



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

AGENDA • MARCH 18, 2021

Regular Meeting

REMOTE/VIRTUAL

7:00 PM

Clement V. Sommers Municipal Building, 910 Oceanport Way, Oceanport, NJ 07757

I. Call to Order

II. Statement of Compliance with Open Public Meetings Act:

This meeting complies with the Open Public Meetings Act by adequate and electronic notification on January 13, 2021 of this virtual/remote meeting and its location, date and time to the Asbury Park Press and Two River Times and by the posting of same on the municipal bulletin board and Borough's Web Site. This meeting is also being broadcast on the Borough's Local Public Access Channel, Verizon FiOS Channel 28. Members of the general public can register for meetings from the Borough website at www.oceanportboro.com by scrolling to the bottom of the homepage and clicking "REGISTER for Mayor & Council Virtual Meetings" on the left-hand side of the screen. Registering allows the general public to view and participate in meetings on their computers, smart phones and tablets. Once registered, members of the general public will be muted upon entry to a meeting. Registration allows a member of the general public to participate during the public portions of a meeting by using one of the following options:

1. Text. Once registered for and admitted to a meeting, members of the general public can text comments through the GotoWebinar application. These text comments will be read out loud by the Clerk during the livestream public portions of the meeting.

2. Raise Your Hand Feature. Once registered for and admitted to a meeting, members of the general public can use the GoToWebinar's "Raise Your Hand" icon to be acknowledged for an opportunity to speak. Once recognized and advised to speak, members of the general public may need to unmute themselves to participate in the meeting.

Whether registered or not, the general public can (a) e-mail questions or comments prior to or during the meeting to public.comments@oceanportboro.com or (b) call the Borough's Public Comments Line at (732)-272-8337. The Public Comments Line is only answered during the livestream broadcast of a meeting. A caller to the Public Comments Line must provide his or her name and address in order to participate in a meeting. Once this information is provided, callers will either be admitted to speak at the meeting immediately or they will be called back by the Borough at the appropriate or designated time so that they can speak. Speakers participating through the Public Comments Line will be placed on speaker and all comments made will be part of the digital record of the meeting. The instructions for Public Participation in the Borough's meetings are also available on the Borough's website at www.oceanportboro.com.

III. Flag Salute

IV. Invocation

V. Roll Call

VI. GUEST: FMERA Staff Monthly Update

VII. Administrators Report

VIII. Clerk's Report

1. Fort Monmouth Plan Amendment #17
2. Facility Request for Use of BBB Pavilion - Lacrosse Coaches Training
3. Facility Request for Use of Charles Park - Yoga
4. Dog & Cat License Renewals

IX. Consent Agenda

#2021-69 1. Resolution authorizing payment of BILL LIST 03-18-2021

#2021-70 2. Resolution authorizing a contract with Shore BOE for Student Transportation 2020-2021

#2021-71 3. Resolution authorizing Refund for Overpayment, Block 7, Lot 23.02

- #2021-724. Resolution authorizing aerial mosquito control operations 2021
- #2021-735. Resolution authorizing Contract for Cleaning Services for 2021
- #2021-746. Resolution authorizing permits for Facility Use - Spring 2021
- #2021-757. Resolution appointments to Boards & Committees, Recreation
- 8. Approval of First Aid Membership, Jonathan Ryan
- 9. Approval of Fire Department Membership, Kyle Crochet
- 10. Receipt of Minutes, Parks & Recreation Committee, 01/13/2021
- 11. Receipt of Minutes, Historical Committee, Jan. 14, 2021

X. Minutes

- 1. Reorganization Meeting Minutes, January 7, 2021
- 2. Regular Meeting Minutes, January 21, 2021
- 3. Workshop Minutes, February 4, 2021
- 4. Regular Meeting Minutes, February 18, 2021

XI. Resolutions

- #2021-76 Resolution approving place-to-place transfer of Liquor License - Marina at Oceanport
- #2021-77 Resolution opposing ACS 1571 & 1576 concerning Prevailing Wage Act
- #2021-78 Resolution authorizing Public Sale of Fort Monmouth Special Liquor License(s)
- #2021-79 Resolution authorizing an emergency temporary appropriation
- #2021-80 Resolution authorizing expanded footprints for outdoor dining during COVID19 emergency - *To Be Provided*

XII. First Reading Ordinances

- #1033 Introduction of An Ordinance Providing for Updates to Chapter 223 Fire Prevention - *Amended*
An Ordinance Creating Chapter 245 "Housing" - *To Be Provided*

XIII. Second Reading Ordinances

- #1035 2nd Reading and PUBLIC HEARING of An Ordinance to Increase Fees for Liquor Licenses

XIV. Committee Reports

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

XV. Mayor Coffey's Report**XVI. Petitions from the public****XVII. Adjournment**

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING PAYMENT OF BILL LIST FOR
MARCH 18, 2021**

**Resolution #2021-69
03/18/21**

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of March 18, 2021.

BE IT RESOLVED, by the Mayor and Council that the bills be paid as on the attached bill list dated March 18, 2021 totaling \$937,606.95.

CERTIFICATION OF FUNDS

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



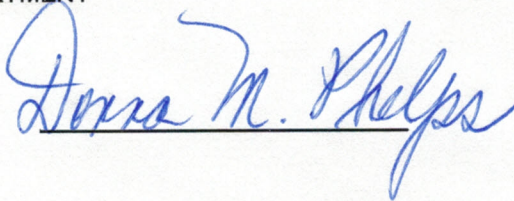
Catherine D. LaPorta, CFO

**BOROUGH OF OCEANPORT
BILL LIST**

18-Mar-21

PAYEE	AMOUNT
PAYROLL ACCOUNT	\$107,482.05 5TH PAY \$107.02 DCRP
GRANT FUND	\$0.00
CAPITAL TRUST TOTAL	\$19,361.25
DOG REGISTRY TOTAL	\$0.00
OPEN SPACE TRUST TOTAL	\$1,557.39
SUI	\$0.00
UCC TRUST	\$5,311.08
TRUST OTHER TOTAL	\$0.00
ESCROW TRUST TOTAL	\$16,285.99
2020 VOUCHERS PAID THIS MEETING	\$4,697.66
2021 VOUCHERS PAID THIS MEETING	\$782,804.51
TOTAL	\$937,606.95

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


Donna M. Phelps

List of Bills - (All Funds)

9.1.a

Vendor	Description	Payment	Check Total
Current Fund			
1009 - ADP, INC	PO 7882 PAYROLL SERVICES - 02/03/21 & 02/17/21 &	434.10	434.10
1658 - AMAZON CAPITAL SERVICES, INC	PO 7569 Supplies	702.42	
	PO 7570 Amazon order-items for New PD	117.95	
	PO 7603 ADMIN SUPPLIES	149.86	
	PO 7821 ADMIN SUPPLIES	191.98	1,162.21
1029 - BEATRIZ C CRANEY	PO 7854 INTERPRETING SERVICES 02/25/21	220.00	220.00
1032 - BOB JENSEN PLUMBING, INC	PO 7395 PLUMBING - DPW GARAGE	1,000.00	1,000.00
1047 - CENTRAL JERSEY HEALTH INSURANC	PO 7895 HEALTH/DENTAL INSURANCE MARCH 2021	72,806.00	72,806.00
1049 - CERTIFICATION UNIT - DLGS	PO 7889 RMC Renewal - LaPorta	50.00	50.00
1054 - CITY OF LONG BRANCH	PO 7630 Annual Active shooter Partnership member	1,000.00	1,000.00
1060 - COMCAST BUSINESS COMMUNICATION	PO 7901 BORO HALL INTERNET/PHONE 02/14-03/13	572.51	572.51
1446 - DIRECT ENERGY BUSINES	PO 7877 HOOK AND LADDER - 01/15-02/12/2021	363.71	
	PO 7878 433 MYRTLE AVE - 01/15-02/12/2021	393.07	
	PO 7879 2 PEMBERTON AVE 01/15-02/12/2021	370.10	1,126.88
1082 - DRIVERS LICENSE GUIDE COMPANY	PO 7815 2021 ID Checking Guide for Law Enforceme	108.50	108.50
1089 - EDWARDS TIRE CO, INC	PO 7707 REPLACE TIRES	582.40	
	PO 7787 TIRE REPAIR - TRUCK #133	142.45	724.85
1094 - ENFORSYS POLICE SYSTEMS, INC	PO 7843 annual maintenance-retention for old pol	2,400.00	2,400.00
1109 - FMERA	PO 7874 RT 537 - FEBRUARY 2021	273.26	
	PO 7875 BUILDING 977 - FEBRUARY JCPL	2,418.53	
	PO 7876 BDGL 900 UTILITIES - FEBRUARY 2021	458.06	
	PO 7937 BLDG 901 - FEBRUARY JCPL	1,297.22	4,447.07
1124 - GEORGE WALL	PO 7739 Service & Repairs to Unit 2	1,172.53	
	PO 7814 Service to Unit 9	89.95	1,262.48
1457 - GFOA	PO 7887 2021 GFOANJ DUES - LAPORTA	90.00	90.00
1126 - GLENCO SUPPLY INC	PO 6333 "NO OUTLET" - PINE TREE LANE	80.00	
	PO 7653 VARIOUS SIGNS - MUNICIPAL COMPLEX	1,059.00	1,139.00
1652 - GOLD TYPE BUSINESS MACHINE	PO 7692 3 new radio clips	87.00	87.00
1436 - Government Purchasing Ass'n of NJ I	PO 7888 LAPORTA - MEMBERSHIP 2021	100.00	100.00
1143 - I.D.M. MEDICAL SUPPLY INC	PO 7810 FIRST AID - OXYGEN 2/16/21	140.17	140.17
1153 - JERSEY CENTRAL POWER & LIGHT	PO 7934 MAIN ST INTERSECTION 3/2021	31.12	
	PO 7941 200-000-857-007 01/19-02/16/2021	4,672.28	4,703.40
1603 - JOHN JOHNSON	PO 7820 CONSTRUCTION DEPT - REIMBURSEMENT	115.99	115.99
1802 - KEVIN & JESSICA L JOHNSON	PO 7925 REFUND OVERPAYMENT	326.76	326.76
1672 - Kyle + McManus Associates LLC	PO 7746 PLANNER SERVICES	284.00	
	PO 7768 OLD PO #17-011175; LAND USE ORDINANCE PR	3,297.50	3,581.50
1799 - LAGER GLASS CO INC	PO 7853 DOOR REPAIR	540.00	540.00
1188 - LEE'S GARAGE, INC.	PO 6831 DONATED RESCUE TRUCK	1,000.00	1,000.00
1195 - MASER CONSULTING, INC	PO 7861 JANUARY 2021 ENGINEERING	5,250.00	
	PO 7945 MAIN STREET CONSTRUCTION OVERSIGHT CERTI	1,078.75	6,328.75
1198 - MCAA OF MONMOUTH COUNTY	PO 7765 2021 MEMBERSHIP APPLICATION	45.00	45.00
1200 - McMANIMON*SCOTLAND*BAUMANN LLC	PO 7803 REDEVELOPMENT LEGAL SERVICES	1,266.50	1,266.50
1220 - MONMOUTH COUNTY PUBLIC WORKS	PO 7791 STORM - 01/31-02/03	11,038.69	11,038.69
1538 - MONMOUTH COUNTY TREASURER	PO 7697 BULKY WASTE JANUARY 2021	1,042.49	
	PO 7795 BULKY WASTE FEBRUARY 2021	773.27	1,815.76
1231 - MONMOUTH HOSE & HYDRAULICS	PO 7766 HOSE ASSEMBLY	212.86	212.86
1238 - MUNICIPAL CLERKS ASSOCIATION OF NEW JERS	PO 7822 2021 Annual Conference	125.00	125.00
1241 - NAPA AUTO PARTS (#15456)	PO 7741 DEF FUEL	59.94	
	PO 7778 HYDRAULIC OIL	115.98	
	PO 7797 SUPPLIES	211.86	387.78
1791 - NESTLE WATERS NORTH AMERICA	PO 7638 WATER DELIVERY	48.89	
	PO 7680 WATER DELIVERY 01/07/2021	71.85	
	PO 7921 WATER DELIVERY 02/16/2021	81.85	202.59
1245 - NJ AMERICAN WATER CO	PO 7944 433 MYRTLE AVE - 01/13-02/09/2021	146.64	146.64
1251 - NJ NATURAL GAS CO	PO 7845 920 OCEANPORT WAY 01/15-02/16	854.42	
	PO 7846 930 OCEANPORT WAY - 01/15-02/16	1,567.56	
	PO 7848 2 PEMBERTON AVE 01/14-02/12	559.04	
	PO 7849 315 E. MAIN 01/14-02/12	311.15	
	PO 7850 433 PORT AU PECK 01/14-02/12	591.63	
	PO 7851 910 OCEANPORT WAY 01/15-02/16	1,506.65	

List of Bills - (All Funds)

9.1.a

Vendor	Description	Payment	Check Total
	PO 7883 21 MAIN STREET 01/14-02/12/2021	550.03	
	PO 7900 TOHICON PL 01/13-02/11	224.87	6,165.35
1280 - POLICE/FIREMEN RETIREMENT SYS	PO 7924 2021 PFRS PAYMENT	475,583.00	475,583.00
1286 - PRO JANITORIAL SERVICES, LLC	PO 7896 CLEANING SERVICE - FEB 2021	2,103.84	2,103.84
1537 - PROFESSIONAL GOVERNMENT EDUCATORS,	PO 7714 GRANT ACCOUNTING WORKSHOP -LAPORTA	90.00	90.00
1288 - PUBLIC EMPLOYEES RETIREMENT	PO 7923 2021 PERS PAYMENT	121,835.00	121,835.00
1316 - SECURITY WORLD INC	PO 7786 MONITORING AT LIBRARY 03/01-02/28/2022	540.00	540.00
1796 - SHORE LITTLE LEAGUE	PO 7788 SUPPORT OF ORGANIZATION	750.00	750.00
1326 - SIP'S PAINT AND HARDWARE	PO 7491 DPW SUPPLIES	61.94	
	PO 7740 BUILDING SUPPLIES	62.28	124.22
1588 - Spatial Data Logic, Inc.	PO 7830 SDL Enterprise Licensing	5,225.00	5,225.00
1337 - SUBURBAN DISPOSAL	PO 7932 DISPOSAL FEE - FEBRUARY	17,179.98	
	PO 7933 COLLECTION - MARCH	30,916.66	48,096.64
1348 - THE HOME DEPOT	PO 7218 SUPPLIES	90.46	
	PO 7671 COTS - DPW	599.94	690.40
1580 - THE TWO RIVER TIMES	PO 7747 Legal Notices	18.29	
	PO 7748 Legal Notices	60.76	79.05
1369 - TRIUS, INC	PO 7447 PARTS FOR BIG PLOWS	3,230.29	3,230.29
1387 - VERIZON	PO 7852 POLICE FEBRUARY	302.84	
	PO 7931 POLICE TELEPHONE/INTERNET 02/13-03/12/21	788.41	1,091.25
1388 - VERIZON WIRELESS	PO 7881 FAS WIRELESS 02/24-03/23/21	70.02	
	PO 7922 POLICE 02/27-03/26/21	651.37	721.39
1558 - Verizon Wireless	PO 7927 AIR CARDS - FIRE	114.03	114.03
1389 - VERIZON WIRELESS (OEM)	PO 7926 OEM 03/02-04/01/21	38.01	38.01
1392 - W.B. MASON CO, INC	PO 7637 COURT SUPPLIES	149.64	
	PO 7681 FINANCE SUPPLIES	167.07	316.71
Capital Fund			
1708 - IAMELLO ARCHITECHTURAL STUDIO LLC	PO 7890 OWNER'S REP SERVICES	1,237.50	1,237.50
1195 - MASER CONSULTING, INC	PO 7858 2019 ROAD PROGRAM - CONSTRUCTION OVERSIG	1,020.00	
	PO 7860 2020 ROAD PROGRAM - CONSTRUCTION OVERSIG	14,795.00	
	PO 7945 MAIN STREET CONSTRUCTION OVERSIGHT CERTI	2,308.75	18,123.75
OPEN SPACE TRUST			
1129 - GOOSE CONTROL TECHNOLOGY	PO 7904 GOOSE CONTROL SERVICE 2021	1,500.00	1,500.00
1388 - VERIZON WIRELESS	PO 7930 BBB SECURITY MONITORING	39.01	39.01
1389 - VERIZON WIRELESS (OEM)	PO 7926 OEM 03/02-04/01/21	18.38	18.38
UCC Trust			
1064 - CONTROL PERSONS ASSOCIATION	PO 7668 MEMBERSHIP DUES - 2021 Herchakowski	30.00	30.00
1603 - JOHN JOHNSON	PO 7820 CONSTRUCTION DEPT - REIMBURSEMENT	56.08	56.08
1588 - Spatial Data Logic, Inc.	PO 7830 SDL Enterprise Licensing	5,225.00	5,225.00
DEVELOPERS ESCROW TRUST			
1116 - ASBURY PARK PRESS	PO 7495 PB Notice of Decision, Kelly, T	48.05	48.05
1720 - CGP&H	PO 7857 ADMINISTRATIVE AGENT FOR AFFORDABLE HOUS	78.00	78.00
1195 - MASER CONSULTING, INC	PO 7823 PB Engineering - FMBC	7,990.00	
	PO 7824 PB Engineering - BEIM	722.50	
	PO 7826 PB Engineering - PADULA	170.00	
	PO 7827 PB Engineering - AcuteCare	585.00	
	PO 7828 PB Engineering - MARTELLI	1,037.50	
	PO 7829 PB Engineering - 114 Salzmann Ave,	1,942.50	
	PO 7838 PB Engineering - NJCU	3,197.50	
	PO 7842 PB Engineering - Sempkowski	170.00	15,815.00
1195 - MASER CONSULTING, INC	PO 7859 PLOT PLAN REVIEW - CATALOG #7764520001	125.00	
	PO 7899 PB Engineering - Torregrossa	212.50	337.50
1580 - THE TWO RIVER TIMES	PO 7833 Legal Notice - 111 Hiawatha Ave	7.44	7.44
TOTAL			830,017.88

List of Bills - (All Funds)

9.1.a

Vendor

Description

Payment

Check Total

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-101-01-000-011	CASH OPERATING			0.00	787,502.17
01-106-04-000-016	PRIOR YEAR TAXES			326.76	
01-201-20-100-200	ADMINISTRATIVE & EXECUTIVE OE	341.84			
01-201-20-120-200	MUNICIPAL CLERK OE	6,114.42			
01-201-20-130-200	FINANCIAL ADMINISTRATION OE	931.17			
01-201-20-155-200	LEGAL SERVICES OE	1,266.50			
01-201-20-165-200	BOROUGH ENGINEER OE	5,250.00			
01-201-21-180-200	PLANNING BOARD OE	17.05			
01-201-23-210-202	HEALTH	68,531.00			
01-201-23-210-203	DENTAL	4,275.00			
01-201-25-240-200	POLICE OE	5,627.30			
01-201-25-252-200	EMERGENCY MANAGEMENT OE	620.41			
01-201-25-260-200	FIRST AID ORGANIZATION OE	1,139.33			
01-201-25-265-200	FIRE DEPARTMENT OE	114.03			
01-201-26-300-200	STREETS & ROADS OTHER EXPENSES	1,059.00			
01-201-26-300-271	REPAIRS	212.86			
01-201-26-300-272	TIRES	142.45			
01-201-26-300-273	SUPPLIES	4,068.09			
01-201-26-300-282	SALT & SAND	11,038.69			
01-201-26-305-200	SANITATION-TRASH REMOVAL OE	24,833.33			
01-201-26-306-200	RECYCLING OE	6,083.33			
01-201-26-310-200	PUBLIC BUILDINGS & GROUNDS OE	2,166.12			
01-201-26-310-252	REPAIRS & EQUIPMENT	1,080.00			
01-201-31-430-201	ELECTRICITY	4,173.81			
01-201-31-430-203	TELEPHONE/INTERNET	1,663.76			
01-201-31-430-204	WATER/SEWER	146.64			
01-201-31-430-205	NATURAL GAS	6,363.09			
01-201-31-430-207	STREET LIGHTING	4,976.66			
01-201-31-465-200	SANITATION DUMPING FEES	18,995.74			
01-201-36-471-200	P.E.R.S. OE	121,835.00			
01-201-36-475-200	P & F RETIREMENT SYSTEM OE	475,583.00			
01-201-43-490-200	MUNICIPAL COURT OE	414.64			
01-201-46-870-200	COVID 19	115.99			
01-203-20-100-200	(2020) ADMINISTRATIVE & EXECUTIVE OE		202.59		
01-203-20-165-200	(2020) BOROUGH ENGINEER OE		1,078.75		
01-203-21-181-205	(2020) PLANNER SERVICES & FEES		284.00		
01-203-25-240-300	(2020) POLICE EQUIPMENT		1,000.00		
01-203-26-300-200	(2020) STREETS & ROADS OTHER EXPENSES		80.00		
01-203-26-300-273	(2020) SUPPLIES		272.68		
01-203-26-310-252	(2020) REPAIRS & EQUIPMENT		1,000.00		
01-203-28-371-200	(2020) PARKS AND PLAYGROUNDS OE		750.00		
01-203-46-870-200	(2020) COVID 19		29.64		
01-204-55-000	Accounts Payable			3,297.50	
TOTALS FOR	Current Fund	779,180.25	4,697.66	3,624.26	787,502.17
04-101-01-100-011	CAPITAL CASH - TD			0.00	19,361.25
04-215-55-474-000	MUNICIPAL COMPLEX ORD #970			1,237.50	
04-215-55-988-A00	ROADS, DRAINAGE, TRAFFIC SIGNAL, BULKHEA			2,308.75	
04-215-55-989-A00	2019 #1001 VARIOUS ROAD/DRAINAGE			1,020.00	
04-215-55-990-A00	2020 ROAD PROGRAM - ORD #1026			14,795.00	
TOTALS FOR	Capital Fund	0.00	0.00	19,361.25	19,361.25

9.1.a

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
06-101-01-100-011	OPEN SPACE CASH - TD			0.00	1,557.39
06-270-00-500-020	RESERVE FOR OPEN SPACE			1,557.39	
TOTALS FOR	OPEN SPACE TRUST	0.00	0.00	1,557.39	1,557.39
18-101-01-100-101	CASH UCC TRUST			0.00	5,311.08
18-270-55-600	RESERVE FOR UCC TRUST			5,311.08	
TOTALS FOR	UCC Trust	0.00	0.00	5,311.08	5,311.08
61-101-01-100-101	CASH-DEV.ESCROW/TD			0.00	16,285.99
61-270-55-600-205	RES.FOR DEV.ESCROW			16,285.99	
TOTALS FOR	DEVELOPERS ESCROW TRUST	0.00	0.00	16,285.99	16,285.99

Total to be paid from Fund 01 Current Fund	787,502.17
Total to be paid from Fund 04 Capital Fund	19,361.25
Total to be paid from Fund 06 OPEN SPACE TRUST	1,557.39
Total to be paid from Fund 18 UCC Trust	5,311.08
Total to be paid from Fund 61 DEVELOPERS ESCROW TRUST	16,285.99
	830,017.88

9.1.a

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

From 03/01/2021 to 03/31/2021 With a Line Amount > 10000.00

DATE	ENTRY #	PO#	CHECK #	ACCOUNT	VENDOR/EXPLANATION	DEBIT	CREDIT	ACCOUNT
3/10/2021		7860		04-215-55-990-A01	CONSTRUCTION OBSERVATION & ADMINISTRATION MASER CONSULTING, INC	14,795.00	14,795.00	04-101-01-100-011
3/10/2021		7791		01-201-26-300-282-2 01-201-26-300-282-2 01-201-26-300-282-2 01-201-26-300-282-1 01-201-26-300-282-1	1500 GAL BRINE LOADING FEE - BRINE ADMIN FEE 151 TONS SALT LOADING FEE - SALT MONMOUTH COUNTY PUBLIC WORKS	292.50 30.00 18.50 10,447.69 250.00	11,038.69	01-101-01-000-011
3/10/2021		7895		01-201-23-210-202 01-201-23-210-203	HEALTH DENTAL CENTRAL JERSEY HEALTH INSURANC	68,531.00 4,275.00	72,806.00	01-101-01-000-011
3/11/2021		7924		01-201-36-475-201	POLICE & FIREMEN'S RETIREMENT SYSTEM POLICE/FIREMEN RETIREMENT SYS	475,583.00	475,583.00	01-101-01-000-011
3/11/2021		7923		01-201-36-471-202	PUBLIC EMPLOYEE'S RETIREMENT SYSTEM PUBLIC EMPLOYEES RETIREMENT	121,835.00	121,835.00	01-101-01-000-011
3/11/2021		7933		01-201-26-305-201 01-201-26-306-201	SOLID WASTE 03/21 RECYCLING 03/21 SUBURBAN DISPOSAL	24,833.33 6,083.33	30,916.66	01-101-01-000-011
3/11/2021		7932		01-201-31-465-201 01-201-31-465-201 01-201-31-465-201	DISPOSAL RECYCLING ENHANCEMENT ACT RECYCLING FEE SUBURBAN DISPOSAL	14,294.76 519.18 2,366.04	17,179.98	01-101-01-000-011

MARCH SUMMARY BY ACCOUNT:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	PENDING CR
01-101-01-000-011 04-101-01-100-011	CASH OPERATING CAPITAL CASH - TD				729,359.33 14,795.00
01-201-23-210-202 01-201-23-210-203 01-201-26-300-282-1 01-201-26-300-282-2 01-201-26-305-201 01-201-26-306-201 01-201-31-465-201 01-201-36-471-202 01-201-36-475-201 04-215-55-990-A01	HEALTH DENTAL SALT BRINE SANITATION-TRASH REMOVAL OTHER EXPENSES SANITATION DUMPING FEES PERS P & F RETIREMENT SYSTEM 2020 ROAD PROGRAM		68,531.00 4,275.00 10,697.69 341.00 24,833.33 6,083.33 17,179.98 121,835.00 475,583.00	14,795.00	
MARCH TOTALS (FOR RANGE):			729,359.33	14,795.00	744,154.33

SUMMARY BY ACCOUNT FOR RANGE:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	DISBURSED
01-101-01-000-011 04-101-01-100-011	CASH OPERATING CAPITAL CASH - TD				729,359.33 14,795.00
01-201-23-210-202 01-201-23-210-203 01-201-26-300-282-1 01-201-26-300-282-2 01-201-26-305-201 01-201-26-306-201 01-201-31-465-201 01-201-36-471-202 01-201-36-475-201 04-215-55-990-A01	HEALTH DENTAL SALT BRINE SANITATION-TRASH REMOVAL OTHER EXPENSES SANITATION DUMPING FEES PERS P & F RETIREMENT SYSTEM 2020 ROAD PROGRAM		68,531.00 4,275.00 10,697.69 341.00 24,833.33 6,083.33 17,179.98 121,835.00 475,583.00	14,795.00	
TOTALS (FOR RANGE):			729,359.33	14,795.00	744,154.33

Packet Pg. 9

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING INTER-LOCAL SERVICES CONTRACT WITH SHORE REGIONAL BOARD OF
EDUCATION FOR THE TRANSPORTATION OF STUDENTS FOR THE 2020-2021 SCHOOL
YEAR**

**Resolution #2021-70
03/18/21**

BE IT RESOLVED, by the Governing Body of the Borough of Oceanport that an Agreement between the Shore Regional Board of Education and the Borough of Oceanport, for transportation of high school students residing in the Borough of Oceanport for the 2020-2021 school year at a cost not to exceed \$28,783.00 be and the same is hereby approved and confirmed; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized to execute said agreement on behalf of the Borough of Oceanport.

CERTIFICATION OF FUNDS

As required by N.J.A.C. 5:34-5.1 et. seq., I, Catherine D. LaPorta, Chief Financial Officer of the Borough of Oceanport, hereby certify funds in account #01-201-29-405-201 for the CY2021 subject to funding of the 2021 Budget for the purposes stated herein.



Catherine D. LaPorta, CFO

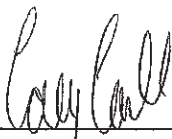
The Board of Education of Shore Regional High School District in the county of Monmouth (hereinafter "Shore"), and the Borough of Oceanport, in the county of Monmouth (hereinafter "Oceanport"), hereby agree that:

1. Shore will transport pupils who reside in Oceanport, New Jersey and attend Shore Regional High School along or adjacent to routes hereinafter described to and from places hereinafter specified, every school day from September 1, 2020 to June 30, 2021, said dates comprising the 2020-2021 school year.
2. Shore shall be paid by Oceanport the sum herein described for three (3) routes as shown on Exhibit O-1, annexed hereto and made a part hereof. All buses will complete the morning run and transport the students to Shore Regional at or before 7:30 a.m.. All buses will return the students to their homes at the end of each school day upon dismissal.
3. Oceanport agrees that if Shore fully performs the services required herein, it will pay to Shore on an annual contract the sum of \$28,783 payable in four (4) installments as follows: \$7,195.75 payable upon receipt of contract; \$7,195.75 payable on or before March 1, 2021; \$7,195.75 payable on or before April 1, 2021; and \$7,195.75 payable on or before June 1, 2021.
4. It is understood that the \$28,783 Figure in paragraph 3 is the expected and maximum cost to be paid by Oceanport for the time indicated in paragraph 1 herein. It is explicitly understood that the figure of \$28,783 may decrease as a result of the lack of need for the number of buses indicated once the school year begins. Should that occur, Shore will recalculate the cost and provide a prorated reduction for the balance of the year, which shall be given in the form of reduced payments for the remaining payment due under this contract. Oceanport understands that there will be no decrease unless there is a cost reduction to Shore.
5. Shore does hereby agree to provide transportation to all Oceanport students covered under this contract attending Shore Regional High School unless the student chooses to provide his/her own method of transportation.
6. Shore will provide the necessary buses during the contract period as well as qualified bus drivers for the designated routes.
7. Shore will be responsible for the maintenance of the buses with no additional cost to Oceanport.
8. There will be no changes in the bus routes without mutual consent of Shore and Oceanport.

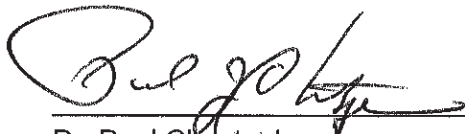
9. The individual bus stops will be established by Shore and will be adjusted as needed.
10. The failure of one party to this contract to comply with the provisions hereof shall constitute good cause for its termination by the other party to it.
11. Payment from Oceanport to Shore shall be made upon submission of vouchers by Shore in the ordinary course and consistent with the payment terms set forth in paragraph 3 herein.

IN WITNESS WHEREOF, the parties have duly signed this contract this _____
Day of _____, 2021.

The Board of Education of Shore Regional High School District in the County of Monmouth.



Corey Lowell,
School Business Administrator/Board Secretary



Dr. Paul Christopher,
President, Board of Education

11/13/21

Date

Date

Jeanne Smith
Borough Clerk

Jay Coffey
Mayor, Oceanport

Date

Date

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING REFUND FOR OVERPAYMENT OF PROPERTY TAXES
BLOCK 61, LOT 19.01 ALSO KNOWN AS 5 RIVER BEND**

**Resolution #2021-71
03/18/21**

WHEREAS, the following property is due a refund due to an overpayment by the homeowner; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that the Tax Collector is hereby authorized to refund the overpayment due to the property owner:

Block 61 Lot 19.01	Christopher Mc Crae	
	5 River Bend	
	Oceanport NJ 07757	\$4,843.52

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE MONMOUTH COUNTY MOSQUITO COMMISSION TO CONDUCT AERIAL
MOSQUITO CONTROL OPERATIONS WITHIN THE BOROUGH OF OCEANPORT FOR CY2021**

**Resolution #2021-72
03/18/21**

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 serial 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.

COUNTY OF MONMOUTH

FEB 08 2021

Mosquito Control Division

1901 Wayside Road, Tinton Falls, NJ 07724

Borough of Oceanport

B of County Commissioners
 Dir
 The A. Arnone
 De Director
 Sus A. Kiley, liaison
 Lill G. Burry
 Nick Rocco
 Ros Licitra



County Administrator
 Teri O'Connor

Superintendent
 Victoria C. Thompson
 victoria.thompson@co.monmouth.nj.us
 732-542-3630
 fax 732-542-3267

February 1, 2021

Dear Municipal Clerk:

The Monmouth County Mosquito Control Division runs a countywide mosquito control program to protect residents from mosquito-borne diseases and maintain a comfort level suitable to enjoy outdoor activities. An important component of this program is the application of mosquito pesticides using the County helicopter in select areas of the county that produce or harbor high numbers of mosquitoes.

For to conducting aerial applications over an area designated "congested" by the Federal Aviation Administration, the Mosquito Control Division is required, pursuant to FAR Part 137.51, to secure written approval from the governing body of the political subdivision over which the aircraft is to be operated. To assist the process, I have enclosed a brief sample resolution for consideration by the governing body.

For your information, the Mosquito Control Division anticipates resuming the aerial surveillance and treatment program on or about April 1, 2021 and possibly continuing as late as November 30, 2021. Normally, the treatment areas are restricted to large tracts of standing water in undeveloped parts of the county where mosquito larvae thrive. Each time the Division undertakes aerial larval control applications in your municipality, your local police department will be notified beforehand.

The Mosquito Control Division conducts adult mosquito control with truck-mounted spray equipment. The Division would only consider aerial mosquito control in developed areas if the public health risk from West Nile virus, Eastern Equine Encephalitis virus or other mosquito-borne disease warrants such action. If the helicopter were to be used, the municipal administrator, police and health officer would be contacted as well as the public notified in accordance with pesticide regulations, NJAC 7:30. The County would also adhere to all additional FAA and NJDOT regulations.

Please execute and return an adopted resolution as soon as possible, **preferably before April 1, 2021**. If you have any questions or concerns about the resolution or our program, please call me at 732-542-3630 or e-mail victoria.thompson@co.monmouth.nj.us. I would be glad to answer questions regarding our program or the products we use. The cooperation of the governing body is greatly appreciated.

Sincerely,

Victoria C. Thompson

Victoria Thompson
 Superintendent

Enclosure

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AWARDING A NON-FAIR AND OPEN CONTRACT FOR CLEANING SERVICES BETWEEN
PRO JANITORIAL LLC AND THE BOROUGH OF OCEANPORT**

**Resolution #2021-73
03/18/21**

WHEREAS, the Borough of Oceanport is in need of cleaning, window and floor maintenance services for its buildings; and

WHEREAS, Pro Janitorial Services LLC has been providing this service to the Borough whom is satisfied with the services provided and wishes to award a new contract by means of a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.B; and,

WHEREAS, the Borough has determined that the value of the services will exceed \$17,500.00.

WHEREAS, the anticipated term of this contract is the period January 1, 2021 through December 31, 2021; and

WHEREAS, Pro Janitorial Services, LLC has completed and submitted a Business Entity Disclosure Certification and Political Contribution Disclosure Form which certifies that Pro Janitorial Services, LLC has not made any reportable contributions to a political or candidate committee in the Borough of Oceanport in the previous one year, and the contract will prohibit Pro Janitorial Services, LLC from making any reportable contributions through the term of the contract, and;

WHEREAS, funds shall be available for stated purpose in the 2021 municipal budget subject to adoption of the 2021 budget.

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

1. Pro Janitorial Services, LLC is hereby awarded a contract to provide cleaning, window and floor maintenance services in accordance with a proposal dated January 14, 2021 for the period January 1, 2021 through December 31, 2021 for the amount of Thirty One Thousand Five Hundred (\$31,500.00) and an hourly rate of \$20 for additional cleaning services requested on a special or emergent basis for a total amount not to exceed Thirty Five Thousand (\$35,000) to Pro Janitorial Services, LLC, 308 Clifton Ave, Long Branch, New Jersey subject to provision of the appropriate certificate of insurance and business registration.
2. Pro Janitorial Services, LLC is prohibited from making any contribution to a political or candidate committee during the term of this appointment.
3. The Mayor and Borough Clerk are hereby authorized to enter into a contract on behalf of the Borough of Oceanport.
4. That the within Resolution shall be subject to the Borough CFO confirming that funds are available for the stated purpose.

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

BE IT FURTHER RESOLVED that a summary of the above shall be published in The Link News as required by law within 10 days of its passage.

CERTIFICATION OF FUNDS

As required by N.J.A.C. 5:34-5.1 et. seq., I, Catherine D. LaPorta, Chief Financial Officer of the Borough of Oceanport, hereby certify sufficient funds are available in Account 01-201-26-310-253 for the purposes stated herein.



Catherine D. LaPorta, CFO

Pro Janitorial Services Cleaning Proposal LLC

The undersigned hereby accepts the proposal of **Pro Janitorial Services LLC** herein known as "**PJS**" to supply janitorial services for your four premises located at:

Oceanport Boro Hall	910 Oceanport Way
Police Headquarters	930 Oceanport Way
Community Center (Oceanport Library)	8 Iroquois Avenue
Blackberry Bay Park Pavilion	440 Port Au Peck Avenue

With the following terms:

- 1) **PJS** will continue to provide cleaning services pursuant to the RFP 2018 Contract for Cleaning Services for four Buildings at a New monthly cost of **\$2,450.00** :

a) Oceanport Boro Hall	\$1,050.00
b) Police Headquarters	\$850.00
c) Community Center (Oceanport Library)	\$250.00
d) Blackberry Bay Park Pavilion	\$300.00
- 2) Carpet Shampoo, Stripping and Waxing of tiled areas, Scrubbing and Recoating with Wax, Window Cleaning: upon request at an additional charge.

a) Oceanport Boro Hall (Stripping and Waxing of VCT)	\$900.00
b) Police Headquarters (Stripping and Waxing of VCT)	\$1,100.00
- 3) Any services provided outside of the work schedule will be billed accordingly.
- 4) "**PJS**" reserves the right to cancel and or postpone cleaning services during inclement weather (snow, flooding etc).
- 5) Services are not performed on the major Public Holidays of New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Eve and Christmas Day and will require an agreed upon additional charge prior to scheduling Holiday work. Notice for service on a holiday is requested as far in advance as possible.
- 6) "**PJS**" will require upon acceptance 2 set of keys for the Service Providers (2 sets of keys to be supplied to accommodate crew and "**PJS**" need to perform inspections) and alarm combination.
- 7) All cleaning equipment and cleaning supplies will be furnished by "**PJS**" with the exception of toiletries, garbage liners and paper supplies which can be purchased

independently or for your convenience "PJS" can purchase them for you at our cost plus 15% billed monthly on your bill.

- 8) Either Party to this contract may terminate its participation herein upon 30 days' notice to the other party
- 9) **Boro of Oceanport** hereby agrees that they will not employ, hire or subcontract for any reason, the employees of PJS during the term of this contract and for a period of 12 months after this contract is terminated. This clause and agreement between the parties shall survive the termination of this contract.
- 10) Invoicing is at the beginning of each month for previous month's service.
- 11) Certificate of General Liability or Workmen's Compensation Insurance available upon request.

Accepted:

By: _____

Title: John F. Coffey, II, Mayor

Boro of Oceanport

Dated: _____

By: Hasmik Anechiarico

Title: Managing Member

Pro Janitorial Services LLC

Dated 1/14/2021

ATTEST:

Jeanne Smith, Borough Clerk

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

**Resolution #2021-74
03/18/21**

WHEREAS, the Parks and Recreation Committee has recommended the following group(s) be approved for use of a Borough athletic facility for the purposes as indicated on application(s) as follows:

New Logic Marine Science Camp, Blackberry Bay Park
July 26 - 30; Aug. 23-27; Aug. 30-Sept 3; 2021

LAX Kids, Blackberry Bay Park Back Field NE of Pavilion

Peninsula Soccer, Maria Gatta Community Park, Fields 2, 3 and 4

Shore Little League, BBP and CCP

Spanish Soccer, Maria Gatta Community Park

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 above referenced organizations is hereby granted for the dates, fields and times as reviewed and approved by the Recreation Committee.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTMENTS TO BOARDS AND COMMITTEES**

**Resolution #2021-75
03/18/21**

BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport, that the following recommended appointments be made by the Mayor with advice and consent of Council:

RECREATION COMMITTEE

Alexa Hetzel Unexpired Term ending 12/31/22

The **RECREATION COMMITTEE** is now composed of the following members:

Scott Marcantonio	3yr Term expiring 12/31/21
Greg Lockwood	3yr Term expiring 12/31/21
Alexa Hetzel	3yr Term expiring 12/31/22
Therese Wollman	3yr Term expiring 12/31/22
David Walker	3yr Term expiring 12/31/22
Joseph Degnan	3yr Term expiring 12/31/22
Jay Silverman	3yr Term expiring 12/31/23
Spencer Carpenter	3yr Term expiring 12/31/23
Jacqueline Patterson	3yr Term expiring 12/31/23
Beth Watkins	3yr Term expiring 12/31/23

BOROUGH OF OCEANPORT



Michael P. Kelly
Chief of Police

Michael S. Chenoweth
Captain

POLICE DEPARTMENT
P.O. BOX 370, OCEANPORT, NEW JERSEY 07757

732.222.6300

Main

732.222.6301 ext 1015

Records

732.222.0945

Fax

Monday, February 22, 2021

To: Frederick Filippone, Oceanport First Aid
Donna Phelps, Oceanport Borough Administrator

Reference: Jonathan Ryan, First Aid Applicant

Please be advised that the record check of the above applicant for membership in a volunteer organization is complete. Our investigation has led to the following finding:

X

The applicant is suitable for membership.

The applicant is **NOT** suitable for membership.

If there are any further questions regarding this applicant, please contact my office.

Sincerely,


Michael P. Kelly
Chief of Police

Cc: file copy

BOROUGH OF OCEANPORT



Michael P. Kelly
Chief of Police

Michael S. Chenoweth
Captain

POLICE DEPARTMENT

P.O. BOX 370, OCEANPORT, NEW JERSEY 07757

732.222.6300

Main

732.222.6301 ext 1015

Records

732.222.0945

Fax

Wednesday, February 10, 2021

To: Paul VanBrunt, Oceanport Fire Chief
Donna Phelps, Oceanport Borough Administrator

Reference: Kyle T. Crochet, Fire Department Applicant

Please be advised that the record check of the above applicant for membership in a volunteer organization is complete. Our investigation has led to the following finding:

 X

The applicant is suitable for membership.

 The applicant is **NOT** suitable for membership.

If there are any further questions regarding this applicant, please contact my office.

Sincerely,


Michael P. Kelly
Chief of Police

Cc: file copy

OCEANPORT RECREATION COMMITTEE
MEETING MINUTES
January 13, 2021

9.10

Minutes of the regular meeting of the Oceanport Recreation Committee held
on
Wednesday evening, January 13, 2021 via ZOOM

In attendance: Members:
Jay Silverman
Dave Walker
Spencer Carpenter
Joanne Hunt
Scott Marcantanio
Greg Lockwood
Beth Watkins
Jacqueline Patterson
Therese Wollman
Bill Deerin

Absent: None

Also Present: Donna Phelps, Lexi Hetzel (potential new member)

Open Meeting/Flag Salute

Meeting called to order by Scott Marcantanio at 7:30pm. Motion to open the meeting was made by Therese Wollman and seconded by Dave Walker.

Joanne Hunt introduced new appointed member Jackie Patterson and Donna Phelps, BA. Therese Wollman introduced potential new member Lexi Hetzel. Lexi's husband is owner of "Our Team Fitness" in OP and she was very excited to be invited and possibly join the committee. Joanne Hunt explained the process of 2 meetings/vote.

Approval of Minutes

The December 2020 meeting minutes were reviewed. The motion to approve the meeting minutes was made by Jay Silverman and seconded by Therese Wollman. All were in favor.

Correspondence:

Joanne Hunt reported that there were many comments regarding "the Oceanport Pool" on Facebook. Bill Deerin stated that he discussed the possibility of the pool at the reorganization meeting. He stated that "any ideas were welcome". This would be discussed in the public comments as a member of the public asked to join the zoom regarding the pool.

New Member Assignments- Chair Beth Watkins reviewed the openings for Committee positions:

Scott Marcantano- mini golf

Greg Lockwood- nominations

Public Comments: Motion to open to the public was made by Spencer Carpenter at 7:43 pm and seconded by Greg Lockwood.

Present: Kyle Clayton, Tohican Place.

Kyle Clayton, longtime resident and former member of the OP pool- background is a Certified Pool Operator and swim school owner.

Bill Deerin gave a brief history of the pool over the last few years. In 2019, no one wanted to open and operate the pool and resident memberships were very low.

The Committee discussed the issues with the pool- how much will repairs be? Who will operate it etc....? After a lengthy discussion- the consensus was that the first step is to determine the current condition of the pool with estimates to repair pool to operational status and then the second step would be to estimate improvements which all agreed are needed to attract both an operator and members.

Kyle Clayton offered to seek a private lease as a swim school operator or vendor. The Committee felt that we were not at that step yet.

Bill Deerin stated that first: Council would need to understand fiscal impact of repairs to determine feasibility.

Donna Phelps noted that BBB is Green Acres and is open to the public.

Jay Silverman recalled that the annual cost to operate (before repairs was \$65,000)

Therese Wollman asked if the pool was a separate lot and block- Donna Phelps reported she will look into that.

The Committee recognizes that the expenses are high and there was not enough profit which is why the YMCA did not bid for 2019.

Bill Deerin stated that the community is getting younger and Joanne Hunt and Dave Walker mentioned Action Camp and how the pool was a highlight for campers.

Jay Silverman stated that “all agree the pool is an asset but more work must be done to get a solid cost first”. He further stated that it needs to go beyond basic repairs and needs landscaping, building repair etc...

Kyle Clayton suggested a Pool Operating Company that could provide an estimate- Joanne will reach out to them.

Donna Phelps stated that if the governing body agreed to costs for repair/improvements- the funds could be via bond or open space but that the town would still need money. The second part would be the operations portion and day to day management.

As there were no additional members of the public present, in a motion made by Beth Watkins and seconded by Jay Silverman, the meeting was closed to the public at 8:03 pm.

Recreation Coordinator Report- Joanne Hunt

Report Highlights:

The Decorating contest was a huge success- the pre- registration works and should be continued.

Joanne Hunt will take care of prizes- the Committee agreed that changing the gift cards was a good idea but had no consensus as to where. Joanne will look at options for “pizza” in OP.

Joanne Hunt mentioned that in addition to the pool- there was both an email and Facebook post about Trinity Park. Jay Silverman stated that the Committee has prioritized Trinity in the past and minor work should get done ASAP. Donna Phelps stated that she will follow up with DPW on work that can get done. Spencer Carpenter stated he would go look at the Trinity and make a report for the next meeting.

Jay Silverman spoke to Will Vaughan who asked if there were any opportunities for a Cub Scout project. Jay suggested a general cleanup and all agreed this is the best way to proceed. Jay will reach out to Will.

2021 Boat Balance & Field \$0

Council Liaison Report:

Bill Deerin reported on the following:

Bill welcomed Jackie Patterson to the Committee

Bill mentioned that the locations were approved for the mini library stands as the Eagle Scout project: Post Office, BBB, Wolf Hill and Maple Place.

Subcommittee Reports:

Subcommittee & Officer Review Panel- Scott Marcantano- no report

Sonny Giordano Award- Greg Lockwood- no report

Egg Scramble- Beth Watkins-no report

Mini Golf- Scott Marcantano -no report

Memorial Day Parade Committee- Beth Watkins –no report

Movies- Joanne Hunt- no report

Summer’s End-Jay Silverman- no report

Halloween- Joanne Hunt- no report

Tree Lighting- Spencer Carpenter- Spencer will contact fire department to retrieve lights

Decorating Contest- Jay Silverman- Jay will send Joanne the list for prizes in each category. Jay will design a “scorecard” to make it easier next year to drive and record. All agreed this was a great idea.

Disc Golf- Scott Marcantanio – no report

Grants/Parks- Joanne Hunt –pool was discussed

Park Maintenance Reports- Scott Marcantanio- no report

Finance Report- Greg Lockwood- 2020 closed- \$5200 was encumbered for the shaded table at Charles Park.

Old Business:

Pickle Ball Update- Bill Deerin- quotes are out for repairs. Bill did not know the amounts.

USA Sports- Joanne Hunt-schedule will be out for spring at the end of January. Beth and Therese will assist in reviewing it.

Fee Structure- Beth Watkins –Sub- committee has not met yet. Beth will call for a meeting.

Defibrillators- Jay Silverman asked Joanne Hunt to follow up with Donna Phelps.

New Business:

2021 calendar- Joanne presented a draft calendar for review. This is pending COVID.

Shore Regional Baseball- Joanne Hunt reported that Shore Regional Baseball requested \$2000 in support. It was their understanding that after taking over for OP baseball that they would receive that money annually. The Committee discussed whether or not they had lowered baseball to \$750 (the same as other sports). Therese Wollman thought that ALL teams were to get \$750. Scott Marcantanio expressed that Shore Regional Little League requested and received sanction under the Borough. Scott said he would look up that information.

The Committee discussed annual team support and felt that \$750 for all teams was what was changed and the amount was not \$2000. Joanne Hunt stated she would look at previous minutes.

Adjourn: Motion to adjourn was made by Therese Wollman and seconded by Greg at 8:45 pm. Next meeting: February 10, 2021.

Respectfully submitted, Joanne Hunt

APPROVED
MINUTES OF THE OCEANPORT HISTORICAL COMMITTEE MEETING HELD
01/14/21

The Oceanport Historical Committee met on Thursday, January 14, 2021. We met at the Blackberry Bay Pavilion at 7:00 p.m. using social distancing protocols, and we wrapped things up around 8:30 p.m. The committee planned and executed efforts to celebrate the Borough's Centennial which occurred in 2020. It will plan and execute some of the celebratory efforts in 2021 that were delayed due to the Covid-19 pandemic and will continue to promote a better understanding of the Borough's history.

In attendance were:

Frank Barricelli
 Robin Kelly
 Rosanne Letson
 Paula Lombardo
 Mike MacStudy

Guests: No guests.

(Note: If I omitted your name from the attendance for this meeting, please let me know.)

Our Agenda for this meeting was as follows:

- Sign-in sheet
- Introduction of new members and guests
- Review/approve previous month's Minutes
- Set dates for 2021 monthly meetings
- Review financial status
- Review action items from previous meeting
- Ongoing - gift to Wolf Hill School in memory of Nadine Jeffrey
- Discuss new information requested by Jeanne Smith for the Borough's website
- Review status of inputs to history book
- Other items and open discussion
- Verify new action items and adjourn

We voted to approve the Minutes from the last meeting. Rosanne will prepare them in final form and submit them to Jeanne Smith at the Borough.

Rosanne will schedule two meetings a month for 2021 as we all decided we did need continued book meetings. She will submit the dates to Jeanne to reserve the "Pavilion" at Blackberry.

Toni provided the following information via an email prior to the meeting about our financial status:

Our balance as of 01/14/21 is \$25,945.94. Toni said there's an outstanding bill of \$460.00 owed to her for the pre-payment of the Christmas ornaments.

Toni also noted that she was correct in December about our balance. For some reason, the Borough still had our account encumbered for \$200.00 from the deposit we made to Monmouth Park for the Day at the Races we were unable to have due to Covid. Katie LaPorta corrected this oversight.

We decided that we don't need to fundraise at the moment as we have a healthy amount in our account.

Paula provided a photograph of the Blue Star Memorial Highway marker and a short article prepared by Linda Dennis from the Garden Club. Rosanne took it to transfer to an electronic file to be submitted to Frank for the book.

Action Items from 12/10/20 meeting

1. Rosanne will prepare the Minutes from the last meeting in approved form after making the changed, and submit them to Jeanne Smith.
2. Rosanne will check with Jeanne Smith to see when Council is next meeting, and she will reserve the "Pavilion" for our January 7th meeting.
3. Toni will advertise and sell the second batch of Christmas ornaments.
4. Rosanne will email Max/Toni will call Max at the DPW about the street signs for our memorial to Nadine to see if he's already sent the order for "Nadine Jeffrey Avenue" and if not, ask him to change to "Nadine Jeffrey Way".
5. We will work on the respective sections of the book.
6. Frank will work on an end-of-year summary of our activities for Mayor and Council.

#1 was done.

As far as #2 is concerned, we had a last minute change from January 7th to January 14th for our meeting date because Council was meeting January 7th at 7:00 p.m. and not at 12:00 noon as was posted on the website initially.

Toni advertised and sold, within a day or two, the entire second batch of Christmas ornaments.

For #4, Rosanne emailed Max and Toni spoke to him, and we caught him in time to have "Nadine Jeffrey Way" put on the street sign.

With respect to #5, Mike is still working on the article on Foggia's.

Frank prepared and submitted an end-of-year summary to Mayor and Council.

Next, Paula noted that she had the box Toni had received from Ed Ryan, and she stated that most of the items in it were from the 1940's through 1960's – nothing really from 1970 forward.

Frank will check with Debbie Blair at Wolf Hill to see where they are with their renovations and with the sensory hallway. We discussed that we feel we should hang onto the “Nadine Jeffrey Way” street sign and make presentation with it when the school is ready. Rosanne will ask Toni to get the sign from Max.

Rosanne said she was researching Oceanport Gardens, but not finding too much. She had found some mention in the newspaper archives, and was making slow progress going through Council Minutes to find mention of it. It was suggested she reach out to Rus Olsen, whose father was on Council and had a lot to do with the project.

Mike promised that the Foggia article would be done soon.

Toni said, through email prior to the meeting, that she had seen Mayor Coffey who owes us some information on basketball and soccer.

Frank brought up that the Borough calendar online does not show a date for the Memorial Day Parade yet. Mike suggested looking under the Rec Committee's tab. Paula will try to line up the military marching band for Memorial Day just in case, and she will reach out to the bagpipers from Red Bank as well.

Frank will get updated information to Jeanne Smith to post on the Borough website, and Rosanne will try to get something similar in by the deadline for the Oceanport Bulletin.

Frank noted that he had had to repair the sponsor banner at the Community Center after the last ice/wind storm, and he made a minor adjustment to the one in the triangle at Wolf Hill/Port-Au-Peck/Eatontown Boulevard. He does not feel that the banner needs to be replaced.

Mike suggested a mini golf tournament in the spring for a fundraiser.

We adjourned at approximately 8:30 p.m.

Action Items for the next meeting:

1. Rosanne will prepare the Minutes from the December 10, 2020 meeting (after making changes) in approved form and submit them to Jeanne Smith.
2. Rosanne will schedule two meetings a month for 2021 as we all decided we did need continued book meetings. She will submit the dates to Jeanne to reserve the “Pavilion” at Blackberry.
3. Rosanne will ask Toni to get the Nadine Jeffrey sign from Max.
4. Frank will check with Debbie Blair at Wolf Hill to see where they are with their renovations and with the sensory hallway.

5. Frank will get updated information to Jeanne Smith to post on the Borough website, and Rosanne will try to get something similar in by the deadline for the Oceanport Bulletin.
6. We will work on the respective sections of the book.
7. Paula will try to line up the military marching band for Memorial Day just in case, and she will reach out to the bagpipers from Red Bank as well.
8. Mike will finish the Foggia's article.



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

MINUTES • JANUARY 7, 2021

Reorganization Meeting

REMOTE/VIRTUAL

7:00 PM

Clement V. Sommers Municipal Building, 910 Oceanport Way, Oceanport, NJ 07757

- Meeting Called to Order:** Mayor Jay Coffey called to order the Reorganization Meeting of the Oceanport Governing Body on January 7, 2021 at 7:03 PM
- Statement of Compliance with the Open Public Meetings Act:** This meeting complies with the Open Public Meetings Act by adequate and electronic notification on December 29, 2020 of this virtual/remote meeting and its location, date and time to the Asbury Park Press, Two River Times and the Star Ledger and by the posting of same on the municipal bulletin board and Borough's Web Site. This meeting is also being broadcast on the Borough's Local Public Access Channel, Verizon FiOS Channel 28. Mayor Coffey then read the virtual/remote meeting advisory advising the public how to attend and participate during public portions of the meeting.
- Flag Salute:** Mayor Coffey led the attendees and members of the Council in the flag salute.
- Invocation - Rev. Stacey Deerin:** Borough Chaplain Stacy Deerin gave the invocation.
- Clerk's Certificate of Election and Administration Oaths of Office to:** Ms. Smith read the Certificate of Election from the Board of County Canvassers of Monmouth County, New Jersey certifying RICHARD A. GALLO and BRYAN KEESHEN were duly elected Councilpersons full term.

Richard A. Gallo

COUNCILMAN

3-year term

Term Expiring 12/31/23

Bryan Keeshen

COUNCILMAN

3-year term

Term Expiring 12/31/23

The Honorable Serena DiMaso administered the Oaths of Office. Afterwards Assemblywoman DiMaso wished everyone a Happy New Year and on behalf of LG13, Senator O'Scanlon and Assemblyman Scharfenberger congratulated them on coming through 2020 and all that they've done for their community through this difficult time and taking care of the residents and offered their assistance for anything they needed in 2021 and congratulated Councilmen Gallo and Keeshen on their re-election.

6. Roll Call of the 2021 Governing Body:

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

- Mayor Coffey's Greeting:** Mayor Coffey welcomed everyone, commented on the past year and coronavirus impacts, news stories of the last year, the pleasure of working with a great team and this Council and looking forward to moving into the new municipal building and getting back to business in person.

8. **Election of Borough Council President:** Councilman Deerin nominated and made the motion to appoint Michael O'Brien as Council President for 2021 which was seconded by Councilman Keeshen and received the following vote:

1. RESOLUTION #2021-1 ELECTING THE 2021 BOROUGH COUNCIL PRESIDENT

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

9. **Borough Council Appointment of Class III Member to the Planning Board:**

1. RESOLUTION #2021-2 APPOINTMENT OF CLASS III MEMBER TO THE PLANNING BOARD FOR THE PERIOD JANUARY 1, 2021 to DECEMBER 31, 2021

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

10. **Borough Council Adoption of 2021 By-Laws:**

1. RESOLUTION #2021-3 ADOPTING THE BOROUGH BYLAWS FOR CY2021

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

11. **Mayor Coffey's Appointments for Council Standing Committees:**

1. RESOLUTION #2021-4 APPOINTMENT OF 2021 BOROUGH COUNCIL COMMITTEES

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

12. **Mayor Coffey's Appointments to the PLANNING BOARD:**

BE IT RESOLVED that Mayor Coffey makes the following appointments to the Planning Board:

Patricia Cooper	Class I	1yr Term
Robert Kleiberg	Class IV	4yr Term
Darren Davis	Class IV	4yr Term
John Kahle	Class IV	4yr Term
Michael Daley	Alternate I	2yr Term

The PLANNING BOARD is now composed of the following members:

Patricia Cooper	Class I	1yr Term expiring 12/31/21
Joseph Foster	Class II	3yr Term expiring 12/31/22
Christopher Widdis	Class IV	4yr Term expiring 12/31/23
Robert Kleiberg	Class IV	4yr Term expiring 12/31/24
Darren Davis	Class IV	4yr Term expiring 12/31/24
John Kahle	Class IV	4yr Term expiring 12/31/24

James Whitson	Class IV	4yr Term expiring 12/31/21
Michael Savarese	Class IV	4yr Term expiring 12/31/21
Michael Daley	Alternate I	2yr Term expiring 12/31/22
Jacob Rue	Alternate 2	2yr Term expiring 12/31/21

13. Mayor Coffey's Appointments to the FLOOD HAZARD MITIGATION and FLOOD PLAIN MANAGEMENT COMMITTEE:

OEM Director Baldanza	Chairperson
Kevin Kubik	One year term
Bob Kelly	One year term

14. FIRST AID SQUAD 2021 Officers: The Mayor and Council recognize the following First Aid Officers for 2021.

1. Sergeant, Kelsey Bernaducci
2. 2nd Lieutenant, Frank Lippolis
3. 1st Lieutenant, Doris Agaman
4. Captain, Fred Filippone

15. FIRE DEPARTMENT 2021 Officers: The Mayor and Council recognize the following Fire Department Officers for 2021.

1. 2nd Assistant Chief, Thomas Gallo
2. 1st Assistant Chief, Francis Lippolis
3. CHIEF, Paul Van Brunt

16. Acknowledgment of Outgoing Chief Michael Lippolis. Mayor Coffey recognized outgoing Chief Michael Lippolis, present, who thanked everyone for their support over the last difficult year; Mayor Coffey commented that Chief Lippolis had to serve under an unusual year, was wonderful to work with and hopes to see his name again on the list for the future. Praised our volunteers that run into places that most people run away from and couldn't say enough about the wonderful work of our volunteers.

17. Resolutions:

1. RESOLUTION #2021-5 RE-APPOINTING CATHERINE D. LAPORTA AS CHIEF FINANCIAL OFFICER

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

2. RESOLUTION #2021-6 APPOINTMENT OF TIM GRIFFIN AS FIRE OFFICIAL OF THE BOROUGH OF OCEANPORT BUREAU OF FIRE PREVENTION

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

3. RESOLUTION #2021-7 APPOINTMENT OF TIMOTHY P. GRIFFIN AS HOUSING INSPECTOR FOR THE BOROUGH OF OCEANPORT

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

18. Consent Agenda: All items listed under Consent Agenda, are considered routine by the Borough Council and will be enacted by one motion in the form listed below. There will not be separate discussion of these

items. If discussion is desired, that item will be removed from the Consent Agenda and considered separately. There will be one motion for all items listed.

- #2021-8 Resolution fixing date, time and place of the Governing Body meetings
- #2021-9 Resolution designating the official newspapers for Borough advertising
- #2021-10 Resolution approving the 2021 temporary budget
- #2021-11 Resolution setting a fee schedule for various miscellaneous administrative items
- #2021-12 Resolution designating depositories
- #2021-13 Resolution authorizing the signature of checks
- #2021-14 Resolution approving a Cash Management Plan and Investment Policy
- #2021-15 Resolution permitting prepayment of certain items
- #2021-16 Resolution authorizing a tax grace period and interest on delinquent taxes
- #2021-17 Resolution authorizing the Tax Collector to cancel small balances
- #2021-18 Resolution authorizing the annual tax sale
- #2021-19 Resolution of Police Department Appointments
- #2021-20 Resolution authorizing participation in the 1033 LESA program for 2021
- #2021-21 Resolution awarding contract for 2021 Towing Services
- #2021-22 Resolution setting fees for extra duty assignments for 2021
- #2021-23 Resolution appointments to Boards & Committees
- #2021-24 Resolution appointing 2021 Borough Officials
- #2021-25 Resolution appointing a Public Agency Compliance Officer
- #2021-26 Resolution appointing Community Development Representatives
- #2021-27 Resolution appointing Clean Communities Coordinator
- #2021-28 Resolution appointing an ADA Coordinator for CY2021
- #2021-29 Resolution appointing Designated Employer Representative for CDL requirements
- #2021-30 Resolution appointing Fire Police members
- #2021-31 Resolution appointing a Municipal Prosecutor
- #2021-32 Resolution awarding contract for Borough Attorney
- #2021-33 Resolution awarding contract for Borough Auditor
- #2021-34 Resolution awarding contract for Borough Bond Counsel
- #2021-35 Resolution awarding contract for Borough Engineer
- #2021-36 Resolution awarding contract for Borough Planner
- #2021-37 Resolution awarding contract for Special Projects Engineer
- #2021-38 Resolution awarding contract for Special Counsel for Affordable Housing
- #2021-39 Resolution awarding contract for Special Redevelopment Counsel
- #2021-40 Resolution appointing Acacia Financial Group as Financial Advisor for 2021
- #2021-41 Resolution authorizing limited waiver of alcoholic beverage hours – Monmouth Park

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

- 19. Borough Administrator Remarks:** Ms. Phelps wished everyone a health and happy new year; last year was tough year but was proud of Oceanport employees who worked hard to be sure Oceanport residents were well served; thanked public works, police department, first aid and fire departments and OEM whose jobs were made more difficult as a result of COVID19; and the many other borough volunteers including planning board, recreation, historical, environmental, water watch members, parents and volunteers who

worked hard to make Oceanport a great place to live including the volunteerism and dedication of the mayor and council. She congratulated Councilmen Gallo and Keeshen on re-election and to Councilman O'Brien as new Council President. Despite 2020 being a difficult year there were many accomplishments – the biggest being the completion of the new municipal complex and looks forward to departments moving in over the next weeks.

20. Borough Council Remarks:

1. Councilman William Deerin – Councilman Deerin wished everyone a happy and healthy new year, thanked the Council and the staff at town hall for doing a great job in these challenging times as well as the Borough's committees and volunteers; acknowledged the aid of the recreation committee in keeping spirits high through various activities; proud that Oceanport kept things as normal as possible and credits our mayor for not closing parks and letting people use the facilities; he outlined 2020 accomplishments including resurfacing of basketball courts, tennis courts, total upgrade of Evergreen Park, new playground. Parks getting much more use and since little has been done in last 20 years, these are great steps forward but can't stop there; they've implemented a 5-year maintenance program; grant funds obtained for additional improvements to Community Center; looks forward to working on improvements for pickleball courts, Trinity Park and Gatta Park. This year they are looking for a solution for the pool as well as volunteers being sought for the recreation committee. He concluded by congratulating Councilmen Gallo and Keeshen on re-election
2. Councilman Richard Gallo – Councilman Gallo thanked residents for his re-election and opportunity to continue serving; congratulated Councilman Keeshen on re-election; thanked his wife Susan on her help with his campaign and looks forward to working with everyone in 2021. This year the Public Works Committee will work towards completing the 2020 road program delayed last year and begin looking at the 2021 road program and recycling. Wished everyone a happy new and prosperous new year.
3. Councilman Bryan Keeshen – Councilman Keeshen thanked everyone for their support, congratulated Councilman Gallo and Councilman O'Brien; the Public Safety Committee and public safety departments faced a busy and challenging year in 2020; the undertook an unthinkable situation and rose to the occasion and dealt with it professionally; they look forward to moving into the new police station which will be fully operational as of noon tomorrow along with the OEM center, fire chief and the new facility will bring more organization and professionalism to our departments. He thanked Chief Kelly especially for a job well done in 2020 who was in the forefront of a lot of decisions, policy and procedures that came about everyday; thanked Captain Filippone for a job well done on what seemed like an insurmountable task last year and wished him luck this coming year; thanked outgoing Chief Lippolis for his efforts and completion of a massive capital program to improve radio and extrication equipment which hand' bee replaced in over 35 years and thanked him for spearheading the upgrades to keep our firefighters safe; also thanked Robert Pascorelli who assisted with the radio purchasing; thanked OEM Director Buzz Baldanza for all his efforts, COVID updates and storm updates; he looks forward to a quieter year and will continue to work on a fiscal plan to keep Oceanport up to date and modernizing equipment and training standards.
4. Councilman Michael O'Brien – Councilman O'Brien thanked the council members for their confidence in his service as Council President. Much to look forward in 2021, new buildings, Centennial celebrations to hold. Congratulated Councilmen Gallo and Keeshen on their re-election and looks forward to working with Council in 2021.
5. Councilman Thomas J. Tvrdik – Councilman Tvrdik congratulated Councilmen Gallo and Keeshen on their re-election as well as Council President O'Brien; thanked first responders, first aid, fire, police and OEM. Thanks to Chief Lippolis for his service and the Lippolis family for their service to the town and their time; thanked Borough employees of the police department have been working hard, setting up the new municipal complex, may coming in on their own time and helping with the move when they couldn't get a moving company - they just rolled up their sleeves; welcomed Tim Griffin aboard and wished the Mayor, Council and all of the employees a Happy New Year.
6. Councilwoman Meghan Walker – wished everyone a Happy New Year, congratulated Councilmen Gallo and Keeshen and O'Brien; thanked everyone for their continued faith in her to serve as councilwoman; its been an honor to serve this past year and while difficult, they got through it; its been really nice to see the mutual respect amongst council and how well they all get along, roll up their sleeves and do the work; her family suffered a lot of losses this past year and she thanked everyone for their sympathies and kindness through that; very grateful for the borough hall staff and to all the Borough's professionals; police, first responders, volunteers and all the hard work and long hours; Borough Hall didn't miss a beat as well as others throughout the Borough – just adapted to the restrictions and got their jobs done; she looks forward

to continuing her role with Health and Human Services, working with the schools, the school successes in 2020 such as building improvements, pulling off 8th grade graduation despite COVID and wished success to new Board's leadership and wished everyone a health productive year.

- 21. Mayor Remarks:** Mayor Coffey commented on the difficulties of being a municipal worker in the last year, knowing in his own experience with municipal law; a number of things needed to be fixed coming into the the New Year last year, not knowing the catastrophe that was going to happen; the first thing needed to be fixed was how the council operated in function and Ricky, Tom, Brian, Billy, Mike, Meg - you fixed it. Based on what he does for a living, he couldn't express enough how enjoyable it was to deal with the six of them on a daily or weekly basis; the exchange of information that has taken place over the past year has really put, wind back in his sails, and I can't thank you enough for that again. I know how hard it is to be a Municipal worker, especially, when you can't come to work every day because of COVID and how we've dealt with it. And Jeannie, Katie, Donna, and John, I think the world of all of you, you've done an unbelievable job in unbelievably hard circumstances, and I can't say, no one really understands what it takes to get from point A to point B In lieu of municipal law. And what you do on a daily basis is borderline heroic, especially given these circumstances; Oceanport, when he was first elected was a small town with big city problems. I think I can change that now that we're a small town with big city issues. There are still problems but with this Council he believes they'll be dealt with 1 by 1 over the next couple of years and make sure that the taxpayers and residents are well served. He further commented on the 430 acres from the former fort and its development, new ratables, the Borough's relationship with FMERA; how te Borough handled the past year beautifully; echoed comments on OEM, Buzz and his crew; Chief Lippolis; First Aid, Captain Filippone, police with Chief Kelly and is officers. The new municipal complex is beautiful and the only thing pending is the court/council meeting room and has space to grow. Hopefully the crisis wraps up faster and thanked everyone again for making the past year a pleasure.

- 22. Petitions from the Public:** Mayor Coffey opened the meeting to the public and provided the participation information.

While waiting for the public to respond, Councilman Tvrdik recognized members of the Planning Board for their service including Patty Cooper, Jack Kahle for 9 years, Rusty Kleiberg for his 13 years.

Mayor Coffey asked Councilman Gallo about the issue concerning Christmas trees for pickup. Ms. Phelps advised that the garbage contractor would be picking up. Ms. Smith added that the website notices that put it our for 2nd pickup through the end of January.

Colleen Smith, 56 Comanche Drive, presented concerns about speeding along Comanche Drive. There was a lengthy discussion about the current issues and the tools the Borough was looking at to be used to address the issue including radar signage that flashes.

Ms. Smith also provided her thoughts on the pool as requested by Councilman Deerin and suggested a splash park similar to Dorbrook Park which would be a lower maintenance feature than a pool.

As there was no one else from the public, Mayor Coffey closed that portion of the meeting. Councilman Deerin lastly commented that he was looking forward to seeing how the bobbleheads come out.

- 23. Adjournment:** As there was no further business, the meeting was adjourned at 8:06 PM on a motion by Council President Gallo, seconded by Councilwoman Walker and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK

**BOROUGH OF OCEANPORT****MAYOR & COUNCIL****MINUTES • FEBRUARY 4, 2021****Workshop****REMOTE/VIRTUAL****7:00 PM****Clement V. Sommers Municipal Building, 910 Oceanport Way, Oceanport, NJ 07757**

- I. **Meeting Called to Order:** Mayor Coffey called the meeting to order at 7:00 PM
- II. **Statement of Compliance with Open Public Meetings Act:** This meeting complies with the Open Public Meetings Act by adequate and electronic notification on January 13, 2021 of this virtual/remote meeting and its location, date and time to the Asbury Park Press and Two River Times and by the posting of same on the municipal bulletin board and Borough's Web Site. Mayor Coffey then read the virtual/remote meeting advisory advising the public how to attend and participate during public portions of the meeting.
- III. **Flag Salute:** Mayor Coffey led attendees and members of the Council in the flag salute.
- IV. **Invocation:** Borough Chaplain Stacy Deerin was unable to attend.

V. **Roll Call:**

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

VI. **Payment of Bills:**

#2021-49 Resolution authorizing payment of BILL LIST 02-04-2021

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

- VII. **Administrator's Report:** Ms. Phelps reported on items including adjustments at the municipal building, HVAC system, key distribution, thanked Ms. Smith for her assistance in setting up the remote system for court to be held in new municipal building and no longer need to use Rumson or Little Silver facilities; last two weeks spent setting up offices with staff and DPW and thanked Mayor and Council for their new home; recent major nor'easter storm event and great job by DPW keeping streets open.

VIII. **Clerk's Report:**

1. Liquor License Activation - The Marina at Fort Monmouth – Ms. Smith advised that she had received notification from the Marina Restaurant that they were ready to activate the pocket liquor license now that they would be closing on the property and would no longer be using the State's concessionaire license. Action on the item would be on for the regular meeting.
2. An Ordinance Providing for Updates to Chapter 223 Fire Prevention – Ms. Smith advised that Fire Official Tim Griffin had submitted recommendations for additional amendments to the Borough's code. Mr. Griffin was in attendance and briefly explained the recommended changes including updates to the fees, regulations for smoke detectors and fire extinguishers and the ability to charge for fire truck standbys. As there were no questions or objections, Ms. Smith advised that the ordinance introduced on January 21, 2021 would be amended to include the recommendations, re-introduced on Feb. 18th and new public hearing scheduled for March regular meeting.
3. An Ordinance to Increase Fees for Liquor Licenses – Ms. Smith advised that this was routine amendment to bring the Borough's license fees to the amounts permitted by the State to be charged due to numerous years of no increases. Statute limits increases to 20% annually until the maximum amount was reached. As there were no objections, the ordinance would be ready for

Regular Meeting Items: Ms. Smith reviewed items for the regular meeting, asked for any questions or corrections on minutes and hearing none those items were moved forward to the next meeting for action.

Councilwoman Walker asked Ms. Smith if she receives minutes from Environmental and Water Watch as she doesn't see them on the agendas and she knows that they are taken. Ms. Smith advised no, she does request them and usually once a year the environmental committee does forward over. Councilwoman Walker will look into it with those committees.

- IX. **Discussion Items:** Mayor Coffey led discussion on a request from the Boy Scouts to use the Port Au Peck Firehouse for their meetings. They had been meeting outside but with the cold are looking to move their meetings inside. Two groups of 6-7 children and 1-2 adults. Discussion ensued on topics including whether to provide facility, guidelines for use such as social distancing, sufficient space, potential liability, seek guidance from insurance risk manager, follow parameters of Governor's orders for building capacities, removal of fire trucks, sanitization between uses, limit to civic entities as a phase-in and expand to other users as circumstances improve. The Administrator was charged with contacting the JIF and the Borough Attorney would research protocols and forms language and bring back to the next meeting for a decision.
- X. **Mayor's Report:** Mayor Coffey commented on topics including the move into the new buildings, nice article by the Two River Times on the relocation; meetings continue remotely including court from the new building, the technology is working and need to continue embracing technology moving forward with the building department and SDL and being more responsive; recent storm and response – with 6 DPW staff doing a phenomenal job, communications with public during storm event and how to improve technology to keep public updated on where plowing is occurring; the Borough didn't miss a beat with municipal council meetings thanks to Mr. Abboud and Ms. Smith, the same with Planning Board; and now that we're in the new building there's a need to transform the public services provided to people and doing that through technology and add to transparency how the Borough operates; the need to have the talent to operate the technology and services. Mayor Coffey next discussed the Borough's 26 miles of roads, the road conditions, the need for an inventory and assessment of the roads, the need to establish a road maintenance system not based on complaints and be proactive, not reactive; the need to inform residents of the cost and the service to be provided; the Borough has significant pool of talented residents and seek commitments to implement the Capital Improvement Committee. Last year's budget was fantastic as they figured out how to plug a lot of holes and not really impact the taxpayers; continue being mindful and honest with the taxpayers as investments are made such as the new school infrastructure and keeping them informed with a plan.
- XI. **Petitions from the Public:** Mayor Coffey opened the meeting to the public and provided the participation information.

While waiting for members of the public to respond, Councilman Tvrdik commented that a resident had reached out to him about the condition on Gooseneck Point Road and after looking it asked if Councilman Gallo could look into filling in the potholes. Councilwoman Walker asked what could be done about the County portion of Oceanport road between

Main Street and the bridge into little Silver. Mayor Coffey responded that he believes they are waiting until after the improvements are completed at the Fort and potentially get a developer to contribute.

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

- XII. Adjournment:** As there was no further business, the meeting was adjourned at 7:48 PM on a motion by Council President O'Brien, seconded by Councilwoman Walker and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF
NEW JERSEY APPROVING A PLACE TO PLACE TRANSFER OF PLENARY RETAIL
CONSUMPTION LIQUOR LICENSE #1338-33-001-006 - OCEANPORT LIQUOR LICENSE LLC -
D.B.A. THE MARINA AT OCEANPORT**

Resolution #2021-76

03/18/21

WHEREAS, application has been made by Oceanport Liquor License, LLC, for a place-to-place transfer of Plenary Retail Consumption License #1338-33-001-006, D/B/A The Marina at Oceanport, for a pocket license now to be located at The Marina at Oceanport, 10 Riverside Avenue, Oceanport, New Jersey 07757; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standard established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, public notice of this transfer has been published in The Asbury Park Press, twice, once on March 6, 2021 and March 13, 2021; and

WHEREAS, no legally valid written objections have been received concerning said transfer,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor & Council of the Borough of Oceanport does hereby approve the application of Oceanport Liquor License, LLC., 10 Riverside Ave, Oceanport, NJ 07757 for a place-to-place transfer of pocket Plenary Retail Consumption License #1338-33-001-006, D/B/A The Marina at Oceanport for premises now to be located at 10 Riverside Avenue, Oceanport, NJ 07757 and does hereby direct the Borough Clerk to endorse the license certificate to the new location as follows: "This license, subject to all its terms and conditions, is hereby transferred to The Marina at Oceanport, 10 Riverside Avenue, Oceanport, New Jersey, 07757 effective immediately".

**RESOLUTION OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF
NEW JERSEY OPPOSING PASSAGE OF ACS 1571 AND 1576**

Resolution #2021-77
03/18/21

WHEREAS, Assembly Committee Substitute A1571 and A1576 imposes prevailing wage requirements on any property where a public body has provided, approved, or authorized a tax abatement or tax exemption; and

WHEREAS, Payments in lieu of taxes (PILOTs) are the single-most powerful tool available to municipalities to encourage property owners and developers to make improvements to property or to locate a project in a distressed or blighted area; and

WHEREAS, PILOTs and tax abatements are granted only where the municipality has determined that the project would not occur but for the PILOT; and

WHEREAS, PILOTs and tax abatements have been instrumental in the construction of affordable housing, environmental remediation, historic preservation, and the installation of infrastructure; and

WHEREAS, increasing the cost of already challenged projects by requiring a private property owner to pay prevailing wage for improvements on their property will prompt a greater demand on the municipality to provide additional concessions, such as increase density or building heights, in the PILOT at the expense of property taxpayers; and

WHEREAS, in the Borough of Oceanport the project known as Oceanport Gardens revitalized a part of Oceanport's downtown and affordable housing component; the project known as NJ City University provided for the establishment of a satellite college campus on private property would not have been possible if not for a PILOT agreement; and

WHEREAS, the Borough of Oceanport is somewhat unique having had a military facility within its boundaries that closed in 2010 thereby adding 430 acres of non-pristine developable real estate - which development does not fall under the control of the Borough but rather a state entity (FMERA); and

WHEREAS, the Borough of Oceanport is home to more than 1,100 acres of land not subject to the Borough's development ordinances including former Fort Monmouth parcels and Monmouth Park Racetrack; and

WHEREAS, if this legislation advances, it would restrict the development options available to potential developers and severely limit the Borough's ability to influence and benefit from development opportunities, more specifically at the former Fort Monmouth site; and

WHEREAS, COVID-19 has not only affected the public health, it has impacted our main street businesses and halted development; and

WHEREAS, the Borough of Oceanport needs every tool in our arsenal available to encourage and spur post-COVID development, without the economy-stunting limitations of ACS 1571 and 1576. Otherwise, we are facing an even longer road to recovery.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Borough of Oceanport, County of Monmouth strongly opposes ACS 1571& 1576 and urge our legislators to oppose the same for the benefit of all New Jersey taxpayers; and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Senator Declan O'Scanlon, Assemblywoman Serena DiMaso, Assemblyman Gerard Scharfenberger, Senate President Steve Sweeney, Assembly Speaker Craig Coughlin, Governor Phil Murphy and New Jersey State League of Municipalities

**RESOLUTION OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF
NEW JERSEY AUTHORIZING PUBLIC SALE OF SPECIAL PLENARY RETAIL CONSUMPTION
LICENSES UNDER THE FORT MONMOUTH REUSE AND REDEVELOPMENT PLAN**

Resolution #2021-78
03/18/21

WHEREAS, N.J.S.A. 33:1-12.52 authorizes the Borough of Oceanport ("Borough") to issue special plenary retail consumption licenses, at the request of the Fort Monmouth Economic Revitalization Authority ("FMERA"), to premises located within the Fort Monmouth Redevelopment Project Area; and

WHEREAS, FMERA adopted Amendment #11 to the Fort Monmouth Reuse and Redevelopment Plan ("Redevelopment Plan") authorizing the redevelopment of the Allison Hall Parcel, more specifically, adaptive reuse of Building 210 for a waterfront bar and restaurant on the former Fort Monmouth Property in the Borough; and

WHEREAS, FMERA adopted Amendment #4 to the Fort Monmouth Reuse and Redevelopment Plan ("Redevelopment Plan") authorizing the redevelopment of the Dance Hall Parcel, more specifically, adaptive reuse of Building 552 for use as a restaurant, event space and on-site brewer on the former Fort Monmouth Property in the Borough; and

WHEREAS, FMERA authorized the redevelopment of the Allison Hall Parcel and Dance Hall Parcel on the former Fort Monmouth Property in the Borough; and

WHEREAS, N.J.S.A. 33:1-12.52 - 12.53 mandates that the entity receiving the special plenary retail consumption license comply with certain requirements including completion of the mandatory conceptual review process pursuant to N.J.S.A. 52:271-34 and receipt of a letter of support from FMERA; and

WHEREAS, N.J.S.A. 33:1-19.3 - 19.6 authorizes the Borough to issue plenary retail consumption licenses by public sale to the highest qualified bidder and to prescribe qualifications for prospective bidders including setting conditions of the sale subject to applicable law; and

WHEREAS, N.J.S.A. 33:1-12.52 (e)-(f) mandates that the bid for a special plenary retail consumption license be based on the average sale price of plenary retail consumption licenses in the Borough from March 1, 2014 to March 1, 2019 minus the fair market value limitation on transferability; and

WHEREAS, the Borough Council of the Borough of Oceanport believes that it would be in the best interest of the Borough and its resident to conduct a public sale of two special plenary retail distribution licenses for these projects; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport, County of Monmouth, State of New Jersey, that the Borough Council authorizes the Borough Clerk to conduct a public sale to the highest qualified bidder of two special plenary retail consumption license for the Allison Hall Parcel and Dance Hall Parcel as designated by FMERA through the issuance of a bid package. The public sales shall be conducted in accordance with the conditions required by N.J.S.A. 33:1-12.52 - 12.53 and all applicable alcoholic beverage laws and regulations.

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

**Resolution #2021-79
03/18/21**

WHEREAS, the appropriations set forth in the 2021 temporary budget are insufficient to meet the financial obligations as set forth below; and

WHEREAS, the permanent budget for the year 2021 has not yet been adopted; and

WHEREAS, the total emergency temporary appropriations adopted in the year 2021 pursuant to the provisions of N.J.S.A. 40A:4-20 included in this resolution total \$1,283,270.00.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body (not less than two-thirds of all members thereof affirmatively concurring) in accordance with the aforementioned statute, that the 2021 temporary fiscal budget is hereby amended to provide for an emergency temporary appropriation in the amount of \$1,283,270.00 and said appropriations are as follows:

2021 TEMPORARY BUDGET	EMERGENCY PROPOSED Salaries/Wages	EMERGENCY PROPOSED O/E
ADMINISTRATIVE & EXECUTIVE SW	\$ 25,000.00	
ADMINISTRATIVE & EXECUTIVE OE		\$ 10,000.00
MUNICIPAL CLERK SW	\$ 20,000.00	
MUNICIPAL CLERK OE		\$ 20,000.00
FINANCIAL ADMINISTRATION SW	\$ 20,000.00	
FINANCIAL ADMINISTRATION OE		\$ 10,000.00
COLLECTION OF TAXES SW	\$ 8,500.00	
COLLECTION OF TAXES OE		\$ 1,000.00
ASSESSMENT OF TAXES SW	\$ 4,500.00	
ASSESSMENT OF TAXES OE		\$ 10,000.00
LEGAL SERVICES OE		\$ 30,000.00
BOROUGH ENGINEER OE		\$ 15,000.00
PROSECUTOR SW	\$ 2,500.00	
PLANNING BOARD S&W	\$ 2,000.00	
PLANNING BOARD OE		\$ 4,000.00
PLANNER SERVICES & FEES		\$ 4,000.00
ENVIRONMENTAL COMMISSION OE		\$ 100.00
CONSTRUCTION CODE SW	\$ -	
CONSTRUCTION CODE OE		\$ -
CODE ENFORCEMENT SW	\$ -	
CODE ENFORCEMENT OE		\$ 250.00
GENERAL LIABILITY		\$ 60,000.00
WORKMEN'S COMPENSATION		\$ 60,000.00
HEALTH OPT OUT		\$ -
HEALTH		\$ 150,000.00
DENTAL		\$ 8,000.00
POLICE SW	\$ 260,000.00	
POLICE OE		\$ 25,000.00
POLICE EQUIPMENT		\$ 75,000.00
EMERGENCY MANAGEMENT SW	\$ 1,020.00	
EMERGENCY MANAGEMENT OE		\$ 4,000.00
FIRE HYDRANT SERVICE OE		\$ 20,000.00
FIRST AID ORGANIZATION OE		\$ 5,000.00
LOSAP		\$ -
FIRE DEPARTMENT OE		\$ 10,000.00

FIRE BUREAU SW	\$	11,000.00		
FIRE BUREAU OE				
STREETS SW	\$	60,000.00		
STREETS & ROADS OTHER EXPENSES			\$	15,000.00
SANITATION-TRASH REMOVAL OE			\$	50,000.00
RECYCLING OE			\$	10,000.00
PUBLIC BUILDINGS & GROUNDS OE			\$	20,000.00
SHADE TREE COMMITTEE OE			\$	1,500.00
BOARD OF HEALTH SW	\$	800.00		
BOARD OF HEALTH OE			\$	-
WATER WATCH COMMITTEE-OTHER			\$	1,200.00
PARKS SW	\$	2,500.00		
PARKS AND PLAYGROUNDS OE			\$	4,000.00
SENIOR CITIZEN COMMITTEE OE			\$	500.00
LIBRARY SW	\$	1,250.00		
LIBRARY OE			\$	500.00
TRANS OF HS STUDENTS OE			\$	-
NJEIT ADMIN FEES			\$	-
CELEBRATION OF PUB. EVENTS OE			\$	300.00
ELECTRICITY			\$	10,000.00
TELEPHONE/INTERNET			\$	10,000.00
WATER/SEWER			\$	5,000.00
NATURAL GAS			\$	10,000.00
STREET LIGHTING			\$	15,000.00
GASOLINE & OIL			\$	12,500.00
SANITATION DUMPING FEES			\$	50,000.00
S&W ADJUSTMENT				
CONTINGENT				
P.E.R.S. OE				
SOCIAL SECURITY SYSTEM OE			\$	20,000.00
P & F RETIREMENT SYSTEM OE			\$	-
DEFERRED RETIREMENT COMPENSATION PROGRAM			\$	1,000.00
BODY ARMOR			\$	-
DISPATCH SHARED SERVICES				
BLOODBORNE PATHOGEN			\$	100.00
MUNICIPAL COURT S&W	\$	20,000.00		
MUNICIPAL COURT OE			\$	8,000.00
PUBLIC DEFENDER-OTHER EXPENSE	\$	1,000.00		
COVID 19			\$	6,000.00
DEBT SERVICE - GREEN ACRES				
CAPITAL LEASE				
DEBT SERVICE BOND PRINCIPAL				
DEBT SERVICE BAN PRINCIPAL				
DEBT SERVICE BAN INTEREST				
DEBT SERVICE BOND INTEREST			\$	71,250.00
	\$	440,070.00	\$	843,200.00

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING RESTAURANTS WITHIN THE BOROUGH OF OCEANPORT TO EXPAND
THEIR FOOTPRINT TO OUTDOOR AREAS DURING THE COVID-19 STATE OF EMERGENCY
AS AUTHORIZED BY EXECUTIVE ORDER 150**

**Resolution #2021-80
03/18/21**

WHEREAS, in response to the COVID-19 Pandemic, Governor Murphy has issued executive orders which declared a State of Emergency and Public Health Emergency within the State of New Jersey, and that have imposed restrictions imposing social distancing requirements and limiting gatherings of people; and

WHEREAS, Executive Order 104 issued on March 16, 2020 specifically limited all restaurant and food and beverage establishment operations to offering food delivery and/or take out services; and

WHEREAS, based upon a decrease in the rate of reported new cases of COVID-19 in New Jersey, the Governor issued Executive Order 150 which authorized restaurants and other food and beverage establishments: "to provide in-person service at areas designated for food and/or beverage consumption ("outdoor dining") in accordance with CDC and DOH safeguards," but not indoor dining since that still poses a higher risk of transmission at this time; and

WHEREAS, Executive Order 150 further provides that: "many restaurants ... will not have sufficient outdoor space to serve their patrons, and thus may seek to use additional space for outdoor food and/or beverage consumption, including other areas of their property, such as parking lots, and shared spaces, such as sidewalks, streets, and parks;" and

WHEREAS, the Borough Council recognizes that restaurants, and other food and beverage establishments, in the Borough of Oceanport may desire to offer outdoor dining as permitted by Executive Order 150; and

WHEREAS, paragraph 5, on page 7, of Executive Order 150 further provides that: "Municipalities are permitted to use their existing authority to allow food or beverage establishments to expand their footprint to outdoor areas, both within their property and among municipally-governed areas, including but not limited to sidewalks, streets, or parks;" and

WHEREAS, in order to assist establishments in the Borough of Oceanport with resuming in-person service of patrons consistent with the authority granted by Executive Order 150, the Borough Council of the Borough of Oceanport believes it is in the best interest of the Borough, its businesses and residents, to temporarily relax any existing procedural or substantive zoning requirements in order to permit outdoor dining subject to the requirements and limitations set forth herein; and

WHEREAS, the Borough Council would like to establish a process, for permitting outdoor dining areas during the State of Emergency and Public Health Emergency, that is expeditious and efficient, while continuing to protect the public health, safety and welfare of the community.

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

Section 1. Outdoor Dining Permitted. All restaurants, dining establishments, with or without a liquor license, and all holders of a liquor license with retail consumption privileges, including but not limited to, restaurants, club licensees, golf facilities, as more particularly set forth in Section II of ABC Special Ruling 2020-10, "Eligible Licensees and Permittees" ["establishment"] are permitted to offer in-person service at outdoor areas, provided that the establishment obtains a Temporary Outdoor Dining Permit from the Borough of Oceanport for outdoor dining in accordance with the requirements set forth herein.

Section 2. Permit Required. The Temporary Outdoor Dining Permit Application shall include a completed application, signed and dated by the owner or an authorized agent, together with a plan depicting the existing and proposed layout and location of such outside tables/seating, which shall also include a confirmation of the number of existing approved tables/seats, a depiction of all aisles, routes of ingress and egress, clearances/distances between tables and between the seating area and any curb line or sidewalk line, trash receptacles, any proposed lighting, any proposed structures to protect the outdoor seating

area from the elements, and for any seating area proposed to be located in a parking lot, the proposed temporary structures that will separate the patrons from the vehicles. In addition to the creation and/or expansion of the outdoor dining area, the application and plan may include proposed temporary awnings, tents, pergolas and other similar devices to protect the outdoor dining area from the elements.

Section 3. Expanded Outside Dining Areas. The application and plan for outdoor dining may propose expanded outside dining areas including, not limited to, decks, patios, sidewalks and parking lots contiguous with the establishment, provided that any area proposed for outside seating/dining must be accessible from the establishment, shall not obstruct the free flow of pedestrian or motor vehicle traffic, and shall provide a safe location for the patrons. The total amount of seats available to patrons shall not exceed the permitted occupancy of the establishment. In the event the outdoor dining area is proposed to be located in the right of way in front of a neighboring property, written consent of the neighboring property owner shall be provided as part of the application. If the neighboring property is not owner occupied, the written consent of any tenant(s) shall also be provided.

Section 4. Issuance of Permit. The application and plan for a Temporary Outdoor Dining Permit shall be reviewed and approved by the Borough Zoning Officer, Construction Official, Fire Official and Police Department ("reviewer"). In the discretion of any reviewer, additional information needed to process the application may be required and must be submitted by the applicant. The issuance of a Temporary Outdoor Dining Permit for outside dining, including, but not limited to, location, scope, setbacks and size of the outside dining area, is solely in the discretion of the Borough and its reviewers. The Temporary Outdoor Dining Permit does not replace, or eliminate the need for, any construction permit required for any structure or improvement at the establishment outside dining area.

Section 5. Standards for Permits. The following standards are created for the outdoor dining areas permitted by this Resolution:

- a. Outdoor dining areas must be designed and operated in accordance with State of New Jersey, Department of Health Executive Directive 20-014, and any amendments or subsequent directives, and any applicable County Health Department requirements.
- b. Outdoor dining areas may be located upon public sidewalks, on relatively level grass areas, and in parking lots, with approval from the appropriate jurisdiction (County or Municipal) where adequate provision is made for pedestrian safety.
- c. Where outdoor dining is proposed to be created in a parking lot, bollards or other protection structures shall be erected along the perimeters of the outdoor dining area in order to enhance public safety.
- d. Temporary lighting will be required if the outdoor dining area is proposed to be utilized after dusk and there is inadequate existing lighting.
- e. A non-enclosed tent, awning or umbrellas may be utilized within an outdoor dining area but shall not restrict pedestrian access.
- f. Serving stations and a host podium may be located within an outdoor dining area. There shall be no outdoor cooking allowed.
- g. No change in grading will be permitted in order to create an outdoor dining area.
- h. Restaurants with existing outdoor dining areas may seek to expand the existing area in accordance with the regulations set forth herein.
- i. The proposed outdoor dining area shall be configured in such a manner as to permit site circulation of vehicles for employees, customers, emergency vehicles, delivery vehicles and trash pickup.
- j. The operator of an outdoor dining area shall be responsible to provide, maintain and empty an adequate amount of outdoor trash receptacles for the outdoor dining area, and shall not be permitted to dispose of trash into municipal trash receptacles.
- k. The operator of an outdoor dining area shall be responsible for maintaining a sanitary, safe, litter-free and well-kept appearance of the property at all times.
- l. Licensees or permittees with on-premises retail consumption privileges are responsible for obtaining a Covid-19 Expansion Permit and compliance with the New Jersey Alcoholic Beverage Control Commission (See ABC Special Ruling 2020-10 dated 6/3/2020.).
- m. A Temporary Outdoor Dining Permit may be amended or revoked if the Zoning Officer and/or Borough Administrator or his designee identifies a safety issue that may involve but not be limited to traffic, fire, pedestrian safety and trash management, or if the restaurant establishment fails to comply with applicable sanitary and cleaning standards, use of masks and partitions, social distancing or other requirements issued by the Governor, State or County Department of Health

or the Borough.

Section 6. General Permit Conditions. Temporary Outdoor Dining Permits shall be subject to the following general conditions:

- a. Permits shall be valid upon issuance, and shall remain valid until the earlier of 12/31/2021 or the issuance of an Executive Order removing restrictions on the number of patrons permitted inside a restaurant or food and beverage establishment.
- b. In the case of an establishment licensed by the ABC, compliance with all conditions and requirements of Special Ruling 2020-10 for the issuance of "Temporary COVID-19 Permit to Expand Licensed Premises" and any such further requirements issued by the ABC.
- c. The Borough reserves the right to amend or revoke any Temporary Outdoor Dining Permit at any time, in the Borough's sole discretion.
- d. The owner or authorized agent shall certify that they will comply with all applicable County and State Health regulations and directives, Executive Orders issued by the Governor as well as any other local requirements, conditions and/or limitations and will designate an employee onsite for compliance at all times the area is open.
- e. For any outdoor seating/dining activities on public property or in a public right-of-way, the establishment shall provide a Certificate of Insurance naming the Borough as an additional insured, and shall indemnify and hold harmless the Borough, its employees, agents and/or officers from all claims, losses, liens, expenses, suits, including costs and attorney's fees, arising out of the placement, operation and maintenance of the outdoor seating/dining area approved by said Temporary Outdoor Dining Permit.
- f. All expenses and expenditure of any funds in reliance on the provisions of the Temporary Outdoor Dining Permit shall be at the establishment's sole and exclusive cost and expense.
- g. Any changes to a permit granted hereunder shall require the submission of a new permit application.

Section 7. Existing Approvals; Hours of Operation. Nothing herein shall prevent the continued use of outdoor seating/dining at any establishment already authorized and approved by the Borough pursuant to any prior site plan or other land use approval. Outside seating/dining authorized by a Temporary Outdoor Dining Permit shall be conducted during the same hours of operation currently applicable to the establishment.

Section 8. Relaxation of Rules and Regulations. All provisions of the Oceanport Borough Code that are inconsistent with the intent and purpose of this Resolution are temporarily suspended during the time that this Resolution is in effect and shall not apply to expanded areas for outdoor dining authorized by a Temporary Outdoor Dining Permit.

Section 9. Term. This Resolution permitting the issuance of Temporary Outdoor Dining Permits for expanded outside dining areas shall be effective immediately upon passage, and shall remain in full force and effect until (i) the issuance of a subsequent Executive Order or other regulation permitting unrestricted indoor dining, as permitted prior to the issuance of Executive Orders 104 and 107, or (ii) the amendment or repeal of this Resolution, or (iii) the adoption by the Borough Council of an Ordinance that supersedes the substance of this Resolution, whichever shall first occur, and in which case any permits issued in accordance with this Resolution shall remain in full force and effect as if issued pursuant to such Ordinance.

ORDINANCE #1033

AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AMENDING CHAPTER 223 "FIRE PREVENTION"

WHEREAS, the Oceanport Fire Official has recommended various updates to Borough's Fire Prevention Ordinance; and

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth, in the State of New Jersey, that the following amendments be made to Chapter 223 entitled "Fire Prevention":

NOTE: Additions are underlined; and deletions are marked by strike through.

Article I. Rules and Regulations

§ 223-1. False fire Alarm.

~~Any person who shall cause to be given any false alarm of fire in this Borough or who shall intermeddle with, injure or destroy any of the property appertaining to or belonging to said Fire Department or fire alarm system shall be punished as provided in of this article.~~

- A. Fire Alarms. The Fire Official or designated Fire Inspector shall investigate, or cause to be investigated, the activation of any fire alarm, fire detector or fire protection system occurring within the Borough to determine the cause for such activation and determine if the device and/or equipment have been properly restored to full service.
- B. Failure to Report. It shall be a violation for any person or persons, having knowledge of same, to fail to report to the Fire Department and/or the Fire Official the activation of any fire protection system or device or to fail to report the occurrence of any fire or attempted arson or to fail to report the spill or leakage of any flammable or combustible liquid or gas or of any hazardous material immediately upon gaining such knowledge.
- C. Define Fire Alarms; False Alarms; Nuisance Alarm.

- 1. Fire alarm shall be defined as the giving, signaling or transmission to any public fire station, or company or to an officer or employee thereof, whether by telephone, spoken word or otherwise, of information to the effect that there is a fire at or near the place indicated by the person giving, signaling, or transmitting such information.
- 2. False alarm shall be defined as the willful and knowing initiation or transmission of a signal, message or other notification of an event of fire when no such danger exists.
- 3. Nuisance alarm shall be defined as an alarm caused by mechanical failure, malfunction, improper installation, or lack of proper maintenance, or an alarm activated by a cause that cannot be determined.
- 4. Penalty. Any person who maintains or permits to be maintained, any mechanical or electronic fire alarm device which transmits more than three false or nuisance fire alarms (excluding line-trouble signals) within any consecutive twelve-month period, after written notification by the Fire Prevention Bureau, shall be punished by a fine of \$250 for the fourth offense. For subsequent false or nuisance fire alarms after the fourth offense in the same calendar year, the fines will progressively increase for each additional offense. In no event, however, shall the fine exceed \$500 for any one occurrence. All penalties shall be in addition to any court costs that may be required.

§ 223-2. Driving over or damaging hoses and apparatus.

Any person who shall willfully drive or cause to be driven any vehicle over any hose or other fire apparatus or shall in any manner willfully damage, deface or injure any hose or other apparatus at any time shall be punished as provided in § 223-4 of this article.

§ 223-3. Interference with fire apparatus.

No person or persons shall interfere with, impede or delay any fire apparatus in the Borough of Oceanport in any manner or for any cause under their control. Any person or persons violating this section shall be punished as provided in § 223-4 of this article, upon complaint of the Chief, foreman of a company or driver of any apparatus.

§ 223-4. Violations and penalties.

~~Any person or persons who shall violate any section of this article shall be liable, upon conviction, to a penalty as set forth in Chapter § 1-15, General penalty.~~

- A. Any owner, agency, or person or corporation who shall violate any provision of this Chapter or fail to comply therewith or with any of the requirements thereof, shall be subject to a penalty to be determined by the Fire Official. The effective date of the enforcement provisions set forth in this section shall be 12 months for existing structures and 20 days from the passage of this amendment for new structures.
- B. The Fire Official of the appropriate Local Enforcing Agency shall be responsible to enforce this Chapter as an amendment to N.J.A.C. 5:70 et seq., and penalties may be assessed as provided in the New Jersey Uniform Fire Prevention Code.
- C. The maximum penalty for violation of any provision of this Chapter shall be \$2,500 or imprisonment for a period not exceeding 90 days, or both, in the discretion of the Municipal Court Judge. Any fines collected shall be forwarded to the Oceanport Fire Prevention Bureau.
- D. Each and every day in which a violation of any provision of this Chapter exists shall constitute a separate violation.
- E. The maximum penalty stated in this section is not intended to state an appropriate penalty for each and every violation. Any lesser penalty, including a nominal penalty or no penalty at all may be appropriate for a particular case or violation, and shall be mandated where a specific penalty is set forth in each subsection herein above.

Article II. Establishment and Management.

§ 223-5. Local enforcement.

Pursuant to Section 11 of the Uniform Fire Safety Act (P.L. 1983, c. 383; N.J.S.A. 52:27D-202), the New Jersey Uniform Fire Code shall be fully enforced in the Borough of Oceanport.

§ 223-6 Designation of enforcement agency.

~~The local enforcing agency shall be the Borough of Eatontown Bureau of Fire Safety Borough of Oceanport Fire Prevention Bureau for the Borough of Oceanport.~~

- A. Local Enforcement. Pursuant to Section 11 of the Uniform Fire Safety Act, the New Jersey Uniform Fire Code shall be locally enforced in the Borough of Oceanport.
- B. The local enforcing agency shall be the Bureau of Fire Prevention, which is hereby created within the Borough of Oceanport.

§ 223-7. Applicability.

The local enforcing agency shall enforce the Uniform Fire Safety Act and the codes and regulations adopted under it in all buildings, structures and premises within the established boundaries of the Borough of Oceanport, other than owner-occupied one- and two-family dwellings and buildings owned or operated by the federal or state government or interstate agencies and shall faithfully comply with the requirements of the Uniform Fire Safety Act and the Uniform Fire Code.

§ 223-8 Inspection of ~~life hazard uses~~ and Permits.

- A. The local enforcing agency established by § 223-6 of this article shall carry out the periodic inspections of the life hazard uses required by the Uniform Fire Code on behalf of the Commissioner of Community Affairs.
- B. In addition to the inspection and fees required pursuant to the Act and the regulations of the Department of Community Affairs, the following additional inspections and fees for those uses not defined as life-hazard uses shall be required. The following buildings, uses and premises contained in this section, other than those that are incidental or auxiliary to the agricultural use of farm property, are subject to registration and periodic inspection requirements as hereby established. Where two or more of the same use or different uses exist at the same building or premises, each one shall be considered as separate and distinct for the purpose of this article and shall be registered pursuant thereto:

<u>Business Use Group</u>	
<u>B-1 under 2,500 square feet</u>	<u>\$ 50</u>

<u>B-2 2,500 to 4,999 square feet</u>	<u>\$ 75</u>
<u>B-3 5,000 to 9,999 square feet</u>	<u>\$100</u>
<u>B-4 10,000 square feet and over</u>	<u>\$150</u>
<u>Factory Use Group</u>	
<u>F-1 under 5,000 square feet</u>	<u>\$ 75</u>
<u>F-2 over 5,000 square feet</u>	<u>\$100</u>
<u>Mercantile Use Group</u>	
<u>M-1 under 6,000 square feet</u>	<u>\$ 50</u>
<u>M-2 6,000 to 11,999 square feet</u>	<u>\$ 75</u>
<u>Storage Use Group</u>	
<u>S-1 under 2,500 square feet</u>	<u>\$ 50</u>
<u>S-2 2,500 to 5,000 square feet</u>	<u>\$ 75</u>
<u>S-3 over 5,000 square feet</u>	<u>\$100</u>
<u>Residential Use Group</u>	
<u>R-A non-owner occupied 1 and 2 unit</u>	<u>\$ 25</u>
<u>R-B 3 to 6 units per building</u>	<u>\$ 50</u>
<u>R-C 7 to 12 units per building</u>	<u>\$ 75</u>
<u>R-D 13 to 20 units per building</u>	<u>\$100</u>
<u>R-E over 20 units per building</u>	<u>\$150</u>

- C. All commercial enterprises named in § 223-8 of this article must register annually with the Bureau of Fire Prevention and shall pay all registration fees not later than 30 days after issuance. All new enterprises shall register within 60 days of commencement of business activity. These uses shall be inspected minimally once every two years.
- D. Anyone who obstructs, hinders, delays or interferes by force or otherwise with the Fire Marshal or any member of the local enforcing agency in the exercise of any power or the discharge of any function or duty under the provisions of this article shall, upon conviction therefor, be subject to a fine not to exceed \$2,500 per occurrence.
- E. False statements. Anyone who prepares, utters or renders any false statement pertaining to reports, documents, plans or specifications permitted or required under the provisions of this article shall be subject to a penalty not to exceed \$5,000 for each occurrence.
- F. Additional Permits and Fees.
- G. It shall be unlawful to engage in any business activity involving the handling, storage or use of hazardous substances, materials or devices; or to maintain, store or handle materials; to conduct processes which produce conditions hazardous to life or property; to install equipment used in connection with such activities; or to establish a place of assembly without first obtaining a permit from the fire official. Permits shall be obtained from the Bureau of Fire Safety for any of those activities listed in N.J.A.C. 5:70-2.7 and any amendments, supplements and rules and regulations thereto. The fee for said permits shall be established in accordance with N.J.A.C. 5:70-2.9(c) and any amendments or supplements thereto.
- H. Any fee due hereby which is not paid within 30 days of the payment being due shall be subject to a late fee pursuant to the following schedule: (1) Late fee if not paid within 30 days of due date: \$100. (2) An additional late fee of \$25 per day until the monies due are paid.
- I. An applicant who shall fail to obtain a required permit prior to commencing the operation, process or activity for which a permit was required shall be required to pay a permit fee of double the amount of the applicable permit fee.
- J. Any person or entity who shall fail to obtain a required permit after being ordered to do so while continuing the

operation, process or activity shall be subject to a penalty as set forth in Chapter 1, § 1-15 General penalty, per day during which the operation, process or activity continues.

- K. No Certificate of Fire Inspection may be issued unless and until all required fees are paid

§ 223-9. Administration.

The local enforcing agency established by § 223-6 of this article shall be the Bureau of Fire Prevention of the Borough of Oceanport and shall be under the direct supervision and control of the Fire Official, who shall be the Fire Marshal and the Chief of the Fire Prevention Bureau. The Bureau Chief shall report to the Mayor and Council of the Borough of Oceanport.

§ 223-10. Fire Official; inspectors and other employees.

- A. Appointment of Fire Official. The local enforcing agency shall be under the supervision of the Fire Official, who shall be appointed by the Mayor and Council of the Borough of Oceanport and shall be certified as a fire official by the State of New Jersey. In making this appointment, the appointing authority may make the appointment from recommendations provided by the Chief of the Fire Department.
- B. Term of office. The Fire Official shall serve for a term of two years, commencing on January 1 next succeeding the effective date of this article.
- C. Inspectors and employees. Such inspectors and other employees as may be necessary in the local enforcing agency shall be State of New Jersey certified fire inspectors, appointed by the Mayor and Council upon the recommendation of the Fire Official.
- D. The Bureau of Fire Prevention shall enforce the Uniform Fire Safety Act and the Codes and regulations adopted under it in all buildings, structures and premises within the Borough, other than owner-occupied one and two family dwellings, and shall faithfully comply with the requirements of the Uniform Fire Safety Act and the Uniform Fire Code.
- E. The powers conferred upon the Bureau of Fire Prevention and its officials shall not include the power to act on behalf of, or grant permits, certificates or other similar approvals, for other State, County or local authorities, boards and/or commissions, such as the local Alcoholic Beverage Control Board, Planning Board, Zoning Board or similar agencies. Any permits, certificates or other similar approvals granted by the Bureau of Fire Prevention or its officials shall not be deemed an approval by any other authority, board and/or commission.
- ~~D.~~ E. Removal from office. The Fire Official and inspectors and other employees of the enforcing agency shall be subject to removal by the Mayor and Council for inefficiency or misconduct. The Fire Official and each inspector or employee to be so removed shall be afforded an opportunity to be heard by the appointing authority or a designated hearing officer.

§ 223-11. Appeals.

Pursuant to Sections 15 and 17 of the Uniform Fire Safety Act (N.J.S.A. 52:27D-206 and 27D-208), any person aggrieved by any order of the local enforcing agency shall have the right to appeal to the Construction Board of Appeals of Monmouth County.

Strike § 223-12 in full and replace with the following:

§ 223-12 ~~Additional registrations and Fees~~ Fire Suppression Costs.

Standby fees:

1. Fees for extracurricular activities which shall require additional Fire Department presence or standby due to the scope of actions shall require a standby fee as established by the Oceanport Fire Prevention Bureau. The standby fee shall be as determined by the Chief Inspector or his/her designee. Public events sponsored by the Borough of Oceanport shall be exempt from standby fees.
2. Fire Department costs (one-hour minimum unless stated otherwise):
 - a. Fire engine: \$250/hour with crew (one driver and three firefighters; one must be an officer or acting officer).
 - b. Ladder truck: \$350/hour with crew (one driver and four firefighters; one must be identified as an officer).
 - c. Rescue unit: \$300/hour with crew (one driver and four firefighters; one must be an acting officer).
 - d. Certified fire inspector standby: \$75/hour (two-hour minimum).

e. Firefighter Standby (No apparatus / Per Member) \$35 per hour Monday through Friday 7:00 a.m. to 3:00 p.m., \$50 per hour for holidays, Saturdays, Sundays, and from 3:00 p.m. to 7:00 a.m. weekdays.

Strike § 223-13 in full and replace with the following:

§ 223-13 Permit fees. Smoke Detector and Carbon Monoxide Alarm Inspections.

The application fee for a certificate of smoke alarm, carbon monoxide alarm, and portable fire extinguisher compliance (CSACMAPFEC), as required by N.J.A.C 5:70-2.3, shall be based upon the amount of time remaining before the change of occupant is expected, as follows:

- 1: Requests for a CSACMAPFEC received more than 10 business days prior to the change of occupant: \$45.00;
- 2: Requests for a CSACMAPFEC received four to 10 business days prior to the change of occupant: \$90.00;
- 3: Requests for a CSACMAPFEC received fewer than 4 business days prior to the change of occupant: \$161.00.
- 4: RE-Inspection fee shall be \$35.00

Strike § 223-14 in full and replace with the following:

§ 223-14. Fire lanes ~~parking~~.

- A. Requirement, Designation. Fire lanes shall be designated as follows for the efficient and effective use of the fire apparatus, access for firefighting, and/or the egress of occupants.
- B. Where Needed. The Fire Official may establish fire areas on property devoted to public and private use, in accordance with N.J.A.C. 5:70-3.2(a)3, F-311.1, including, but not by way of limitation, shopping centers, strip malls, bowling alleys, drive-in theaters, house of worship, swimming pools, offices, warehouses, factories, restaurants, nightclubs, etc., and similar uses.
- C. Existing Fire Lanes. Any and all fire lanes created by prior ordinance are hereby continued in effect and when repairs or modifications are made to such fire lanes, they shall be brought into conformity with this code, as much as shall be practical in the appropriate Fire Official's judgment. The standard for exercise of said judgment shall conform to those contained in Subsections 28-1.13.6a and b above.
- D. Markings. The owner shall, within 30 days of being given a notice to do so by the Fire Official, mark the lane(s) as follows:
 1. Signs, with minimum dimensions of 12 inches by 18 inches, constructed of metal and with raised red letters a minimum of two inches in size on a white background shall be posted at level of at least seven feet above grade, indicating "FIRE LANE NO PARKING." Spacing of signs shall be even with a minimum of one sign for every 100 feet of fire lane or part thereof, or as ordered by the Fire Official. All signs and markings must be unobstructed and visible for a distance of at least 100 feet when viewed from a position approximately five feet above the ground while in the fire lane.
 2. The area of the fire lane on improved areas shall be delineated along its entire length with yellow lines 18 inches in width. Between the yellow lines shall be marked "NO PARKING FIRE LANE" in yellow letters 18 inches in height. The number of times this wording is to be repeated shall be at the discretion of the Fire Official, with the recommended spacing to be at 100-foot intervals and spaced so as to be between and alternate with the metal signs required above. If the designated fire lane abuts a curb, the curbing shall be yellow in color where it abuts the fire lane.
- E. Definitions: For the purpose of fire lane enforcement, the following terms are defined:
 1. FIRE AREA - Shall mean the same as fire lane.
 2. FIRE LANE - Shall mean an area necessary to provide safety for the public or to provide proper access for the Fire Department operations in the event of an emergency.
 3. NO PARKING - Shall mean that a vehicle may not be parked within the designated area unless loading or unloading passengers or materials with a time limit of three minutes.
- F. Size. Fire lanes for vehicles access shall be a minimum of 20 feet in width or as approved by the Fire Official. Fire lanes for egress of occupants shall be a minimum of at least the width of the exit way served.
- G. Notification. Once a fire lane has been designated by the Fire Official, approved as provided above and properly marked by the owner of the premises, the Fire Official shall notify the Police Department, Construction Department, and Municipal Court Administrator in writing of the existence and location of the designated fire lane(s).

- H. Restricted Areas. Gates, chains or other approved methods utilized to prevent unauthorized access to fire lanes shall be approved by the Fire Official prior to installation, provided such restrictions will not impede access by firefighting apparatus. The Fire Official shall determine whether any changes or deviations from the appropriate methods may be utilized.
- I. Installation, Maintenance. Fire lanes shall be installed and maintained by the owner of the premises or a designee in conformity with the provisions of this subsection. Fire lanes in existence prior to the enactment of this subsection shall be required to conform to the provisions herein at the discretion of the Fire Official. Fire lanes must be accessible for fire apparatus use at all time.
- J. Parking, Standing and Obstruction Prohibited. Designated fire lanes shall be maintained free of snow and obstructions, including vehicles, at all times.
- K. Notice of Violation. The Fire Official or designated Fire Inspector(s) may complete a Municipal Summons, or a Notice of Violations, which shall be issued to offenders by personally serving same upon any offender, or if the offender is not attendant to the vehicle(s), shall leave the notice under the windshield wiper or otherwise attached to the vehicle(s) in a manner reasonably calculated to ensure receipt of same by the offender.
- L. This subsection shall supersede any and all provisions of any other ordinance promulgated for the enforcement of parking in fire lanes. Enforcement shall only be done by personnel from the Borough of Belmar. Personnel enforcing these provisions shall be either uniformed or carry appropriate identification.

§ 223-15. Rapid-entry system in residences and businesses.

A. Required. The Bureau of Fire Prevention of the Borough of Oceanport shall require the owner(s) of all of the following types of new and existing building(s) or structure(s) to have installed on their building(s) or structure(s) a rapid-entry key box, to be located not less than six nor more than eight feet from grade above the main entrance on the hinge side of the entry door:

- 1. All hotels, motels or multiple dwellings that:
 - (a) Have locked main entrances for security purposes at any time during the day or night; and
 - (b) Have common corridors to living units or spaces.
- 2. Any sprinklered or interconnected alarmed residential or commercial building or structure.
- 3. Any industrial, commercial, institutional, retail or similar business building or structure, including public and private schools, consisting of 12,000 square feet or more.
- 4. Any public or private educational institution. Any other building or structure deemed necessary by the Fire Official.

B. Approval of system; owner to provide keys upon request. The type of rapid-entry key box system to be installed shall be approved by the Bureau of Fire Prevention prior to the purchase of the same. In addition to providing a rapid-entry key for the system installed to the Bureau of Fire Prevention, the Bureau may request and the owner of the building or structure concerned shall provide keys for the following areas within the building or structure:

- 1. Boiler rooms;
- 2. Sprinkler control valves;
- 3. Electrical rooms;
- 4. Elevators and elevator control rooms, and
- 5. Such other room(s) or door(s) requested by the Bureau of Fire Prevention where entry may be required.

C. Key to self-contained living areas, units or rooms. Notwithstanding the provisions of any other section of this chapter, no official, employee or member of the Bureau of Fire Prevention or Fire Department shall request nor shall an owner be required to provide a key to any self-contained, individual living space area, unit or room.

D. When deemed necessary, the Fire Official may require the owner of a building structure to purchase and install locking Fire Department connection cap(s) with a type to be approved by the Bureau of Fire Prevention.

E. When deemed necessary, the Fire Official may require the owner of a building structure to purchase and install a keyed electric override switch with a type to be approved by the Bureau of Fire Prevention for the following:

- 1. Exhaust fans for parking structure(s);
- 2. Electric-operated doors for parking structure(s); and
- 3. Electric-operated perimeter gates.

§ 223-16. Legal counsel.

The Borough Attorney is hereby designated as legal counsel to the Bureau of Fire Prevention in its capacity as the local

enforcing agency under the provisions of this article.

§ 223-17. Provisions to remain in effect.

All provisions of the Borough of Oceanport Fire Prevention Ordinance being amended herein which are not modified by this article shall remain in full force and effect.

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon final passage and publication in accordance with the law.

APPROVED ON FIRST READING

DATED: March 18, 2021

JEANNE SMITH

Clerk of the Borough of Oceanport

ADOPTED ON SECOND READING

DATED: March 18, 2021

JEANNE SMITH

Clerk of the Borough of Oceanport

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____.

JOHN F. COFFEY, II
Mayor

ORDINANCE #1035

AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY AMENDING CHAPTER 115 OF THE CODE OF THE BOROUGH OF OCEANPORT, ENTITLED "ALCOHOLIC BEVERAGES" FOR THE INCREASE IN FEES FOR LIQUOR LICENSES

BE IT ORDAINED by the Council of the Borough of Oceanport, in the County of Monmouth, in the State of New Jersey, that Chapter 115, Sections 7 and 8 are hereby amended to increase the renewal fees for plenary retail consumption licenses and plenary retail distribution licenses as follows:

NOTE: Additions are underlined and deletions are marked by strike through.

Article II. Licensing

§ 115-7. Fee for retail consumption license.

The annual license fee for plenary retail consumption licenses shall be and is hereby fixed at ~~\$1491.00~~ each. \$1,789.00.

§ 115-8. Fee for retail distribution license.

The annual license fee for plenary retail distribution licenses shall be and is hereby fixed at ~~\$894.~~ \$1,072.00.

BE IT FURTHER ORDAINED that all other terms and provisions of Article II, Chapter 115, Alcoholic Beverages, Licensing of the Borough Code shall remain unchanged.

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon final passage and publication in accordance with the law.

APPROVED ON FIRST READING

DATED: February 18, 2021

JEANNE SMITH

Clerk of the Borough of Oceanport

ADOPTED ON SECOND READING

DATED: March 18, 2021

JEANNE SMITH

Clerk of the Borough of Oceanport

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____.

JOHN F. COFFEY, II

Mayor