (#15456)	PO 2997 PUBLIC WORKS SUPPLIES	36.96	36.96
1262 - OCEANPORT FIRST AID SQUAD	PO 2987 CPR Class	425.00	425.00
1275 - PITNEY BOWES GLOBAL FINANCIAL	PO 2832 LEASE OF DIGITAL MAILING SYSTEM	423.99	423.99
1280 - POLICE/FIREMEN RETIREMENT SYS	PO 2979 PFRS PAYMENT	367,070.00	367,070.00
1286 - PRO JANITORIAL SERVICES, LLC	PO 3018 CLEANING SERVICES - 2/19	1,735.00	1,735.00
1288 - PUBLIC EMPLOYEES RETIREMENT	PO 2977 PERS PAYMENT	120,376.00	120,376.00
1316 - SECURITY WORLD INC	PO 2962 MONITORING AT LIBRARY	360.00	360.00
1334 - STAVOLA ASPHALT COMPANY, INC	PO 2852 DPW - COLD PATCH - 02/04-02/05/19	562.50	
	PO 2849 DPW - COLD PATCH - 02/05/19	231.00	
	PO 2971 DPW - COLD PATCH 2/15/19	352.50	
	PO 2969 DPW - COLD PATCH 2/06/19	150.00	1,296.00
1337 - SUBURBAN DISPOSAL	PO 3014 DISPOSAL FEE & RECYCLING & CONTAIN	15,083.36	
	PO 3005 COLLECTION FEES - 2/19	17,400.00	32,483.36
1348 - THE HOME DEPOT	PO 2996 WOOD FOR SALT SPREADER	16.94	16.94
1574 - UCMCAA	PO 2886 CONF. FOR MUNICIPAL COURT ADM.	55.00	55.00
1377 - US BANK AS CUST FOR ACTLIEN	PO 1945 REDEEM LIEN 18-00013 Resolution #20	365.10	365.10
1383 - V&B AUTO REPAIR LLC	PO 2920 New Battery in Unit 7 & Daily Inspe	782.94	
	PO 2909 VEHICLE MAINTENANCE UNIT 1	697.57	
	PO 2881 VEHICLE MAINTENANCE UNITS #4 & 7	1,085.78	
	PO 2957 VEHICLE MAINTENANCE -UNITS 2,5 & 12	125.85	2,692.14

List of Bills - (All Funds)

Vendor	Description	Payment	Check	Total
1387 - VERIZON	PO 2994 OEM (732-389-9801) 2/23/19 - 3/22/1	233.70		233.70
1388 - VERIZON WIRELESS	PO 3029 FIRST AID AIR CARDS - 1/24/19 - 2/2	140.04		
	PO 2985 POLICE AIR CARDS - 1/27/19 - 2/26/1	366.34		506.38
1389 - VERIZON WIRELESS (OEM)	PO 3012 OEM AIR CARD 02/02-03/01	38.01		38.01
1392 - W.B. MASON CO, INC	PO 2805 SUPPLIES FOR VARIOUS DEPT.	441.38		
	PO 2838 SUPPLIES FOR ADM	182.10		
	PO 2868 SUPPLIES FOR ADM	47.30		
	PO 2890 SUPPLIES FOR VARIOUS DEPT.	1,169.57		1,840.35
Capital Fund				
1138 - HALE TRAILER BRAKE & WHEEL INC	PO 2958 TRAILER FOR 900 MURPHY DR - DPW	340.00		340.00
1157 - JOHNNY ON THE SPOT INC	PO 2906 PORTA WATER - 2/11/19	90.00		90.00
DOG TRUST FUND				
1445 - Monmouth County SPCA	PO 2811 ANIMAL CONTROL SERVICES - 1/19	425.00		425.00
OPEN SPACE TRUST				
1157 - JOHNNY ON THE SPOT INC	PO 2963 MARIA GATTA PARK - RESTROOMS - 2/2	291.20		291.20
UCC Trust				
1559 - Verizon Wireless	PO 3008 AIR CARD 3/2/19 - 4/1/19	180.06		180.06
OTHER TRUST				
1394 - WASTE MANAGEMENT OF NJ, INC	PO 2818 RECYCLING MIXED PAPER -01/25/19	495.50		
	PO 2819 RECYCLING MIXED PAPER 1/11/19 & 1/2	724.50		1,220.00
DEVELOPERS ESCROW TRUST				
1499 - KEVIN E KENNEDY, ESQ	PO 2382 93 MAIN - CATALOG #7764520093	210.00		
	PO 2825 93 MAIN ST	855.00		1,065.00
1195 - MASER CONSULTING, P.A.	PO 2096 TETHERVIEW PROPERTY MGT CATALOG #7	81.50		
	PO 2263 93 MAIN - CATALOG #7764520093	203.75		
	PO 2513 PROJECT OPP 221 - 93 MAIN	203.75		
	PO 2657 TETHERVIEW PROPERTY MGT	81.50		
	PO 2998 NJCU FT MONMOUTH CAMPUS	7,688.25		8,258.75
TOTAL				686,285.28

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-101-01-000-011	CASH OPERATING			0.00	674,415.27
01-113-04-000-026	TAX SALE PREMIUMS			200.00	
01-193-15-000-000	Receipts from Delinquent Taxes			5,866.13	
01-201-20-100-200	ADMINISTRATIVE & EXECUTIVE OE	1,596.52			
01-201-20-130-200	FINANCIAL ADMINISTRATION OE	142.06			
01-201-20-145-200	COLLECTION OF TAXES OE	45.61			
01-201-20-155-200	LEGAL SERVICES OE	1,870.00			
01-201-25-240-200	POLICE OE	7,240.85			
01-201-25-252-200	EMERGENCY MANAGEMENT OE	38.01			
01-201-25-260-200	FIRST AID ORGANIZATION OE	140.04			
01-201-25-265-200	FIRE DEPARTMENT OE	425.00			
01-201-26-300-271	REPAIRS	554.71			
01-201-26-300-273	SUPPLIES	53.90			
01-201-26-300-277	BITUMINOUS CONCRETE	1,296.00			
01-201-26-300-281	UNIFORM RENTAL	215.60			
01-201-26-300-282	SALT & SAND	8,986.70			
01-201-26-305-200	SANITATION-TRASH REMOVAL OE	14,566.67			

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT

01-201-26-306-200	RECYCLING OE	2,833.33			
01-201-26-310-200	PUBLIC BUILDINGS & GROUNDS OE	1,744.60			
01-201-26-310-252	REPAIRS & EQUIPMENT	360.00			
01-201-31-430-203	TELEPHONE/INTERNET	1,745.15			
01-201-31-430-205	NATURAL GAS	1,755.45			
01-201-31-430-207	STREET LIGHTING	8,267.13			
01-201-31-465-200	SANITATION DUMPING FEES	15,083.36			
01-201-36-471-200	P.E.R.S. OE	120,376.00			
01-201-36-475-200	P & F RETIREMENT SYSTEM OE	367,070.00			
01-201-41-726-200	DISPATCH SHARED SERVICES	110,000.00			
01-201-43-490-200	MUNICIPAL COURT OE	251.82			
01-203-20-130-200	(2018) FINANCIAL ADMINISTRATION OE		1,089.15		
01-203-25-240-200	(2018) POLICE OE		36.00		
01-203-31-430-203	(2018) TELEPHONE		400.38		
01-214-55-000-003	DUE 3RD PARTY LIEN HOLDERS			165.10	

TOTALS FOR	Current Fund	666,658.51	1,525.53	6,231.23	674,415.27
=====					
04-101-01-100-011	CAPITAL CASH - TD			0.00	430.00
04-215-55-474-000	MUNICIPAL COMPLEX ORD #970			430.00	

TOTALS FOR	Capital Fund	0.00	0.00	430.00	430.00
=====					
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	291.20
06-270-00-500-020	RESERVE FOR OPEN SPACE			291.20	

TOTALS FOR	OPEN SPACE TRUST	0.00	0.00	291.20	291.20
=====					
18-101-01-100-101	CASH UCC TRUST			0.00	180.06
18-270-55-600	RESERVE FOR UCC TRUST			180.06	

TOTALS FOR	UCC Trust	0.00	0.00	180.06	180.06
=====					
60-101-01-100-101	CASH-OTHER TRUST - TD			0.00	1,220.00
60-270-55-600-206	RES FOR RECYCLING			1,220.00	

TOTALS FOR	OTHER TRUST	0.00	0.00	1,220.00	1,220.00
=====					
61-101-01-100-101	CASH-DEV.ESCROW/TD			0.00	9,323.75
61-270-55-600-205	RES.FOR DEV.ESCROW			9,323.75	

TOTALS FOR	DEVELOPERS ESCROW TRUST	0.00	0.00	9,323.75	9,323.75
=====					

Total to be paid from Fund 01 Current Fund	674,415.27
Total to be paid from Fund 04 Capital Fund	430.00
Total to be paid from Fund 05 DOG TRUST FUND	425.00
Total to be paid from Fund 06 OPEN SPACE TRUST	291.20
Total to be paid from Fund 18 UCC Trust	180.06
Total to be paid from Fund 60 OTHER TRUST	1,220.00
Total to be paid from Fund 61 DEVELOPERS ESCROW TRUST	9,323.75

686,285.28

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

From 03/01/2019 to 03/31/2019 With a Line Amount > 10000

DATE	ENTRY #	PO#	CHECK #	ACCOUNT	VENDOR/EXPLANATION	DEBIT	CREDIT	ACCOUNT
3/12/2019	2977			01-201-36-471-202	PUBLIC EMPLOYEE'S RETIREMENT SYSTEM PUBLIC EMPLOYEES RETIREMENT	120,376.00	120,376.00	01-101-01-000-011
3/12/2019	2979			01-201-36-475-201	POLICE & FIREMEN'S RETIREMENT SYSTEM POLICE/FIREMEN RETIREMENT SYS	367,070.00	367,070.00	01-101-01-000-011
3/13/2019	3005			01-201-26-305-201 01-201-26-306-201	SOLID WASTE COLLECTION RECYCLING COLLECTION SUBURBAN DISPOSAL	14,566.67 2,833.33	17,400.00	01-101-01-000-011
3/13/2019	3014			01-201-31-465-201 01-201-31-465-201	DISPOSAL, RECYCLING & ROLL-OFF CONTAINER NJ Recycling Enhancement Act Fee SUBURBAN DISPOSAL	14,586.71 496.65	15,083.36	01-101-01-000-011
3/14/2019	2959			01-201-41-726-202	DISPATCH SHARED SERVICES MONMOUTH COUNTY TREASURER	110,000.00	110,000.00	01-101-01-000-011

MARCH SUMMARY BY ACCOUNT:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	PENDING CR
01-101-01-000-011	CASH OPERATING				629,929.36
01-201-26-305-201	SANITATION-TRASH REMOVAL		14,566.67		
01-201-26-306-201	OTHER EXPENSES		2,833.33		
01-201-31-465-201	SANITATION DUMPING FEES		15,083.36		
01-201-36-471-202	PERS		120,376.00		
01-201-36-475-201	P & F RETIREMENT SYSTEM		367,070.00		
01-201-41-726-202	DISPATCH SHARED SERVICES OE		110,000.00		
MARCH TOTALS (FOR RANGE):			629,929.36		629,929.36
		=====	=====	=====	=====

SUMMARY BY ACCOUNT FOR RANGE:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	DISBURSED
01-101-01-000-011	CASH OPERATING				629,929.36
01-201-26-305-201	SANITATION-TRASH REMOVAL		14,566.67		
01-201-26-306-201	OTHER EXPENSES		2,833.33		
01-201-31-465-201	SANITATION DUMPING FEES		15,083.36		
01-201-36-471-202	PERS		120,376.00		
01-201-36-475-201	P & F RETIREMENT SYSTEM		367,070.00		
01-201-41-726-202	DISPATCH SHARED SERVICES OE		110,000.00		
TOTALS (FOR RANGE):			629,929.36		629,929.36
		=====	=====	=====	=====

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPROVING CERTIFIED LISTS FOR THE LENGTH OF SERVICE AWARD
PROGRAM (LOSAP) FOR CY 2018**

**Resolution #2019-77
03/21/19**

WHEREAS, Ordinance #780 created a Length of Service Award Program (LOSAP) to reward the members of the Oceanport Volunteer Fire Department, the Oceanport Fire Police and the Oceanport Volunteer First Aid Squad for their loyal, diligent and devoted service to the residents of the Borough of Oceanport; and

WHEREAS, the program shall provide for funding of a fixed contribution annually by the Borough to a deferred income account for each volunteer member that meets the criteria set forth in Ordinance #780; and

WHEREAS, pursuant to N.J.S.A. 40A:14-191, the Local Plan Administrator is in receipt of the certified LOSAP lists for 2018 from:

**Oceanport Hook and Ladder Fire Company
Port Au Peck Chemical Hose Company
Oceanport First Aid Squad**

WHEREAS, the Governing Body has reviewed the certified lists for accuracy as per N.J.A.C. 5:30-14.10 and approves the lists presented; and

WHEREAS, after Borough Council approval, the certified list will be posted for a period of 30 days for membership review at the office of the Borough Clerk and the squad facility; and

WHEREAS, following the 30-day period for filing an appeal, and subject to holding the payment of any members being appealed, payment shall be made by the Borough of Oceanport to the approved contractor for deposit in the LOSAP account in the deferred income program.

NOW THEREFORE BE IT RESOLVED, be it resolved by the Mayor and Council of the Borough of Oceanport that said certified list(s) are hereby approved and will be posted for thirty days in the Borough Hall and the respective house.

RESULT:	ADOPTED [4 TO 0]
MOVER:	Joseph A. Irace, Councilman
SECONDER:	Stephen Solan, Council President
AYES:	Irace, O'Brien, Proto, Solan
ABSTAIN:	Gallo
ABSENT:	Deerin

I certify that the foregoing Resolution #2019-77 was adopted by the Oceanport Governing Body at the Regular Meeting held March 21, 2019



JEANNE SMITH, RMC
BOROUGH CLERK

Oceanport First Aid Squad
2 Pemberton Avenue
Oceanport, New Jersey 07757
oceanportfas@gmail.com

Oceanport First Aid members with 50 points or more who qualify for 2018

Agaman, Doris
Bernaducci, Kelsey
Carroll, Kim M.
Carroll, Kenneth T.
Ceralde, Carl
Connor, Carole
Connor, John
Egidio, Gina
Fillipone, Frederick, J.
Kenny, Katherine D.
Lippolis, Fank S.
Lippolis, Mmargaret A.
Lippolis, Michael J.
Lombardo, Joseph N.
Ryan, Edward
Sbrigato, Debra

Tank you for your time and attention to this matter.



Joseph N. Lombardo
LOSAP Rep
2/7/19

JNL:ge



PORT-AU-PECK CHEMICAL HOSE COMPANY NO. 1 VOLUNTEER FIRE COMPANY

433 Myrtle Avenue • Oceanport, New Jersey 07757

Tel. (732) 229-9771 • Fax (732) 229-9771 • Emergency Dial 911

This List contains the Members of the Port-au-Peck Fire Company that are eligible for LOSAP for 2018.

1. Briskey, Steve
2. Briskey, Stu
3. Brocklebank, buddy
4. Brown, Matt
5. Brown, Paul
6. Carroll, John Jr
7. Carroll, Ken
8. Carroll, Shane
9. D'Agostino, Bob
10. Desantis, Al
11. Fillipone, Fred
12. Gallo, Jim Jr
13. Gallo, Richard Jr
14. Gallo, Richard III
15. Gallo Tom
16. Kohler, Arno
17. McNish, William
18. Morley, Robert III
19. Robertson, Mike
20. Sherman, Wes
21. Terwilliger, Paul
22. Van Brunt, Paul



Captain Richard Gallo III



Oceanport Hook & Ladder Fire Company
21 Main Street - Oceanport, NJ 07757 - (732) 542-6928 – www.ophl.org

January 1st, 2019

The following Oceanport Hook & Ladder members have qualified for LOSAP in 2018:

- Kevin Arban
- Richard Arlt
- Tom Crochet
- Anthony Fragale, Jr.
- Robert Howie
- Francis J. Lippolis
- Michael Lippolis
- Jason Patterson
- Mark Patterson
- Mike Patterson
- Reiss Pfleger
- Ed Ryan
- Jonathan Ryan
- Lenny Santos
- John Schneider
- Anthony Veltri
- Steve Widmaier
- Joseph Wolf
- Larry Youmans

A handwritten signature in black ink, appearing to read "Lenny Santos".

Lenny Santos
Captain OPH&L

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE MONMOUTH COUNTY MOSQUITO COMMISSION TO
CONDUCT AERIAL MOSQUITO CONTROL OPERATIONS WITHIN THE
BOROUGH OF OCEANPORT**

**Resolution #2019-78
03/21/19**

WHEREAS, the Monmouth County Board of Chosen Freeholders, pursuant to N.J.S.A. 26:9-27 et. seq. has elected through its Mosquito Control Division to perform all acts necessary for the elimination of mosquito breeding areas and/or to exterminate mosquitoes within the county of Monmouth; and

WHEREAS, the County has instituted an Integrated Pest Management Program consisting of surveillance, water management, biological control, and chemical control to exterminate the mosquito population within the county of Monmouth; and

WHEREAS, prior to conducting aerial dispensing operations over a designated "congested area", the County is required, pursuant to Federal Aviation Administration Regulations (FAR Part 137.51), to secure prior written approval from the governing body of the political subdivision over which the aircraft is to be operated; and

WHEREAS, the Borough of Oceanport is designated as a "congested area" by the Federal Aviation Administration and the County has requested that this governing body consent to its proposed aerial dispensing operations.

NOW, THEREFORE, BE IT RESOLVED as follows:

- 1.** The Governing Body hereby authorizes the County of Monmouth Mosquito Control Division or its agent to apply pesticides by aircraft for mosquito control in certain areas of the municipality designated by the County as being either larval mosquito habitat or areas harboring high populations of mosquito constituting either a nuisance, a health hazard, or both with the understanding that:
 - a.** The County shall utilize pesticides, application equipment and aircraft that are approved by the applicable Federal (USEPA) and State (NJDEP) agencies; and
 - b.** Such operations will be performed in compliance with applicable Federal and State regulations, and
 - c.** The County will notify the police department of each municipality over which aerial pesticide operations are planned prior to commencement of such operation.

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Stephen Solan, Council President
SECONDER:	Joseph A. Irace, Councilman
AYES:	Gallo, Irace, O'Brien, Proto, Solan
ABSENT:	Deerin

I certify that the foregoing Resolution #2019-78 was adopted by the Oceanport Governing Body at the Regular Meeting held March 21, 2019



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING USE OF BOROUGH ATHLETIC FACILITIES**

**Resolution #2019-79
03/21/19**

WHEREAS, the Parks and Recreation Committee has recommended the following group(s) be approved for use of a Borough athletic facility for the 2019 Spring Term as follows:

Peninsula Soccer Club
Spanish Soccer Club
LAX Kids

WHEREAS, as required by ordinance the Borough Council has considered the recommendations of said committee.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council that facility usage by the aforementioned group(s) is hereby approved on the dates, fields and times so indicated on the application(s) submitted.

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Stephen Solan, Council President
SECONDER:	Joseph A. Irace, Councilman
AYES:	Gallo, Irace, O'Brien, Proto, Solan
ABSENT:	Deerin

I certify that the foregoing Resolution #2019-79 was adopted by the Oceanport Governing Body at the Regular Meeting held March 21, 2019



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AWARDING A CONTRACT FOR THE MILTON AVENUE DRAINAGE
IMPROVEMENTS PROJECT**

**Resolution #2019-80
03/21/19**

WHEREAS, the Borough of Oceanport solicited bids for the Milton Avenue Drainage Improvements project; and

WHEREAS, the said bid solicitation process was effectuated in accordance with prevailing provision of the Local Public Contracts Law, pursuant to N.J.S.A 40A:11-1 et seq.; and

WHEREAS, in response to the subject bid solicitations process the Borough of Oceanport received nine (9) bids; and

WHEREAS, the lowest responsible, responsive bid was submitted by Fiore Paving Co., Inc., 4 Fiore Court, Oceanport, NJ 07757 hereinafter referred to as "Contractor" in the sum of Two Hundred Three thousand Seven hundred Twenty-three dollars and ninety-three cents (\$203,723.93); and

WHEREAS, the Contractor has complied with the mandatory requirements of N.J.S.A. 40A:11-23.2.

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

1. That the Borough of Oceanport is hereby authorized to award the Milton Avenue Drainage Improvements Project to Fiore Paving Co., Inc., 4 Fiore Court, Oceanport, NJ 07757 subject to the conditions set forth herein.
2. That said Contract shall be in the total sum of Two Hundred Three thousand, Seven hundred Twenty-three dollars and Ninety-three cents (\$203,723.93).
3. That the within award of contract shall be subject to the Borough's Chief Financial Officer certifying in writing that funds are available for the stated purposes.
4. That the within award of Contract shall be contingent upon the Contractor submitting Appropriate Performance Security, which guarantees shall be approved as to form by the Borough Attorney.
5. That the Mayor and Clerk are hereby authorized to sign any and all documents necessary to effectuate the intentions of the within Resolution - including but not limited to, the Contract subject to the review of said Contract by the Borough Attorney.

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized to return the bid security to the remaining unsuccessful bidders, within three (3) days of signed Contracts and the approval of the Contractor's Performance Guarantees.

CERTIFICATION OF FUNDS

As required by N.J.A.C. 5:34-5.1 et. seq., and any other applicable requirement, I, Catherine D. LaPorta, Chief Financial Officer of the Borough of Oceanport, certify that there are sufficient uncommitted funds available in Account #04-215-55-988-A02 in the amount of \$203,723.93 for the stated purpose.


Catherine D. LaPorta, CFO

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Stephen Solan, Council President
SECONDER:	Joseph A. Irace, Councilman
AYES:	Gallo, Irace, O'Brien, Proto, Solan
ABSENT:	Deerin

I certify that the foregoing Resolution #2019-80 was adopted by the Oceanport Governing Body at the Regular Meeting held March 21, 2019


JEANNE SMITH, RMC
BOROUGH CLERK



Engineers
Planners
Surveyors
Landscape Architects
Environmental Scientists

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

February 21, 2019

Honorable Mayor and Council
Borough of Oceanport
315 East Main Street
Oceanport, NJ 07757

Re: Milton Avenue Improvements
Borough of Oceanport, Monmouth County, New Jersey
Project No. OPB-158

Dear Mayor and Council:

On Thursday, February 14, 2019 at 3:00 p.m., bids were received for the Milton Avenue Improvements. We have reviewed the bids and found the bid to be in order a bid summary is attached. A comparison of the bids is as follows:

CONTRACTOR	TOTAL PROPOSAL BID
Fiore Paving Co., Inc.	\$203,723.93
S. Batata Construction, Inc.	\$223,273.00
Earle Asphalt Company	\$224,213.13
Meco, Inc.	\$225,920.75
Z Brothers Concrete Contractors, Inc.	\$229,338.93
S. Brothers	\$229,887.35
Discover Construction, LLC	\$234,477.78
Black Rock Enterprises, LLC	\$237,955.35
Lucas Construction Group, Inc	\$239,932.00

The apparent low bidder has worked for the Borough previously and their work has been found to be acceptable. Based upon our review of the above referenced bid it is our recommendation that the contract be awarded to Fiore Paving Co., Inc., 4 Fiore Court, Oceanport, NJ 07757 for total bid. Any award shall be conditioned upon the review and approval of the bid documents by the Borough Attorney, CDBG approval and the availability of funds.

If you should have any questions or require additional clarification, please do not hesitate to contact me.

Very truly yours,

MASER CONSULTING P.A.

William H.R. White, III, P.E., P.P., C.M.E.
Oceanport Borough Engineer

WHW/nb
Enclosures

cc: Jeanne Smith, RMC, Borough Clerk (with enclosure and original bids)
Scott Arnette, Esq., Borough Attorney (via email)

MILTON AVENUE IMPROVEMENTS BOROUGH OF OCEANPORT, MONMOUTH COUNTY, NEW JERSEY OPB-158				Fiore Paving Co., Inc. 4 Fiore Court Oceanport, NJ 07757				S. Batata Construction, Inc. 238 Ernston Road, Suite 1R Parlin, NJ 08859				Earle Asphalt Company P.O. Box 556 Farmingdale, NJ 07727				Meco, inc. P.O. Box 536 Clarksburg, NJ 08510				Z Brothers Concrete Contractors, Inc. 304 Jernee Mill Road Sayreville, NJ 08872			
Item	Description	UNIT	Qty	Unit Price	Item Total	Bid Total	Err.	Unit Price	Item Total	Bid Total	Err.	Unit Price	Item Total	Bid Total	Err.	Unit Price	Item Total	Bid Total	Err.	Unit Price	Item Total	Bid Total	Err.
BASE BID ITEMS																							
1	CLEARING SITE	LS	1	\$15,900.00	\$15,900.00	\$15,900.00		\$20,000.00	\$20,000.00	\$20,000.00		\$14,239.05	\$14,239.05	\$14,239.05		\$16,450.00	\$16,450.00	\$16,450.00		\$42,557.50	\$42,557.50	\$42,557.50	
2	FUEL PRICE ADJUSTMENT	LS	1	\$1,500.00	\$1,500.00	\$1,500.00		\$1,500.00	\$1,500.00	\$1,500.00		\$1,500.00	\$1,500.00	\$1,500.00		\$1,500.00	\$1,500.00	\$1,500.00		\$1,500.00	\$1,500.00	\$1,500.00	
3	UNIFORMED TRAFFIC DIRECTOR	HR	100	\$81.00	\$8,100.00	\$8,100.00		\$81.00	\$8,100.00	\$8,100.00		\$81.00	\$8,100.00	\$8,100.00		\$81.00	\$8,100.00	\$8,100.00		\$81.00	\$8,100.00	\$8,100.00	
4	BREAKAWAY BARRICADE	UNIT	8	\$0.01	\$0.08	\$0.08		\$1.00	\$8.00	\$8.00		\$0.01	\$0.08	\$0.08		\$5.00	\$40.00	\$40.00		\$0.01	\$0.08	\$0.08	
5	DRUM	UNIT	20	\$0.01	\$0.20	\$0.20		\$1.00	\$20.00	\$20.00		\$0.01	\$0.20	\$0.20		\$5.00	\$100.00	\$100.00		\$0.01	\$0.20	\$0.20	
6	TRAFFIC CONE	UNIT	50	\$0.01	\$0.50	\$0.50		\$1.00	\$50.00	\$50.00		\$0.01	\$0.50	\$0.50		\$5.00	\$250.00	\$250.00		\$0.01	\$0.50	\$0.50	
7	CONSTRUCTION SIGNS	S.F.	150	\$0.01	\$1.50	\$1.50		\$1.00	\$150.00	\$150.00		\$0.01	\$1.50	\$1.50		\$13.00	\$1,950.00	\$1,950.00		\$0.01	\$1.50	\$1.50	
8	TACK COAT	GAL	535	\$0.01	\$5.35	\$5.35		\$1.00	\$535.00	\$535.00		\$0.01	\$5.35	\$5.35		\$1.00	\$535.00	\$535.00		\$0.01	\$5.35	\$5.35	
9	POLYMERIZED JOINT ADHESIVE	L.F.	1,200	\$0.01	\$12.00	\$12.00		\$1.00	\$1,200.00	\$1,200.00		\$0.01	\$12.00	\$12.00		\$0.01	\$12.00	\$12.00		\$2.00	\$2,400.00	\$2,400.00	
10	HMA MILLING, 3" OR LESS	S.Y.	3,845	\$3.00	\$11,535.00	\$11,535.00		\$7.00	\$26,915.00	\$26,915.00		\$6.50	\$24,992.50	\$24,992.50		\$4.00	\$15,380.00	\$15,380.00		\$4.25	\$16,341.25	\$16,341.25	
11	EXCAVATION, UNCLASSIFIED	C.Y.	120	\$0.01	\$1.20	\$1.20		\$1.00	\$120.00	\$120.00		\$25.00	\$3,000.00	\$3,000.00		\$5.00	\$600.00	\$600.00		\$0.01	\$1.20	\$1.20	
12	DENSE-GRADED AGGREGATE, BASE COURSE, 6" THICK	S.Y.	310	\$0.01	\$3.10	\$3.10		\$20.00	\$6,200.00	\$6,200.00		\$2.00	\$620.00	\$620.00		\$1.00	\$310.00	\$310.00		\$0.01	\$3.10	\$3.10	
13	HOT MIX ASPHALT 9.5M64 SURFACE COURSE, 2" THICK	TON	480	\$90.00	\$43,200.00	\$43,200.00		\$100.00	\$48,000.00	\$48,000.00		\$95.00	\$45,600.00	\$45,600.00		\$92.50	\$44,400.00	\$44,400.00		\$100.00	\$48,000.00	\$48,000.00	
14	HOT MIX ASPHALT 19M64 BASE COURSE, 4" THICK	TON	120	\$80.00	\$9,600.00	\$9,600.00		\$100.00	\$12,000.00	\$12,000.00		\$75.00	\$9,000.00	\$9,000.00		\$94.50	\$11,340.00	\$11,340.00		\$100.00	\$12,000.00	\$12,000.00	
15	HOT MIX ASPHALT DRIVEWAY, 3.5" THICK	S.Y.	66	\$30.00	\$1,980.00	\$1,980.00		\$50.00	\$3,300.00	\$3,300.00		\$70.00	\$4,620.00	\$4,620.00		\$20.00	\$1,320.00	\$1,320.00		\$45.00	\$2,970.00	\$2,970.00	
16	CONCRETE DRIVEWAY, REINFORCED, 6" THICK	S.Y.	60	\$100.00	\$6,000.00	\$6,000.00		\$100.00	\$6,000.00	\$6,000.00		\$120.00	\$7,200.00	\$7,200.00		\$84.00	\$5,040.00	\$5,040.00		\$80.00	\$4,800.00	\$4,800.00	
17	CONCRETE SIDEWALK, 4" THICK	S.Y.	35	\$85.00	\$2,975.00	\$2,975.00		\$100.00	\$3,500.00	\$3,500.00		\$90.00	\$3,150.00	\$3,150.00		\$100.00	\$3,500.00	\$3,500.00		\$75.00	\$2,625.00	\$2,625.00	
18	DETECTABLE WARNING SURFACE	S.Y.	4	\$225.00	\$900.00	\$900.00		\$500.00	\$2,000.00	\$2,000.00		\$275.00	\$1,100.00	\$1,100.00		\$300.00	\$1,200.00	\$1,200.00		\$250.00	\$1,000.00	\$1,000.00	
19	RESET EXISTING PAVERS	S.Y.	25	\$135.00	\$3,375.00	\$3,375.00		\$100.00	\$2,500.00	\$2,500.00		\$75.00	\$1,875.00	\$1,875.00		\$50.00	\$1,250.00	\$1,250.00		\$120.00	\$3,000.00	\$3,000.00	
20	SWALE CURB	L.F.	2440	\$34.50	\$84,180.00	\$84,180.00		\$25.00	\$61,000.00	\$61,000.00		\$34.00	\$82,960.00	\$82,960.00		\$40.00	\$97,600.00	\$97,600.00		\$31.00	\$75,640.00	\$75,640.00	
21	RECONSTRUCTED INLET, TYPE B, USING NEW CASTING	UNIT	2	\$1,800.00	\$3,600.00	\$3,600.00		\$3,000.00	\$6,000.00	\$6,000.00		\$1,850.00	\$3,700.00	\$3,700.00		\$1,850.00	\$3,700.00	\$3,700.00		\$1,200.00	\$2,400.00	\$2,400.00	
22	CURB PIECE, TYPE 'NECO'	UNIT	3	\$400.00	\$1,200.00	\$1,200.00		\$400.00	\$1,200.00	\$1,200.00		\$480.00	\$1,440.00	\$1,440.00		\$500.00	\$1,500.00	\$1,500.00		\$400.00	\$1,200.00	\$1,200.00	
23	BICYCLE SAFE GRATE	UNIT	3	\$400.00	\$1,200.00	\$1,200.00		\$400.00	\$1,200.00	\$1,200.00		\$340.00	\$1,020.00	\$1,020.00		\$550.00	\$1,650.00	\$1,650.00		\$300.00	\$900.00	\$900.00	
24	RESET MANHOLE, SANITARY, USING EXISTING CASTING	UNIT	3	\$300.00	\$900.00	\$900.00		\$2,000.00	\$6,000.00	\$6,000.00		\$100.00	\$300.00	\$300.00		\$350.00	\$1,050.00	\$1,050.00		\$850.00	\$2,550.00	\$2,550.00	
25	TRAFFIC MARKINGS LINES, 4"	L.F.	200	\$3.00	\$600.00	\$600.00		\$5.00	\$1,000.00	\$1,000.00		\$2.25	\$450.00	\$450.00		\$2.00	\$400.00	\$400.00		\$1.65	\$330.00	\$330.00	
26	TRAFFIC MARKINGS LINES, 24"	L.F.	90	\$17.00	\$1,530.00	\$1,530.00		\$10.00	\$900.00	\$900.00		\$13.13	\$1,181.70	\$1,181.70		\$12.50	\$1,125.00	\$1,125.00		\$11.00	\$990.00	\$990.00	
27	TOPSOILING, 4" THICK (IF & WHERE DIRECTED)	S.Y.	775	\$5.00	\$3,875.00	\$3,875.00		\$3.00	\$2,325.00	\$2,325.00		\$10.00	\$7,750.00	\$7,750.00		\$5.00	\$3,875.00	\$3,875.00		\$0.01	\$7.75	\$7.75	
28	FERTILIZING AND SEEDING, TYPE F (IF & WHERE DIRECTED)	S.Y.	775	\$1.00	\$775.00	\$775.00		\$1.00	\$775.00	\$775.00		\$0.50	\$387.50	\$387.50		\$1.25	\$968.75	\$968.75		\$0.01	\$7.75	\$7.75	
29	STRAW MULCHING (IF & WHERE DIRECTED)	S.Y.	775	\$1.00	\$775.00	\$775.00		\$1.00	\$775.00	\$775.00		\$0.01	\$7.75	\$7.75		\$1.00	\$775.00	\$775.00		\$0.01	\$7.75	\$7.75	
TOTAL BASE BID				\$203,723.93				\$223,273.00				\$224,213.13				\$225,920.75				\$229,338.93			

MILTON AVENUE IMPROVEMENTS BOROUGH OF OCEANPORT, MONMOUTH COUNTY, NEW JERSEY OPB-158				S. Brothers, Inc. P.O. Box 371 South River, NJ 08882				Discover Construction, LLC 2207 Route 130 Dayton, NJ 08810				Black Rock Enterprises, LLC 1316 Englishtown Road Old Bridge, NJ 08857				Lucas Construction Group, Inc. P.O. Box 8939 Red Bank, NJ 07001			
Item	Description	UNIT	Qty	Unit Price	Item Total	Bid Total	Err.	Unit Price	Item Total	Bid Total	Err.	Unit Price	Item Total	Bid Total	Err.	Unit Price	Item Total	Bid Total	Err.
BASE BID ITEMS																			
1	CLEARING SITE	LS	1	\$33,800.00	\$33,800.00	\$33,800.00		\$20,000.00	\$20,000.00	\$20,000.00		\$7,500.00	\$7,500.00	\$7,500.00		\$57,911.50	\$57,911.50	\$57,911.50	
2	FUEL PRICE ADJUSTMENT	LS	1	\$1,500.00	\$1,500.00	\$1,500.00		\$1,500.00	\$1,500.00	\$1,500.00		\$1,500.00	\$1,500.00	\$1,500.00		\$1,500.00	\$1,500.00	\$1,500.00	
3	UNIFORMED TRAFFIC DIRECTOR	HR	100	\$81.00	\$8,100.00	\$8,100.00		\$81.00	\$8,100.00	\$8,100.00		\$81.00	\$8,100.00	\$8,100.00		\$81.00	\$8,100.00	\$8,100.00	
4	BREAKAWAY BARRICADE	UNIT	8	\$1.00	\$8.00	\$8.00		\$0.01	\$0.08	\$0.08		\$25.00	\$200.00	\$200.00		\$1.00	\$8.00	\$8.00	
5	DRUM	UNIT	20	\$1.00	\$20.00	\$20.00		\$0.01	\$0.20	\$0.20		\$25.00	\$500.00	\$500.00		\$1.00	\$20.00	\$20.00	
6	TRAFFIC CONE	UNIT	50	\$1.00	\$50.00	\$50.00		\$0.01	\$0.50	\$0.50		\$12.00	\$600.00	\$600.00		\$1.00	\$50.00	\$50.00	
7	CONSTRUCTION SIGNS	S.F.	150	\$1.00	\$150.00	\$150.00		\$0.01	\$1.50	\$1.50		\$16.00	\$2,400.00	\$2,400.00		\$1.00	\$150.00	\$150.00	
8	TACK COAT	GAL	535	\$3.00	\$1,605.00	\$1,605.00		\$6.00	\$3,210.00	\$3,210.00		\$0.01	\$5.35	\$5.35		\$1.00	\$535.00	\$535.00	
9	POLYMERIZED JOINT ADHESIVE	L.F.	1,200	\$0.01	\$12.00	\$12.00		\$1.00	\$1,200.00	\$1,200.00		\$1.00	\$1,200.00	\$1,200.00		\$0.50	\$600.00	\$600.00	
10	HMA MILLING, 3" OR LESS	S.Y.	3,845	\$6.00	\$23,070.00	\$23,070.00		\$9.00	\$34,605.00	\$34,605.00		\$5.00	\$19,225.00	\$19,225.00		\$2.50	\$9,612.50	\$9,612.50	
11	EXCAVATION, UNCLASSIFIED	C.Y.	120	\$1.00	\$120.00	\$120.00		\$30.00	\$3,600.00	\$3,600.00		\$40.00	\$4,800.00	\$4,800.00		\$25.00	\$3,000.00	\$3,000.00	
12	DENSE-GRADED AGGREGATE, BASE COURSE, 6" THICK	S.Y.	310	\$0.01	\$3.10	\$3.10		\$20.00	\$6,200.00	\$6,200.00		\$10.00	\$3,100.00	\$3,100.00		\$6.00	\$1,860.00	\$1,860.00	
13	HOT MIX ASPHALT 9.5M64 SURFACE COURSE, 2" THICK	TON	480	\$111.00	\$53,280.00	\$53,280.00		\$95.00	\$45,600.00	\$45,600.00		\$105.00	\$50,400.00	\$50,400.00		\$95.00	\$45,600.00	\$45,600.00	
14	HOT MIX ASPHALT 19M64 BASE COURSE, 4" THICK	TON	120	\$60.00	\$7,200.00	\$7,200.00		\$100.00	\$12,000.00	\$12,000.00		\$110.00	\$13,200.00	\$13,200.00		\$90.00	\$10,800.00	\$10,800.00	
15	HOT MIX ASPHALT DRIVEWAY, 3.5" THICK	S.Y.	66	\$28.00	\$1,848.00	\$1,848.00		\$35.00	\$2,310.00	\$2,310.00		\$50.00	\$3,300.00	\$3,300.00		\$30.00	\$1,980.00	\$1,980.00	
16	CONCRETE DRIVEWAY, REINFORCED, 6" THICK	S.Y.	60	\$85.00	\$5,100.00	\$5,100.00		\$72.00	\$4,320.00	\$4,320.00		\$100.00	\$6,000.00	\$6,000.00		\$125.00	\$7,500.00	\$7,500.00	
17	CONCRETE SIDEWALK, 4" THICK	S.Y.	35	\$85.00	\$2,975.00	\$2,975.00		\$72.00	\$2,520.00	\$2,520.00		\$125.00	\$4,375.00	\$4,375.00		\$100.00	\$3,500.00	\$3,500.00	
18	DETECTABLE WARNING SURFACE	S.Y.	4	\$300.00	\$1,200.00	\$1,200.00		\$175.00	\$700.00	\$700.00		\$500.00	\$2,000.00	\$2,000.00		\$400.00	\$1,600.00	\$1,600.00	
19	RESET EXISTING PAVERS	S.Y.	25	\$40.00	\$1,000.00	\$1,000.00		\$80.00	\$2,000.00	\$2,000.00		\$80.00	\$2,000.00	\$2,000.00		\$225.00	\$5,625.00	\$5,625.00	
20	SWALE CURB	L.F.	2440	\$34.00	\$82,960.00	\$82,960.00		\$32.00	\$78,080.00	\$78,080.00		\$38.00	\$92,720.00	\$92,720.00		\$25.00	\$61,000.00	\$61,000.00	
21	RECONSTRUCTED INLET, TYPE B, USING NEW CASTING	UNIT	2	\$1,200.00	\$2,400.00	\$2,400.00		\$995.00	\$1,990.00	\$1,990.00		\$2,000.00	\$4,000.00	\$4,000.00		\$2,000.00	\$4,000.00	\$4,000.00	
22	CURB PIECE, TYPE 'N-ECO'	UNIT	3	\$360.00	\$1,080.00	\$1,080.00		\$200.00	\$600.00	\$600.00		\$350.00	\$1,050.00	\$1,050.00		\$450.00	\$1,350.00	\$1,350.00	
23	BICYCLE SAFE GRATE	UNIT	3	\$300.00	\$900.00	\$900.00		\$200.00	\$600.00	\$600.00		\$350.00	\$1,050.00	\$1,050.00		\$450.00	\$1,350.00	\$1,350.00	
24	RESET MANHOLE, SANITARY, USING EXISTING CASTING	UNIT	3	\$1.00	\$3.00	\$3.00		\$400.00	\$1,200.00	\$1,200.00		\$350.00	\$1,050.00	\$1,050.00		\$500.00	\$1,500.00	\$1,500.00	
25	TRAFFIC MARKINGS LINES, 4"	L.F.	200	\$2.00	\$400.00	\$400.00		\$10.00	\$2,000.00	\$2,000.00		\$2.00	\$400.00	\$400.00		\$2.00	\$400.00	\$400.00	
26	TRAFFIC MARKINGS LINES, 24"	L.F.	90	\$12.00	\$1,080.00	\$1,080.00		\$15.00	\$1,350.00	\$1,350.00		\$12.00	\$1,080.00	\$1,080.00		\$12.00	\$1,080.00	\$1,080.00	
27	TOPSOILING, 4" THICK (IF & WHERE DIRECTED)	S.Y.	775	\$0.01	\$7.75	\$7.75		\$1.00	\$775.00	\$775.00		\$4.00	\$3,100.00	\$3,100.00		\$8.00	\$6,200.00	\$6,200.00	
28	FERTILIZING AND SEEDING, TYPE F (IF & WHERE DIRECTED)	S.Y.	775	\$0.01	\$7.75	\$7.75		\$0.01	\$7.75	\$7.75		\$2.00	\$1,550.00	\$1,550.00		\$2.00	\$1,550.00	\$1,550.00	
29	STRAW MULCHING (IF & WHERE DIRECTED)	S.Y.	775	\$0.01	\$7.75	\$7.75		\$0.01	\$7.75	\$7.75		\$2.00	\$1,550.00	\$1,550.00		\$2.00	\$1,550.00	\$1,550.00	
TOTAL BASE BID					\$229,887.35	\$229,887.35			\$234,477.78	\$234,477.78			\$237,955.35	\$237,955.35			\$239,932.00	\$239,932.00	

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING A ONE-YEAR RENEWAL AGREEMENT OF THE SHARED
SERVICES WITH THE BOROUGH OF SEA BRIGHT FOR MUNICIPAL COURT
FACILITIES**

**Resolution #2019-81
03/21/19**

WHEREAS, the "Shared Services and Consolidation Act" at N.J.S.A. 40A:65-1 et. seq. allows a local unit to enter into an agreement with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction, including services incidental to the primary purposes of any of the participating local units; and

WHEREAS, N.J.S.A. 2B: 12-1 allows two or more municipalities to provide jointly for courtrooms, chambers, equipment, supplies and employees for their municipal courts and to agree to appoint the same persons as certified court administrator without establishing a joint municipal court; and

WHEREAS, effective on March 1, 2010, the Borough of Oceanport entered into a shared services agreement with the Borough of Sea Bright for municipal court services; and

WHEREAS, the termination date of the Agreement is February 28, 2019; and

WHEREAS, the Borough of Oceanport is desirous of renewing the existing shared services agreement with the Borough of Sea Bright for an additional one (1) year term for an amount not to exceed \$78,000.00; and

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Oceanport hereby authorize the Mayor and Borough Clerk to execute a one-year extension to the Shared Services Agreement ("agreement") for Municipal Court services between the Borough of Oceanport and the Borough of Sea Bright that incorporates the following additional terms and conditions:

1. The agreement dated November 16, 2009, is hereby extended for a period of one additional year from the date of termination. The new termination date will be February 28, 2020.
2. The annual rate for the services shall be \$78,000.00 which is a 2% increase of the 2018 base rate (\$76,470).
3. All other terms and conditions contained in the original Shared Services Agreement or any prior extensions thereto not modified by this Amendment shall remain in full force and effect.

BE IT FURTHER RESOLVED, that the Governing Body of the Borough of Oceanport, County of Monmouth, State of New Jersey, hereby authorize and agree to the above referenced terms and conditions of this Amendment by and between the Borough of Oceanport, 315 East Main Street, County of Monmouth, State of New Jersey and the Borough of Sea Bright, 1167 Ocean Avenue, County of Monmouth, State of New Jersey, which shall be dated February 19, 2019, and authorize the Mayor to sign said Amendment.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Chief Financial Officer, the Oceanport Municipal Court and the Borough of Sea Bright.

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Stephen Solan, Council President
SECONDER:	Joseph A. Irace, Councilman
AYES:	Gallo, Irace, O'Brien, Proto, Solan
ABSENT:	Deerin

I certify that the foregoing Resolution #2019-81 was adopted by the Oceanport Governing Body at the Regular Meeting held March 21, 2019



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #18-00012 FOR
BLOCK 115, LOT 35 KNOWN AS 40 TRINITY PLACE**

**Resolution #2019-82
03/21/19**

WHEREAS, at the Borough Tax Sale held on August 23, 2018, a lien was sold on Block 115 Lot 35 otherwise known as 40 Trinity Pl; and

WHEREAS, this lien, known as Tax Sale Certificate 18-00012 was sold to Trystone Capital Assets LLC at an interest rate of 0% and;

WHEREAS, the owner's representative has redeemed certificate 18-00012 in the amount of \$277.88.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$277.88 payable to Trystone Capital Assets LLC, PO Box 1030, Brick NJ 08723 for the redemption of Tax Sale Certificate 18-00012.

BE IT FURTHER RESOLVED, that the CFO be authorized to issue a check in the amount of \$700 (Premium) to the aforementioned lienholder.

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Stephen Solan, Council President
SECONDER:	Joseph A. Irace, Councilman
AYES:	Gallo, Irace, O'Brien, Proto, Solan
ABSENT:	Deerin

I certify that the foregoing Resolution #2019-82 was adopted by the Oceanport Governing Body at the Regular Meeting held March 21, 2019



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTMENT OF SAFETY COORDINATOR**

**Resolution #2019-83
03/21/19**

BE IT RESOLVED by the Mayor & Council that Donna M. Phelps is hereby appointed as the Borough Safety Coordinator.

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Stephen Solan, Council President
SECONDER:	Joseph A. Irace, Councilman
AYES:	Gallo, Irace, O'Brien, Proto, Solan
ABSENT:	Deerin

I certify that the foregoing Resolution #2019-83 was adopted by the Oceanport Governing Body at the Regular Meeting held March 21, 2019



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
ACCEPTING THE TAX COLLECTOR'S ANNUAL UNAUDITED REPORT**

**Resolution #2019-84
03/21/19**

WHEREAS, N.J.S.A. 54:4-91 requires that the Tax Collector shall submit an annual statement of receipts to the governing body.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Oceanport that the following Collector's Annual Report of Receipts for the Year Ending December 31, 2018, be hereby acknowledged and accepted as submitted.

**TAX COLLECTION OFFICE
FOR THE YEAR ENDING DECEMBER 31, 2018**

Monmouth Alliance-In Lieu of Taxes	\$	3,664.00
Oceanport Assoc-In Lieu of Taxes		59,867.63
Return Check Fee		160.00
Interest		46,481.71
2019 Taxes Prepaid		230,025.42
2018 Taxes		20,820,286.46
2017 Taxes		205,893.25
Duplicate Bills		
Cost of Advertising (including TWRWA)		1,747.21
Outside Liens Redeemed		103,247.51
Premium Collected from Tax Sale		69,500.00
6% Penalty		3,717.34
Due to TRWRA		4,371.10
Total	\$	21,548,961.63

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Stephen Solan, Council President
SECONDER:	Joseph A. Irace, Councilman
AYES:	Gallo, Irace, O'Brien, Proto, Solan
ABSENT:	Deerin

I certify that the foregoing Resolution #2019-84 was adopted by the Oceanport Governing Body at the Regular Meeting held March 21, 2019


JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #18-00002 FOR
BLOCK 39, LOT 6 KNOWN AS 9 POCANO AVENUE**

**Resolution #2019-85
03/21/19**

WHEREAS, at the Borough Tax Sale held on August 23, 2018, a lien was sold on Block 39 Lot 6 otherwise known as 9 Pocano Ave; and

WHEREAS, this lien, known as Tax Sale Certificate 18-00002 was sold to DSHC Enterprises LLC at an interest rate of 0% and;

WHEREAS, a miscalculation was made in the redemption amount authorized by Resolution #2019-057 and the redemption amount needs to be increased to the amount of \$8,822.58.

NOW, THEREFORE, BE IT RESOLVED that the original amount of the redemption is hereby increased and the CFO is authorized to issue a check in the amount of \$8,822.58 payable to DSHC Enterprises LLC, PO Box 524, Plainsboro NJ 08536 for the redemption of Tax Sale Certificate 18-00002.

BE IT FURTHER RESOLVED, that the CFO be authorized to issue a check in the amount of \$25,100 (Premium) to the aforementioned lienholder.

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Stephen Solan, Council President
SECONDER:	Joseph A. Irace, Councilman
AYES:	Gallo, Irace, O'Brien, Proto, Solan
ABSENT:	Deerin

I certify that the foregoing Resolution #2019-85 was adopted by the Oceanport Governing Body at the Regular Meeting held March 21, 2019



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
SETTING THE FEES FOR EXTRA DUTY ASSIGNMENTS**

**Resolution #2019-86
03/21/19**

WHEREAS, the fees for Extra Duty Assignments are to be set by resolution pursuant with Borough Code 78-13(C); and

WHEREAS, a resolution was adopted on May 19, 2016 setting such fees; and

WHEREAS, the police collective bargaining unit has requested an adjustment in the fees and charges to reflect compensation similar to those of surrounding municipalities.

WHEREAS, the Governing Body has reviewed said request and has determined that an adjustment in the fees and charges is warranted and now desires to adopt the adjustments as recommended by the police collective bargaining unit.

NOW THEREFORE BE IT RESOLVED, that the fees for such Extra Duty Assignments are amended and set as follows:

1. The rate for Extra Duty Assignment shall be ~~\$60.00~~ \$68.00 per hour for police officers, Class I and II special officers.
2. ~~The rate for Extra Duty Assignment shall be \$38.00 per hour for Class II special officers.~~
3. ~~The rate for Extra Duty Assignment shall be 25.00 per hour for Class I special officers~~
4. For Extra Duty Assignments exceeding 8 hours or between ~~6-5~~ P.M. and ~~6~~ 7 A.M. or on a Saturday, Sunday or Federal holiday, or with less than 8 hours advance notice (emergency detail), the rate shall be ~~\$71.00~~ \$79.00 per hour for police officers, and \$52.00 per hour for all Class I and II special officers.
5. All Extra Duty Assignment shall have a minimum of four (4) hours.
6. Notification of cancellations must be made not less than two (2) hours in advance or the four (4) hour minimum applies.

BE IT FURTHER RESOLVED that the following fees for such Extra Duty Assignments are set forth as follows for Monmouth Park Race Track.

1. The rate for Extra Duty Assignment shall be ~~59.00~~ \$60.00 per hour for police officers, Class I and Class II special officers on live racing days only.
2. ~~The rate for Extra Duty Assignment shall be 38.00 per hour for Class II special officers on live racing days only.~~
3. ~~The rate for Extra Duty Assignment shall be 25.00 per hour for Class I special officers on live racing days only.~~
4. All Extra Duty Assignments shall have a minimum of (2) hours up to 2 hours.
5. All Extra Duty Assignments beyond 2 hours shall have a minimum of 4 hours.
6. The Chief or his designee shall be paid the hourly rate for scheduling Monmouth Park Race Track extra duty assignments.

BE IT FURTHER RESOLVED that the Collective Bargaining Unit may agree to a reduced minimum call out time and waive the increased after 6 5 p.m. and exceeding 8 hour rate for Non-Profit and Educational Organizations through a letter of agreement which shall apply to members covered under the PBA and other Police Department Employees:

BE IT FURTHER RESOLVED that an administrative fee of \$11.00 \$12.00 will be charged for every \$100.00 dollars billed for an Extra Duty Assignment.

BE IT FURTHER RESOLVED that if it is determined by the Chief of Police or his designee that a Borough vehicle is required for an Extra Duty Assignment a fee of ~~\$10.00~~ per hour shall be billed for an Extra Duty Assignment. No fee shall be charged if the vehicles are "on patrol".

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Stephen Solan, Council President
SECONDER:	Joseph A. Irace, Councilman
AYES:	Gallo, Irace, O'Brien, Proto, Solan
ABSENT:	Deerin

I certify that the foregoing Resolution #2019-86 was adopted by the Oceanport Governing Body at the Regular Meeting held March 21, 2019



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING AN EMERGENCY TEMPORARY APPROPRIATION**

**Resolution #2019-87
03/21/19**

WHEREAS, an emergent condition has arisen wherein the appropriations set forth in the 2019 temporary budget are insufficient to meet the financial obligations as set forth below; and

WHEREAS, the Local Finance Board, as authorized by N.J.S.A. 40A:4-5.1, has extended the statutory budget deadlines pursuant with Local Finance Notice #2018-28;

WHEREAS, the permanent budget for the year 2019 has not yet been adopted; and

WHEREAS, the total emergency temporary appropriations adopted in the year 2019 pursuant to the provisions of N.J.S.A. 40A:4-20 included in this resolution total \$1,060,050.00.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body hereby extends the 2019 budget adoption to May 16, 2019 and (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with the aforementioned statute the 2019 temporary fiscal budget be and the same is hereby amended to provide for an emergency temporary appropriation in the amount of \$1,060,050.00 said appropriations are as follows:

2019 temporary budget

		EMERGENCY PROPOSED S/W		EMERGENCY PROPOSED O/E
APPROPRIATIONS				
A/E	\$	40,000.00	\$	30,000.00
FINANCE	\$	15,000.00	\$	10,000.00
ASSESSMENT	\$	4,500.00	\$	1,000.00
COLLECTION	\$	10,000.00	\$	1,000.00
LEGAL			\$	25,000.00
MUNICIPAL COURT - INSIDE CAP	\$	23,000.00	\$	6,000.00
PROSECUTOR	\$	2,000.00		
ENGINEERING			\$	15,000.00
BUILDING & GROUNDS			\$	10,000.00
PLANNING BOARD	\$	3,000.00	\$	1,500.00
HEALTH INSURANCE			\$	180,000.00
DENTAL INSURANCE			\$	8,000.00
LIABILITY INSURANCE			\$	60,000.00
WORKERS COMP			\$	60,000.00
FIRE			\$	10,000.00
FIRE HYDRANT SERVICES			\$	16,000.00
FIRST AID			\$	15,000.00
POLICE DEPARTMENT	\$	200,000.00	\$	25,000.00
EMERGENCY MANAGEMENT	\$	1,000.00	\$	4,500.00
OSHA/PATHOGENS			\$	100.00
PUBLIC WORKS	\$	40,000.00	\$	20,000.00
SENIOR CITIZENS			\$	500.00
SHADE TREE			\$	1,500.00
SANITATION			\$	30,000.00
DUMPING FEES			\$	35,000.00
PARKS & REC	\$	2,500.00	\$	4,000.00
COUNTY LIBRARY	\$	1,000.00	\$	300.00

CODE ENFORCEMENT	\$	6,000.00	\$	250.00
WATER WATCH			\$	500.00
RECYCLING			\$	6,000.00
BOARD OF HEALTH	\$	800.00		
ENVIRONMENTAL COMM			\$	100.00
STREET LIGHTING			\$	35,000.00
GASOLINE			\$	1,000.00
ELECTRICITY			\$	20,000.00
TELEPHONE			\$	5,000.00
WATER & SEWER			\$	5,000.00
NATURAL GAS			\$	15,000.00
BOROUGH INTERNET			\$	3,500.00
CEL PUBLIC EVENTS			\$	500.00
SOCIAL SECURITY SYSTEM			\$	25,000.00
DEBT SERVICE INTEREST - BONDS			\$	25,000.00
	\$	348,800.00	\$	711,250.00

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robert Proto, Councilman
SECONDER:	Joseph A. Irace, Councilman
AYES:	Gallo, Irace, O'Brien, Proto, Solan
ABSENT:	Deerin

I certify that the foregoing Resolution #2019-87 was adopted by the Oceanport Governing Body at the Regular Meeting held March 21, 2019


 JEANNE SMITH, RMC
 BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE PROCUREMENT OF LIQUOR LICENSE APPRAISAL
AND AWARDING A CONTRACT TO EAC VALUATIONS LLC**

**Resolution #2019-88
03/21/19**

WHEREAS, recent legislation has authorized the issuance of four Plenary Retail Consumption Liquor Licenses solely for use by qualified facilities within the Fort Monmouth redevelopment area located within the boundaries of the Borough of Oceanport; and

WHEREAS, in order for the Borough of Oceanport to award said licenses to successful bidders, an appraisal to develop and report the Fair Market Value of a Plenary Retail Consumption Liquor License needs to be performed; and

WHEREAS, the Governing Body authorized and the Borough Attorney solicited proposals from four qualified vendors to perform the necessary appraisal and received one response from EAC Valuations LLC dated March 14, 2019.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Oceanport that a contract be awarded to EAC Valuations pursuant with their proposal dated March 14, 2019 for an amount not to exceed Seven thousand Five hundred dollars (\$7,500) for the appraisal providing the Fair Market Value of a Plenary Retail Consumption Liquor License to be awarded to successful bidders.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Stephen Solan, Council President
SECONDER:	Richard Gallo, Councilman
AYES:	Gallo, Irace, O'Brien, Proto, Solan
ABSENT:	Deerin

I certify that the foregoing Resolution #2019-88 was adopted by the Oceanport Governing Body at the Regular Meeting held March 21, 2019



JEANNE SMITH, RMC
BOROUGH CLERK



March 14, 2019

Scott Arnette, Esquire
Arnette Law Firm LLC
151 Bodman Place
Red Bank, NJ 07701

Re: Proposal #190314ALF

Dear Mr. Arnette:

As per your request, EAC Valuations LLC is pleased to submit our proposal for consulting services. The assets to be valued are identified as four Plenary Retail Consumption Liquor Licenses Type #33 to be issued to the borough of Oceanport, NJ. These licenses will be issued by the State of New Jersey to the borough of Oceanport, NJ and then awarded to specific successful bidders at a later date.

PURPOSE/INTENDED USE/INTENDED USER

The purpose of the appraisal is to develop and report the Fair Market Value of the assets. We will be making certain assumptions on what these four licenses will be valued in the aggregate, since specific addresses and locations are not known within Oceanport, NJ. The intended use of the assignment is to provide a calculation value of the potential licenses as a basis for a potential sale within Oceanport, NJ. The user recipient of this report is the borough of Oceanport, NJ.

STANDARD OF VALUE DEFINED

In accordance with the Internal Revenue Service Ruling 59-60 (RR 59-60), **Fair Market Value** is the price at which the property would change hands between a willing buyer and a willing seller when the former is not under any compulsion to buy and the latter is not under any compulsion to sell, both parties having reasonable knowledge of relevant facts.

⁽¹⁾Source: *Machinery & Technical Specialties Committee of the American Society of Appraisers—July 25, 2010.*

VALUATION DATE

The effective date of the assets will be determined as of June 1, 2019.



STANDARDS APPLIED

Our opinion of value will be conducted and the report prepared in accordance with the National Association of Certified Valuators and Analysis (NACVA).

SCOPE OF WORK

EAC will utilize on our data bases of previously awarded and sold licenses issued in and around Oceanport, NJ. EAC will rely upon both descriptive and financial data provided to us in response to questionnaires provided and in person interviews with appropriate management personnel. Our valuation will be guided by the definition of Fair Market Value as defined by the Internal Revenue Service Ruling 59-060, stated above.

Our findings will be presented in a narrative report, which will contain a discussion of the subject licenses, nature of the subject interest, a market value calculation only, the purpose and intended use of the valuation, the calculation date, the standard of value, and the methodology of the value.

EAC Valuations LLC will issue four draft reports, one for each license, for review and comment, followed with the delivery of the final reports, all prepared complete with appropriate summaries, descriptive valuation data, and support exhibits. These documents will be issued electronically, in portable document format (pdf).

The consulting service fee quoted in this proposal provide for the investigation and the electronic delivery of one draft report and one final report. If a final appraisal report is not requested within sixty days of the issuance of the draft report, we will automatically deliver the final appraisal report to close the assignment.

APPRAISAL SERVICE FEES

The proposed base fee for the appraisal services described is Seven Thousand Five Hundred Dollars (\$7,500). We will invoice one hundred percent (100%) of the fee upon the acceptance of the appraisal assignment. Our invoice is payable within fifteen days of receipt.

The fee quoted represents the total cost of the described appraisal services for this assignment based upon the Scope of Work described in this document, including delivery of the draft and final reports. If the appraisal assignment should vary from the scope of work, the fee will be adjusted accordingly on the final invoice. If for any reason it is mutually agreed to terminate the appraisal assignment, the fee will be pro-rated, based on the total hours applied to the project up to the termination date.

LIMITATIONS, QUALIFICATIONS & CONDITIONS

The findings to be expressed in the appraisal report shall not be used in a solvency or fairness opinion by others or in a proxy or other statements, unless accompanied by written consent by the designated officers of EAC Valuations LLC whose signature and qualifications were included within the appraisal report.

The original report and all supporting notes will be kept on file for a period of five years, or at least two years after final disposition of any judicial proceeding in which testimony was given.



In addition, attached in this document is the Appraisal Contract Conditions to be considered as part of our agreement for appraisal services. Our Confidentiality Statement is also attached to this document.

CONSULTING ASSIGNMENT AND SCHEDULE

EAC Valuations LLC will begin the appraisal upon receipt of the Letter of Engagement attached to this proposal. Please scan and e-mail to me at tgudowicz@eacvaluations.com (fmerenda@eacvaluations.com). Our report(s) will be delivered to comply with your requirements. This is predicated on all information requested from all concerned parties being received by us in a timely manner.

Recognizing that questions regarding the draft report may arise from either an internal or third-party review, we shall make every effort to make available the appraisers responsible for the report for inquiries. Our proposal allows for up to four hours of review time. Time exceeding the allotted four hours will be invoiced at then current hourly professional rates. If such an occurrence arises, it is agreed that EAC Valuations, LLC will be compensated at that rate plus expenses. We will provide a verbal notification to you prior to continuing work on a per diem basis. The expenses include but are not limited to travel expenses, office production costs, and express delivery charges related to these described services.

Should the final report become the subject of a litigation proceeding, a separate cost fee schedule will be applied, consistent with current EAC charges for litigation support, including conferences, depositions, hearings and/or trial attendance. All litigation fees will be payable in full prior to the appearance by any EAC personnel at depositions, hearings or trials.

This proposal for appraisal services will be valid for a period of thirty days from the date above. Thank you for this opportunity for us to be of service.

Respectfully submitted,

EAC VALUATIONS LLC

Thomas H. Gudowicz
Vice President, Chief Operating Officer



APPRAISAL CONTRACT CONDITIONS

- (1) The persons authorizing this engagement on behalf of client and EAC Valuations LLC are empowered to do so.
- (2) Fees are in no way contingent upon values concluded by appraiser.
- (3) EAC Valuations LLC warrants that services will be performed in a professional manner in accordance with established appraisal industry standards. We make no further warranty of any kind, expressed or implied.
- (4) Disclosure of the contents of the appraisal report is governed by the bylaws and regulations of the professional appraisal organizations with which EAC Valuations LLC and our appraisers are affiliated.
- (5) EAC Valuations LLC will preserve the confidential nature of information received from the client or developed during this engagement, in accordance with established professional standards. Client agrees to preserve the confidential format and content of the appraisal report. The report and EAC Valuations LLC and their appraiser's identity are not to be used in whole or part outside client's organization, without prior written approval, except for review by auditors and legal counsel, and by representatives of taxing authorities.
- (6) Client agrees that EAC Valuations LLC does not, either by entering this contract or by performing the services rendered, assume, abridge, abrogate or undertake to discharge any duty of client to any other entity.
- (7) No opinion is intended to be expressed for matters that require legal or other specialized expertise, investigation or knowledge beyond that customarily employed by EAC Valuations LLC in the evaluation of properties.
- (8) Unless specifically brought to EAC Valuations LLC's attention, we will assume there are not hidden or unexpected conditions of the property that would adversely affect value.
- (9) Hazardous substances, if present within a property, can introduce an actual or potential liability that will adversely affect the marketability and value of the property. Such liability may be in the form of immediate recognition of existing hazardous conditions or future liability that could stem from the release of currently non-hazardous contaminants.
- (10) In the development of the conclusion of value, no consideration will be given to such liability or its impact on value unless EAC Valuations LLC is specifically retained to perform or prepare an environmental or toxic contamination report. Unless such a report is prepared by EAC Valuations LLC, the client releases EAC Valuations LLC from any and all future environmental liability.



APPRAISAL CONTRACT CONDITIONS
(Continued)

- (11) Delivery schedules quoted assume (unless otherwise stated) that:
 - (a) Written authorization and/or fee requested will be received by a specified date, or in a timely manner;
 - (b) All supporting information to be provided by the Client will be readily available;
 - (c) EAC Valuations LLC will be afforded ready access to the property to be considered.
- (12) Fees quoted in engagement letters are due and payable regardless of whether calculations reached coincide with client's expectations.
- (13) Any use by the client of the calculation report is conditioned upon payment of all fees in accordance with the agreed terms.
- (14) In consideration for performing the services rendered at the fee charged, appraiser expressly limits his liability to the amount of the fee paid or \$25,000, whichever is less.
- (15) EAC Valuations LLC expressly disclaims liability as an insurer or guarantor. Any persons seeking greater protection from loss or damage than is provided for herein should obtain appropriate insurance.
- (16) The client shall indemnify and hold harmless EAC Valuations LLC and their employees, agents or subcontractors, against all claims made by any third party, and any judgment for loss, damage or expenses of whatsoever nature and howsoever arising relating to the performance or non-performance of any services by EAC Valuations LLC or their appraisers.
- (17) In the event of a dispute involving interpretation or application of this agreement, the dispute shall be referred to a neutral third-party mediation service. The cost of such mediation shall be borne equally by the parties. In the event mediation is not successful, the parties agree to submit the dispute to binding arbitration under the laws of the Commonwealth of Pennsylvania.
- (18) It is understood and agreed by the parties hereto that the provisions of each of the paragraphs of this Agreement are independent of and severable from each other and if any provision or part thereof is held illegal, void or invalid under applicable law or arbitration, such provision or part may be changed to the extent reasonably necessary to make the provision or part, as so changed, legal, valid or binding. If any provision of this Agreement is held illegal, void, or invalid in its entirety, the remaining provisions of this Agreement shall not in any way be affected or impaired but shall remain binding in accordance with their terms and this Agreement shall be so interpreted.
- (19) If, in the future, EAC Valuations LLC is requested or compelled to produce documents or testify regarding work performed for client, client shall reimburse EAC Valuations LLC for all reasonable costs, including those for attorney fees, preparation and travel time, court or deposition time, and expenses incurred.



CONFIDENTIALITY STATEMENT

EAC Valuations LLC understands that confidential information relating to your company and its processes is very valuable and must be protected. While performing appraisals, we may collect or be exposed to such confidential information. This information may be used to facilitate the services that we provide to you and may include the information provided to us by you directly or received by us from others with your authorization. To guard your confidential information, we maintain physical, electronic, and procedural safeguards that comply with our professional standards.

EAC Valuations LLC will not disclose any confidential information obtained during our engagement with our clients to any third parties without your written consent, except as required by a court of law. In such case, we will first notify you of our requirement to comply with the court. All employees and any third-party consultants we employ are informed any information obtained during an appraisal assignment is to be maintained in strict confidence within EAC.

SAMPLE CLIENTELE LISTING

The following listing exhibits major private-sector clients with 2007 and later activity, as well as selected major government clients.

Airgas	MacAndrews & Forbes
Alcoa	MedRisk, LLC
Almatis, Inc.	Merck
Arkema Inc.	MUFG
Ascend Performance	Novel Ingredients
Bayer Corporation	Orion Engineered Carbons
Bluewater Thermal Processing	People 2.0 Global, Inc.
Braskem	PPG Industries, Inc.
Brown Brothers Harriman	Pittsburgh Post-Gazette
Commercial Metals Company	Ply Gem Industries
Conestoga Wood Products	PNY
DCO Energy	Precision Auto Care
Denver Post	QVC, Inc.
Derma Sciences	Rector Seal
Drexel University	Ruby Tuesday
EnerSys	Safeguard Scientifics, Inc.
Ferro	Saladworks
Gibraltar Industries	Solex Holdings LLC
GlaxoSmithKline	Solvay
Godshall Meats	South Eastern Economic Development Co.
Haier America	Sun Chemical
Harris Teeter, Inc.	Sunny Delight
Installs inc, LLC	Teleflex
Interstate Resources	Total Petroleum
M&T Bank	Vinson & Elkins



Letter of Engagement EAC Valuations LLC Proposal #190314ALF

The undersigned is an authorized representative of the Borough of Oceanport, NJ and agrees to the scope, methodology, terms and conditions as set forth in the detailed proposal referenced above, submitted by EAC Valuations LLC on March 14, 2019. This letter will confirm our general understanding and arrangements for the services to be provided:

PURPOSE/INTENDED USE/INTENDED USER

The purpose of the appraisal is to develop and report the Fair Market Value of the assets. We will be making certain assumptions on what these four licenses will be valued in the aggregate, since specific addresses and locations are not known within Oceanport, NJ. The intended use of the assignment is to provide a calculation value of the potential licenses as a basis for a potential sale within Oceanport, NJ. The user recipient of this report is the borough of Oceanport, NJ.

ENTITIES TO BE VALUED

The four Plenary Retail Consumption Liquor Licenses Type 33 located within Oceanport County, NJ.

STANDARD OF VALUE DEFINED

In accordance with the Internal Revenue Service Ruling 59-60 (RR 59-60), **Fair Market Value** is the price at which the property would change hands between a willing buyer and a willing seller when the former is not under any compulsion to buy and the latter is not under any compulsion to sell, both parties having reasonable knowledge of relevant facts.

VALUATION DATE

The effective date of the asset will be determined as of June 1, 2019.

CONSULTING SERVICE FEES

The fee for the consulting services described is Seven Thousand Five Hundred Dollars (\$7,500). We will invoice one hundred percent (100%) of the fee upon the acceptance of the assignment. Our invoice is payable within fifteen days of receipt.

Accepted By: The Borough of Oceanport, NJ

Name

Title

Date



PROFESSIONAL QUALIFICATIONS

Frank L. Merenda, CVA, ASA, BCA, CMEA, MBA, MSChE

Professional Experience

- (A) President of EAC Valuations LLC (2007); Managing Director of Sobel Valuations (2018)
- (B) Fair Value (BV, IA, M&E), Property Tax, Insurance Coverage, Gift/Estate Appraisals (2007)
- (C) Certified Machinery & Equipment appraiser (2004)
- (D) Provide valuations for small, closely held businesses to be offered for confidential sale (2004)

Professional Society Memberships, License & Designation

- (A) Certified Valuation Analyst (CVA) — National Association of Certified Valuators & Analysts (2009)
- (B) Accredited Senior Appraiser (ASA) — Machinery & Technical Specialties (2014)
- (C) Business Certified Appraiser (BCA) — Education Committee Member, ISBA, Wichita, KS (2013)
- (D) Certified Machinery & Equipment Appraiser (CMEA) — NEBB Institute, Wichita, KS (2004)
- (E) Member — National Association of Certified Valuators & Analysts (NACVA) (2007)
- (F) Secretary/Treasurer — NACVA Pennsylvania East Chapter (2011)
- (G) Member — American Society of Appraisers (ASA)
- (H) Member — American Institute of Chemical Engineers (AIChE) (1974)
- (I) Member — American Chemical Society (ACS) (1985)
- (J) Member — Greater Philadelphia Senior Executive Group (GPSEG) (2003)
- (K) Vice President — ChemPharma (2007-2008)
- (L) Officer — Legatus (2010-2014)
- (M) President — Rotary Club of Paoli-Malvern-Berwyn (2006-2007)

Appraisal Specialties & Background

- (A) Market valuation for small to mid-size closely held businesses
- (B) Intangible Asset Appraisals (Customer Relationships, Patents, Trademarks, Trade Names, Technology, Non-Compete)
- (C) Machinery & Equipment Appraisals for manufacturing, including chemicals, pharmaceuticals, oil processing/petrochemicals, machining, metal working, and specifically products
- (D) New Plant construction and/or replacement cost new of manufacturing facilities for insurance placement
- (E) Property Tax appraisals for individual and commercial personal and real property
- (F) Purchase Price Allocation (ASC805/IFRS3R) and Goodwill/Fixed Asset Impairment (ASC 350/360)

Formal Education & Appraisal Training

- (A) NACVA 2009 Certified Valuation Analyst (CVA)
- (B) Consultants Training Institute, Salt Lake City, UT
Annual training sessions from 2009 - 2018
- (C) American Society of Appraisers, Reston, VA (ASA)
 - Accredited Senior Appraiser (ASA) Machinery & Technical Specialties (2014)
 - Annual training sessions in Business Valuation and Machinery & Equipment 2015 - 2018
- (D) NEBB Institute, Wichita, KS
 - CMEA training and certification (2004)
 - Annual training from 2015-2018, Member Business Valuation Education Committee
- (E) Tristate RCA — Continuing education for Pennsylvania Real Estate Sales license
- (F) Rutgers University
 - MBA — Accounting/Finance, Newark, NJ (1985)
 - MS — Chemical Engineering, Piscataway, NJ (1982)
 - BS — Chemical Engineering, Piscataway, NJ (1978)
 - BA — Business Administration, New Brunswick, NJ (1978)

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPROVING POLICE CHIEF MICHAEL KELLY'S REQUEST FOR SPECIAL
LEAVE TO ATTEND THE FBI ACADEMY AND USE OF VEHICLE ASSIGNED
TO THE CHIEF AUTHORIZED FOR OUT OF STATE USE**

Resolution #2019-89

03/21/19

WHEREAS, Police Chief Michael Kelly has been selected to attend the prestigious Federal Bureau of Investigation National Academy Session #278, a 10-week program beginning October 7, 2019 and ending December 20, 2019; and

WHEREAS, Chief Kelly has requested the Governing Body's support for his attendance and authorization to use the Borough vehicle assigned to the Chief for commuting to the Academy's location in Quantico, Virginia; and

WHEREAS, the Governing Body congratulates Chief Kelly for being selected for this prestigious opportunity and offers their support and approval of his requests.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Oceanport, County of Monmouth, State of New Jersey that Chief Kelly's request for leave to attend the FBI National Academy as offered, with continuation of salary pursuant with his contract and authorization to utilize the Borough's vehicle assigned to the Chief for the purpose of commuting is hereby approved.

BE IT FURTHER RESOLVED, that the Borough Clerk shall provide certified copies of this resolution to Chief Michael Kelly, the Borough Administrator, the Chief Financial Officer and the Payroll Clerk.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robert Proto, Councilman
SECONDER:	Joseph A. Irace, Councilman
AYES:	Gallo, Irace, O'Brien, Proto, Solan
ABSENT:	Deerin

I certify that the foregoing Resolution #2019-89 was adopted by the Oceanport Governing Body at the Regular Meeting held March 21, 2019



JEANNE SMITH, RMC
BOROUGH CLERK