



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

AGENDA • MARCH 17, 2022

Regular Meeting

Clement V. Sommers Municipal Building

7:00 PM

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 5, 2022 of this meeting and its location, date and time to the Asbury Park Press and Two River Times and by the posting of same on the municipal bulletin board and Borough's Web Site.

III. Flag Salute

IV. Roll Call

V. GUEST: FMERA Staff Monthly Update

VI. Administrators Report

VII. Clerk's Report

VIII. Consent Agenda

- #2022-65 1. Resolution authorizing payment of BILL LIST 03-17-2022
- #2022-66 2. Resolution approving certified LOSAP lists for 2021
- #2022-67 3. Resolution opposing extension of Governor's Executive Orders beyond Public Health Emergency
- #2022-68 4. Resolution authorizing option for 1-year extension of solid waste & recycling contract
- #2022-69 5. Resolution authorizing aerial mosquito control operations 2022
- #2022-70 6. Resolution urging the Legislature to restore Energy Tax Receipts
- #2022-71 7. Resolution authorizing letter to NJDOT for Monmouth Park heliport
- #2022-72 8. Resolution adopting additional cyber security best practices for JIF compliance
- #2022-73 9. Resolution authorizing Tax Sale Redemption #21-00008
- #2022-74 10. Resolution authorizing Tax Sale Redemption #21-00007
- #2022-75 11. Resolution authorizing Collier's Engineering to proceed with Tidal Check Valve Project
- #2022-76 12. Resolution authorizing an emergency temporary appropriation to extend temp budget
 - 13. Approval of Fire Membership Application, Sandoz, Ryan A.
 - 14. Approval of First Aid Membership Application: Reger, William

IX. Minutes

- 1. Workshop Minutes, February 3, 2022
- 2. Regular Meeting Minutes, February 17, 2022

X. RESOLUTIONS

- #2022-78 Resolution accepting resignation of Milton Zarate - *Added*
- #2022-79 Resolution appointing Demetrio Zarate as part time labor for the Public Works Dept - *Added*

XI. First Reading Ordinances

Introduction of Ordinance for Electrical Vehicles

XII. Second Reading & Public Hearing Ordinances

#1048 2nd Reading and PUBLIC HEARING of An Ordinance to Increase Fees for Liquor Licenses

#1049 2nd Reading and PUBLIC HEARING of Amendment to Chapter 64 "Vehicles and Traffic"

#1050 2nd Reading and PUBLIC HEARING of Ordinance amending Chapter 204-17 "Development Application Fee Schedule"

XIII. Committee Reports

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

XIV. Mayor Coffey's Report**XV. Petitions from the public****XVI. EXECUTIVE SESSION**

#2022-77 Resolution authorizing an Executive Session

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

Municipal Building Contracts

XVII. Adjournment

**RESOLUTION OF THE BOROUGH OF OCEANPORT AUTHORIZING PAYMENT OF BILL LIST
FOR MARCH 17, 2022**

Resolution #2022-65
03/17/22

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of March 17, 2022.

BE IT RESOLVED, by the Mayor and Council that the bills be paid as on the attached bill list dated March 17, 2022 totaling \$1,572,499.34.

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.



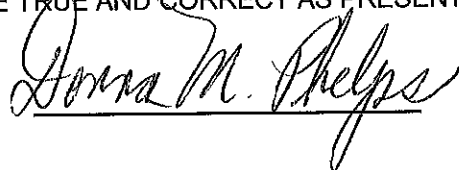
Catherine D. LaPorta, CFO

BOROUGH OF OCEANPORT BILL LIST

17-Mar-22

PAYEE	AMOUNT
PAYROLL ACCOUNT	\$119,702.86 5TH PAY \$409.43 DCRP
EXTRA SPACE STORAGE	\$142.00
BENJAMIN R HARVEY	\$60,000.00
FREEHOLD SOIL	\$3,300.00
FM PARTNERS	\$18,439.75
GRANT FUND	\$0.00
CAPITAL	\$0.00
DOG REGISTRY TOTAL	\$1,044.40
OPEN SPACE TRUST TOTAL	\$311.20
SUI	\$0.00
UCC TRUST	\$0.00
TRUST OTHER TOTAL	\$0.00
ESCROW TRUST TOTAL	\$15,161.50
NON BUDGETARY	\$1,169,811.00
2021 VOUCHERS PAID THIS MEETING	\$2,021.78
2022 VOUCHERS PAID THIS MEETING	\$182,155.42
TOTAL	\$1,572,499.34

I CERTIFY THAT THE ABOVE ITEMS ARE TRUE AND CORRECT AS PRESENTED



List of Bills - (All Funds)

8.1.a

Vendor	Description	Payment	Check Total
Current Fund			
1002 - ACACIA FINANCIAL GROUP, INC	PO 10513 FINANCIAL ADVISORY SERVICES - BOND ANTIC	5,000.00	5,000.00
1009 - ADP, INC	PO 10578 PAYROLL SERVICES - PERIOD ENDING 01/31	672.35	672.35
1731 - ADPRO IMPRINTS INC	PO 10522 PD BANNER	235.00	235.00
1829 - ALLIANT - AGENCY BILL	PO 10602 FIRE INSURANCE - ACCIDENT & SICKNESS - 0	2,033.00	2,033.00
1658 - AMAZON CAPITAL SERVICES, INC	PO 10381 equipment for firearms	779.76	
	PO 10433 POLICE SUPPLIES	457.36	
	PO 10444 PD SUPPLIES	30.21	1,267.33
1018 - ANCHOR RUBBER STAMP	PO 10422 NOTARY Kit	69.45	69.45
1516 - CANON FINANCIAL SERVICES, INC	PO 10476 02/01-28/22 - PD COPIER SERVICE	57.00	57.00
1047 - CENTRAL JERSEY HEALTH INSURANC	PO 10591 HEALTH/DENTAL INSURANCE - MAR 2022	72,128.00	72,128.00
1446 - DIRECT ENERGY BUSINES	PO 10539 21 MAIN STREET - 01/14-02/15/22	426.26	
	PO 10541 FAS UTILITIES - 01/14-02/15/22	385.70	
	PO 10546 433 MYRTLE AVE - 01/14-02/15/22	515.10	
	PO 10554 900 MURPHY - 01/19-02/16/22	559.08	1,886.14
1519 - DORIS AGAMAN	PO 10482 REIMBURSE - FIRST AID SUPPLIES	1,060.00	
	PO 10483 CPR RECERT	175.00	1,235.00
1081 - DRAGER SAFETY DIAGNOSTICS INC	PO 10065 case of solution for Alcotest machine	120.00	120.00
1082 - DRIVERS LICENSE GUIDE COMPANY	PO 10465 ID Checking Guide (books)	108.50	108.50
1094 - ENFORSYS POLICE SYSTEMS, INC	PO 10487 annual storge fee	2,520.00	2,520.00
1109 - FMERA	PO 10592 BLDG 900 - FEB 2022	458.06	
	PO 10593 BLDG 901 - FEB 2022	1,116.72	
	PO 10594 RT 537 - FEB 2022	273.26	
	PO 10595 BUILDING 977 - FEB 2022	2,338.20	4,186.24
1124 - GEORGE WALL	PO 10470 TRK 120 2004 FORD F250 4ED81197	122.15	122.15
1506 - GRANICUS, LLC	PO 10565 AGENDA & MINUTE SOFTWARE - MAR 2022	415.00	415.00
1143 - I.D.M. MEDICAL SUPPLY INC	PO 10521 FAS OXYGEN - FEB 2022	337.44	337.44
1153 - JERSEY CENTRAL POWER & LIGHT	PO 10553 200-000-857-007 01/19-02/16/22	5,021.81	
	PO 10577 MAIN ST INTERSECTION - FEB 2022	38.68	5,060.49
1434 - Jersey Printing Associates, Inc.	PO 10473 Printing Services	217.00	217.00
1480 - JOHN GUIRE SUPPLY	PO 10375 SUPPLIES - DPW	368.37	368.37
1476 - KING SECURITY	PO 10243 ALARM MONITORING FOR PAP	360.00	360.00
1814 - LEAF	PO 10573 OEM COPIER	82.32	82.32
1189 - LIFESAVERS, INC	PO 10527 BUILDING SUPPLIES	256.80	256.80
1929 - MCFPPA	PO 10404 GRIFFIN 2022 MEMBERSHIP	30.00	30.00
1204 - MGL PRINTING SOLUTIONS	PO 9739 2021 TAX FORMS	101.00	101.00
1220 - MONMOUTH COUNTY PUBLIC WORKS	PO 9442 VEHICLE SERVICE	413.68	
	PO 10438 BRINE JANUARY 26 & 28 2022 STORM	136.00	
	PO 10439 SALT JANUARY 28 2022 STORM	4,936.03	
	PO 10478 SALT FEBRUARY 13 2022 STORM	725.29	6,211.00
1538 - MONMOUTH COUNTY TREASURER	PO 10448 BULK PICK UP - JANUARY	914.05	914.05
1241 - NAPA AUTO PARTS (#15456)	PO 9850 TRUCK BATTERIES	968.30	968.30
1245 - NJ AMERICAN WATER CO	PO 10571 HYDRANT SERVICE - 01/26-02/23/22	7,298.16	7,298.16
1251 - NJ NATURAL GAS CO	PO 10538 433 MYRTLE AVE - 01/13-02/15/22	912.51	
	PO 10540 21 MAIN STREET - 01/13-02/15/22	762.33	
	PO 10542 FAS UTILITIES - 01/13-02/15/22	693.85	
	PO 10543 910 OCEANPORT WAY - 01/18-02/16/22	1,778.29	
	PO 10544 930 OCEANPORT WAY - 01/18-02/16/22	1,645.66	
	PO 10545 920 OCEANPORT WAY - 01/18-02/16/22	986.77	
	PO 10551 LIBRARY - 01/13-02/14/22	295.35	
	PO 10556 315 E. MAIN - 01/13-02/15/22	299.10	7,373.86
1253 - NJ STATE ASSOC CHIEFS - POLICE	PO 10432 Chiefs online training course for 2022	350.00	
	PO 10462 Sergenats promotional testing	2,750.00	3,100.00
1261 - OCEANPORT BOARD OF EDUCATION	PO 10598 MARCH 2022 - TAX REMITTANCE	859,084.00	859,084.00
1520 - PASHMAN STEIN WALDER HAYDEN, PC	PO 10574 AFFORDABLE HOUSING - JAN 2022	1,691.00	1,691.00
1286 - PRO JANITORIAL SERVICES, LLC	PO 10552 CLEANING SERVICE - FEB 2022	2,450.00	2,450.00
1791 - READY FRESH	PO 10596 WATER DELIVERY - FEB 2022	27.47	
	PO 10597 WATER DELIVERY - JAN 2022	17.44	44.91
1607 - RUTGERS - STATE UNIVERSITY OF NJ	PO 10440 ATHLETIC FIELD MAINTAINCE CLASS	275.00	275.00
1316 - SECURITY WORLD INC	PO 10520 MONITORING AT LIBRARY 03/01-02/28/23	540.00	540.00
1323 - SHORE REGIONAL HIGH SCHOOL	PO 10599 MARCH 2022 - TAX REMITTANCE	310,727.00	310,727.00

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List of Bills - (All Funds)

8.1.a

Vendor	Description	Payment	Check Total
1325 - SHREWSBURY AUTO PARTS	PO 10445 DPW SUPPLIES	230.25	
	PO 10489 DPW - SUPPLES	102.95	
	PO 10526 DPW SUPPLIES	436.76	
	PO 10528 TRK 120 2004 FORD F250	223.92	993.88
1326 - SIPS PAINT & HARDWARE	PO 10469 DPW SUPPLIES	87.26	
	PO 10477 COMMUNITY CENTER/LIB	26.96	
	PO 10529 BUILDING SUPPLIES	24.29	138.51
1337 - SUBURBAN DISPOSAL	PO 10575 COLLECTION - MAR 2022	31,750.00	
	PO 10576 DISPOSAL FEE - FEB 2022	18,145.68	49,895.68
1343 - TAYLOR COMMUNICATIONS	PO 10184 MAILERS FOR COURT	356.00	356.00
1348 - THE HOME DEPOT	PO 10548 OLD WHARF HOUSE	414.43	414.43
1362 - TREASURER: STATE OF NJ	PO 10601 RECYCLING COMPLIANCE MONITORING FEE	1,015.00	1,015.00
1383 - V&B AUTO REPAIR LLC	PO 10463 New Battery & R/R Tire Sensor replaced U	342.90	342.90
1387 - VERIZON	PO 10555 PD 732- 542-1410 - MAR 2022	306.70	306.70
1388 - VERIZON WIRELESS	PO 10572 FAS WIRELESS - 02/24-03/23/22	70.02	
	PO 10604 POLICE WIRELESS - 02/27-03/26/22	685.42	755.44
1392 - W.B. MASON CO, INC	PO 9988 OFFICE SUPPLIES	223.80	223.80
DOG TRUST FUND			
1445 - Monmouth County SPCA	PO 10428 JAN 22 - ANIMAL CONTROL SERVICES	425.00	
	PO 10429 NOV 2021 - ANIMAL CONTROL SERVICES	425.00	850.00
1367 - TREASURER:STATE OF NJ HEALTH	PO 10603 FEBRUARY DOG REPORT	194.40	194.40
OPEN SPACE TRUST			
1617 - UNITED SITE SERVICES	PO 10197 MARIA GATTA PARK - 12/22-01/18/22	311.20	311.20
DEVELOPERS ESCROW TRUST			
1720 - CGP&H	PO 10343 ADM AGENT FOR AFFORDABLE HOUSING 12/27&2	161.00	
	PO 10484 ADM AGENT FOR AFFORDABLE HOUSING - 01/6-	483.00	644.00
1807 - COLLIERS ENGINEERING & DESIGN	PO 9615 PB Engineering - 114 Salzmann Ave,	2,500.00	
	PO 9809 PB Engineering - 114 Salzmann Ave,	85.00	
	PO 10168 PB Engineering - 114 Salzmann Ave,	170.00	
	PO 10503 CO INSPECTION - CATALOG #7764520001	125.00	
	PO 10506 CO INSPECTION - CATALOG #7764520001	125.00	
	PO 10531 PB Engineering - NJCU	677.50	
	PO 10533 PB Engineering - Barker's Circle	3,697.50	
	PO 10534 PB Engineering - Villapiano	170.00	7,550.00
1807 - COLLIERS ENGINEERING & DESIGN	PO 10535 PB Engineering - West End-KB	680.00	
	PO 10536 PB Engineering - Haney	297.50	977.50
1807 - COLLIERS ENGINEERING & DESIGN	PO 10537 PB Engineering - Datre	297.50	
	PO 10579 PB Engineering - MPCC II, LLC	340.00	
	PO 10580 PB Engineering - Kuchinski	170.00	
	PO 10581 PB Engineering - Somerset-Pulte Lodging	1,487.50	
	PO 10582 PB Engineering - TETHERVIEW	935.00	
	PO 10583 PB Engineering - 552 Caren Franzini Way	297.50	
	PO 10588 PB Engineering - Schmidt	212.50	
	PO 10590 PB Engineering - 114 Salzmann Ave,	2,050.00	5,790.00
1499 - KEVIN E KENNEDY, ESQ	PO 10408 PB Legal - Schmidt	200.00	200.00
TOTAL			1,370,505.30

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-101-01-000-011	CASH OPERATING			0.00	1,353,988.20
01-201-20-100-200	ADMINISTRATIVE & EXECUTIVE OE	44.91			
01-201-20-120-200	MUNICIPAL CLERK OE	701.45			
01-201-20-130-200	FINANCIAL ADMINISTRATION OE	5,477.35			
01-201-20-155-200	LEGAL SERVICES OE	1,691.00			
01-201-23-210-200-1	GENERAL LIABILITY	2,033.00			
01-201-23-210-202	HEALTH	67,920.00			

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8.1.a

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-201-23-210-203	DENTAL	4,208.00			
01-201-25-240-200	POLICE OE	8,316.15			
01-201-25-252-200	EMERGENCY MANAGEMENT OE	82.32			
01-201-25-255-200	FIRE HYDRANT SERVICE OE	7,298.16			
01-201-25-260-200	FIRST AID ORGANIZATION OE	2,722.01			
01-201-25-265-400	FIRE BUREAU OE	30.00			
01-201-26-300-200	STREETS & ROADS OTHER EXPENSES	275.00			
01-201-26-300-271	REPAIRS	817.39			
01-201-26-300-273	SUPPLIES	754.27			
01-201-26-300-282	SALT & SAND	5,797.32			
01-201-26-305-200	SANITATION-TRASH REMOVAL OE	25,500.00			
01-201-26-306-200	RECYCLING OE	6,250.00			
01-201-26-310-200	PUBLIC BUILDINGS & GROUNDS OE	4,136.23			
01-201-26-310-252	REPAIRS & EQUIPMENT	951.25			
01-201-31-430-201	ELECTRICITY	3,912.98			
01-201-31-430-203	TELEPHONE/INTERNET	306.70			
01-201-31-430-205	NATURAL GAS	8,180.45			
01-201-31-430-207	STREET LIGHTING	5,333.75			
01-201-31-465-200	SANITATION DUMPING FEES	19,059.73			
01-201-43-490-200	MUNICIPAL COURT OE	356.00			
01-203-20-100-200	(2021) ADMINISTRATIVE & EXECUTIVE OE		60.70		
01-203-20-120-200	(2021) MUNICIPAL CLERK OE		0.64		
01-203-20-130-200	(2021) FINANCIAL ADMINISTRATION OE		308.86		
01-203-25-240-200	(2021) POLICE OE		120.00		
01-203-25-252-200	(2021) EMERGENCY MANAGEMENT OE		968.30		
01-203-25-265-400	(2021) FIRE BUREAU OE		149.60		
01-203-26-300-271	(2021) REPAIRS		413.68		
01-206-55-000-046	REGIONAL SCHOOL TAX			310,727.00	
01-207-55-000-045	LOCAL SCHOOL TAX			859,084.00	
TOTALS FOR	Current Fund	182,155.42	2,021.78	1,169,811.00	1,353,988.20
05-101-00-100-011	CASH - TD			0.00	1,044.40
05-161-00-500-040	DUE TO STATE OF NJ			194.40	
05-270-00-500-020	RESERVE FOR EXPENDITURES			850.00	
TOTALS FOR	DOG TRUST FUND	0.00	0.00	1,044.40	1,044.40
06-101-01-100-011	OPEN SPACE CASH - TD			0.00	311.20
06-270-00-500-020	RESERVE FOR OPEN SPACE			311.20	
TOTALS FOR	OPEN SPACE TRUST	0.00	0.00	311.20	311.20
61-101-01-100-101	CASH-DEV.ESCROW/TD			0.00	15,161.50
61-270-55-600-205	RES.FOR DEV.ESCROW			15,161.50	
TOTALS FOR	DEVELOPERS ESCROW TRUST	0.00	0.00	15,161.50	15,161.50

Total to be paid from Fund 01 Current Fund	1,353,988.20
Total to be paid from Fund 05 DOG TRUST FUND	1,044.40
Total to be paid from Fund 06 OPEN SPACE TRUST	311.20
Total to be paid from Fund 61 DEVELOPERS ESCROW TRUST	15,161.50

	1,370,505.30

8.1.b

Disbursements Journal - (..) ALL FUNDS

From 03/01/2022 to 03/31/2022 With a Line Amount > 10000.00

DATE	ENTRY #	PO#	CHECK #	ACCOUNT	VENDOR/EXPLANATION	DEBIT	CREDIT	ACCOUNT
3/04/2022	462	10512		01-201-23-210-202 01-201-23-210-203	HEALTH DENTAL CENTRAL JERSEY HEALTH INSURANC	66,725.00 4,159.00		
			28650				70,884.00	01-101-01-000-011
3/04/2022	527	10472		01-201-36-475-201	POLICE & FIREMEN'S RETIREMENT SYSTEM POLICE/FIREMEN RETIREMENT SYS	519,118.00		
			680				519,118.00	01-101-01-000-011
3/04/2022	528	10471		01-201-36-471-202	PUBLIC EMPLOYEE'S RETIREMENT SYSTEM PUBLIC EMPLOYEES RETIREMENT	119,136.00		
			681				119,136.00	01-101-01-000-011
3/09/2022	534	10585		61-270-55-600-205	REFUND TO DEVELOPER FM PARTNERS	18,439.75		
			1435				18,439.75	61-101-01-100-101

MARCH SUMMARY BY ACCOUNT:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	DISBURSED
01-101-01-000-011	CASH OPERATING				709,138.00
61-101-01-100-101	CASH-DEV.ESCROW/TD				18,439.75
01-201-23-210-202	HEALTH		66,725.00		
01-201-23-210-203	DENTAL		4,159.00		
01-201-36-471-202	PERS		119,136.00		
01-201-36-475-201	P & F RETIREMENT SYSTEM		519,118.00		
61-270-55-600-205	RES.FOR DEV.ESCROW			18,439.75	
MARCH TOTALS (FOR RANGE):			709,138.00	18,439.75	727,577.75

SUMMARY BY ACCOUNT FOR RANGE:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	DISBURSED
01-101-01-000-011	CASH OPERATING				709,138.00
61-101-01-100-101	CASH-DEV.ESCROW/TD				18,439.75
01-201-23-210-202	HEALTH		66,725.00		
01-201-23-210-203	DENTAL		4,159.00		
01-201-36-471-202	PERS		119,136.00		
01-201-36-475-201	P & F RETIREMENT SYSTEM		519,118.00		
61-270-55-600-205	RES.FOR DEV.ESCROW			18,439.75	
TOTALS (FOR RANGE):			709,138.00	18,439.75	727,577.75

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPROVING CERTIFIED LISTS FOR THE LENGTH OF SERVICE AWARD PROGRAM
(LOSAP) FOR CY 2021**

**Resolution #2022-66
03/17/22**

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

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

WHEREAS, pursuant to N.J.S.A. 40A:14-191, the Local Plan Administrator is in receipt of the certified LOSAP lists for 2021 from:

**Oceanport Volunteer First Aid Squad
Oceanport Hook & Ladder Co - AS AMENDED**

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

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

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

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



Oceanport Volunteer First Aid & Rescue Squad, Inc



2021 LOSAP Recipients

March 1st, 2022

The following Oceanport First Aid & Rescue Squad active members have qualified for LOSAP in 2021:

- Doris Agaman
- Patty Cooper
- Alexandra Dunn
- Gina Egidio
- Frank S. Lippolis
- Margaret Lippolis
- Joseph Lombardo
- Anthony Perrelli

Francis J. Lippolis

LOSAP Officer

Oceanport First Aid & Rescue Squad



PORT-AU-PECK CHEMICAL HOSE COMPANY NO. 1

Volunteer Fire Company

433 Myrtle Avenue. Oceanport, New Jersey 07757

Phone 732-229-9771 Fax 732-483-6199

Jeannie Smith,

This List contains the Members of the Port-au-Peck Fire Company that are eligible for LOSAP for 2021

1. Briskey, Steve
2. Briskey, Stewart
3. Brocklebank, Clarence
4. Brown, Matthew
5. Brown, Paul
6. Carroll, John Jr
7. Carroll, Kenneth
8. Carroll, John III
9. D'Agostino, Robert
10. Desantis, Alfred
11. Filippone, Frederick
12. Gallo, James Jr
13. Gallo, Richard Jr
14. Gallo, Richard III
15. Gallo, Philip
16. Gallo, Thomas
17. Kohler, Arno
18. McNish, William
19. Raneri, Domenic- New member
20. Santi, Fredrick – Returning member
21. Sherman, Wes
22. Shaffery, Patrick
23. Terwilliger, Paul
24. Van Brunt, Paul

Captain James Gallo

**RESOLUTION OF THE BOROUGH OF OCEANPORT
COUNTY OF MONMOUTH, STATE OF NEW JERSEY
OPPOSING THE EXTENSION OF EXECUTIVE ORDERS BY GOVERNOR MURPHY BEYOND
THE PUBLIC HEALTH EMERGENCY**

**Resolution #2022-67
03/17/22**

WHEREAS, on March 9, 2020, Governor Murphy declared a Public Health Emergency relating to the COVID-19 pandemic; and

WHEREAS, the Governor's temporary emergency powers at the outset served the purpose of handling the COVID-19 pandemic at the time when the virus was new to the residents of New Jersey; and

WHEREAS, Governor Murphy renewed this Public Health Emergency every 30 days thereafter until June of 2021; and

WHEREAS, on June 4, 2021, Governor Murphy signed Legislation and an Executive Order ending the Public Health Emergency; and

WHEREAS, at that time, the New Jersey Legislature granted Governor Murphy the authority to continue certain emergency powers with respect to 14 Executive Orders only until January 11, 2022; and

WHEREAS, the Legislature allowed Governor Murphy to request an extension of these powers for up to 90 days after January 11, 2022; and

WHEREAS, Governor Murphy made a request to the New Jersey Legislature for the 90-day extension of these emergency power; and

WHEREAS, the New Jersey Legislature refused to extend these emergency powers; and

WHEREAS, Governor Murphy ignored the Legislature's refusal to extend his remaining emergency powers and announced on January 12, 2022, that he was reinstating a statewide Public Health Emergency, thereby allowing himself the ability to continue statewide mandates without the proper checks and balances afforded to New Jersey residents by virtue of the New Jersey Constitution; and

WHEREAS, since January 12, 2022, the New Jersey Legislature has failed to overrule or contest this declaration of emergency power, despite New Jersey's high vaccination rate; and

WHEREAS, after almost two years since Governor Murphy's Public Health Emergency Declaration, local governments, businesses and the public at large have adjusted to the pandemic and have learned how to take appropriate actions to protect themselves and constituents against COVID-19; and

WHEREAS, Governor Murphy promised on January 12, 2022, in declaring a new State of Emergency, that he would not impose any new universal mandates; and

WHEREAS, just days later, Governor Murphy imposed a universal vaccine mandate for health care workers and correctional officers, in contradiction to his promise; and

WHEREAS, Governor Murphy imposed no mandate on inmates in the same facilities; and

WHEREAS, Governor Murphy also imposed the requirement for discipline of employees up to and including termination for failing to comply with his mandates, regardless of personal preference; and

WHEREAS, health decisions are best managed locally, and county and local governments should have the ability to select options which are best suited for the local conditions faced by each jurisdiction, after considering all of the relevant factors; and

WHEREAS, the residents of the Borough of Oceanport and Monmouth County deserve a system of checks and balances as guaranteed by both the United States and New Jersey Constitutions; and

WHEREAS, to date, Governor Murphy has issued over 200 Executive Orders relating to the pandemic; and

WHEREAS, the Mayor and Council of the Borough of Oceanport agrees with the Board of County Commissioners of the County of Monmouth that it is well past time to return to the regular order of government in the State of New Jersey.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oceanport be and hereby opposes Governor Murphy's declaration of a new Public Health Emergency and his recent imposition of a vaccine mandate for health care workers and correctional officers.

BE IT FURTHER RESOLVED that the Mayor and Council strongly urges the Legislature to act forthwith to repeal the Public Health Emergency and to restore the constitutional balance of power guaranteed by the United States and New Jersey Constitution.

BE IT FURTHER RESOLVED that the Municipal Clerk of the Borough shall forward a certified true copy of this resolution to the Governor of the State of New Jersey; Lieutenant Governor of the State of New Jersey; the New Jersey State Legislature; the members of the Monmouth County Legislative Delegation; New Jersey League of Municipalities; all County Boards of County Commissioners and the Mayor and Council of all towns within the County of Monmouth.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING OPTION FOR FIRST (1)-YEAR EXTENSION OF THE SOLID WASTE
CONTRACT & RECYCLING COLLECTION CONTRACT WITH SUBURBAN DISPOSAL**

**Resolution #2022-68
03/17/22**

WHEREAS, sealed public bids for the collection and disposal of solid waste and recycling were received by the Borough of Oceanport in 2020 which resulted in a contract by and between the Borough of Oceanport and Suburban Disposal, dated June 1, 2020; and

WHEREAS, the said bid solicitation was for a two-year contract with the option to exercise three additional one (1) year extensions at least 60 days prior to each anniversary starting with June 1, 2022, June 1, 2023 and June 1, 2024; and

WHEREAS, the Borough Council does not believe that there is any current benefit to be derived from re-bidding the collection of solid waste contract and the collection of recycles contract in accordance with applicable state regulation.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport that the Borough of Oceanport does hereby exercise its right under Section 5.1 of the aforementioned Contracts stipulating that the Governing Body has 60 days to notify Contractor of intent to exercise its option to extend the Contracts for the First (1) year extension commencing June 1, 2022 through May 31, 2023, the third (3rd year of said contract for the amount of \$314,000.00 (solid waste) and \$82,000 (recycling) pursuant to Resolution #2020-122 certifying same.

BE IT FURTHER RESOLVED, that the Borough Clerk shall provide a certified copy of this Resolution to Suburban Disposal notifying of the Borough's decision.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE MONMOUTH COUNTY MOSQUITO COMMISSION TO CONDUCT AERIAL
MOSQUITO CONTROL OPERATIONS WITHIN THE BOROUGH OF OCEANPORT FOR CY2022**

**Resolution #2022-69
03/17/22**

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.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
COUNTY OF MONMOUTH , STATE OF NEW JERSEY
URGING THE SWIFT PASSAGE OF S-330 WHICH RESTORES ENERGY TAX RECEIPTS**

**Resolution #2022-70
03/17/22**

WHEREAS, taxes on gas and electric utilities were originally collected by the host municipalities to be used for local purposes and to compensate the public for the use of their rights of way; and

WHEREAS, when the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; since, just as municipalities collect property taxes for the benefit of school districts, counties, and other entities, the State is supposed to collect Energy Taxes for the benefit of municipal governments; and

WHEREAS, for years, though, State budget makers have diverted funding from Energy Taxes to fund State programs; and instead of being spent on local programs and services and used to offset property taxes, the money has been spent as successive Legislatures and Administrations have seen fit; and

WHEREAS, the diversion of dedicated energy tax receipts to the State's General Fund further jeopardizes this critical property tax relief funding in future years; and

WHEREAS, by reducing Consolidated Municipal Property Tax Relief Act (CMPTRA), which is also comprised of revenues that should be returned to municipalities, State Budget makers have been able to continue collecting Energy Taxes, while keeping additional revenue that should have been returned to provide property tax relief; and

WHEREAS, the cumulative impact of years of underfunding has left many municipalities with serious needs and burdensome property taxes; and

WHEREAS, local elected officials are in the best position to decide the best use of these resources, which were always intended to fund local programs and services; and

WHEREAS, Senator Singleton and Senate President Scutari have introduced legislation (S-330) that will restore, over a five-year period, Energy Tax Receipts to municipalities;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Oceanport in the County of Monmouth urges the Legislature to swiftly pass this legislation and Governor Murphy sign the legislation prior to passage of the FY2023 State budget; and

BE IT FURTHER RESOLVED that a copy of this Resolution is forwarded to Senator Declan O'Scanlon, Assemblywoman Vicky Flynn, Assemblyman Gerry Scharfenberger, Senate President Scutari, Assembly Speaker Coughlin, Governor Murphy, and the NJ League of Municipalities.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE EXECUTION OF THE 2022 ANNUAL LETTER TO THE NEW JERSEY
DEPARTMENT OF TRANSPORTATION, DIVISION OF AVIATION, FOR THE ENDORSEMENT
OF THE MONMOUTH PARK HELIPORT LOCATION SUBJECT TO CERTAIN CONDITIONS**

**Resolution #2022-71
03/17/22**

WHEREAS, the New Jersey Department of Transportation, Division of Aviation, has oversight of the Monmouth Park Racetrack heliport located in the parking lot on the southwest corner of the intersection of Port Au Peck Avenue and Oceanport Avenue; and

WHEREAS, Monmouth Park Racetrack is required to obtain an annual license granting authorization for use of the heliport; and

WHEREAS, the heliport site was selected and made subject to various conditions by then Commissioner Haley in a letter dated July 31, 1998 which are as follows:

1. Operation is restricted to the hours between official sunrise and sunset. Operations are to be conducted under VFR conditions.
2. Adequate policing shall be furnished to keep the public at a safe distance from the landing area.
3. No more than 10 flights will be utilized at this location on an annual basis. If the traffic increases beyond 10 flights per year, the endorsement will be withdrawn, and the Borough will seek the appropriate relief.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport that the Borough Administrator is hereby authorized to provide endorsement of the continued use of the heliport site subject to the conditions stipulated and agreed to by representatives of Monmouth Park Racetrack.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
ADOPTING TECHNOLOGY RISK MANAGEMENT STANDARDS IN COMPLIANCE WITH THE
NEW JERSEY MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND'S CYBER RISK
MANAGEMENT PLAN'S TIER ONE, TWO AND THREE REQUIREMENTS**

Resolution #2022-72

03/17/22

WHEREAS, the Borough of Oceanport is a member of the Monmouth Joint Insurance Fund which secures insurance protection through the New Jersey Municipal Excess Liability Joint Insurance Fund (NJ MEL); and

WHEREAS, through its membership in the Monmouth Joint Insurance Fund, the Borough of Oceanport has cyber liability insurance coverage to protect the Borough from the potential devastating costs associated with a cyber related claim; and

WHEREAS, in an attempt to prevent as many cyber related claims as possible, the NJ MEL developed and released to its members the NJ MEL Cyber Risk Management Plan; and

WHEREAS, the NJ MEL Cyber Risk Management Plan outlines a set of best practices and standards broken out into Tier 1, Tier 2, and Tier 3 standards that if adopted and followed will reduce many of the risks associated with the use of technology by the Borough of Oceanport; and

WHEREAS, the Borough of Oceanport adopted an Information Technology Policy and Cyber Incident Response Plan and received approval from the MEL JIF for compliance with Tier 1 and Tier 2 standards; and

WHEREAS, the MEL JIF has updated its requirements for Tier 1, 2 and 3 compliance and the Borough in response has implemented changes to address and comply with the latest Tier 1, 2 and 3 standards which will enable Borough of Oceanport to claim a reimbursement of a paid insurance deductible in the event the member files a claim against the Borough of Oceanport's cyber insurance policy,

NOW THEREFORE BE IT RESOLVED, that the Borough of Oceanport does hereby adopt the following additional best practices and standards in accordance with Tier 2 and 3 of the NJ MEL Cyber Risk Management Plan:

Network Segmentation
Remote Access/Multifactor Authentication for VPN
Password Integrity
System & Event Logging
3rd Party Risk Management

BE IT FURTHER RESOLVED, that a copy of this resolution along with all required checklists and correspondence be provided to the NJ MEL Underwriter for their consideration and approval.

**RESOLUTION OF THE BOROUGH OF OCEANPORT AUTHORIZING REDEMPTION OF TAX
SALE CERTIFICATE #21-00008 FOR BLOCK 126 LOT 6 KNOWN AS 24 FAIRFIELD AVE**

Resolution #2022-73
03/17/22

WHEREAS, at the Borough Tax Sale held on October 1, 2021, a lien was sold on Block 126 Lot 6 otherwise known as 24 Fairfield Ave; and

WHEREAS, this lien, known as Tax Sale Certificate 21-00008 was sold to US Bank Cust/PC8Firsttrust Bank at an interest rate of 18%; and

WHEREAS, the owner has redeemed certificate 21-00008 in the amount of \$827.24.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$827.24 payable to US Bank Cust/PC8Firsttrust Bank, 50 South 16th St. Suite 2050, Philadelphia, PA 19102 for the redemption of Tax Sale Certificate 21-00008.

**RESOLUTION OF THE BOROUGH OF OCEANPORT AUTHORIZING REDEMPTION OF TAX
SALE CERTIFICATE #21-00007 FOR BLOCK 117 LOT 27.141 KNOWN AS 67 HORSESHOE CT**

**Resolution #2022-74
03/17/22**

WHEREAS, at the Borough Tax Sale held on October 1, 2021, a lien was sold on Block 117 Lot 27.141 otherwise known as 67 Horseshoe Court; and

WHEREAS, this lien, known as Tax Sale Certificate 21-00007 was sold to US Bank Cust/PC8Firsttrust Bank at an interest rate of 18%; and

WHEREAS, the owner has redeemed certificate 21-00007 in the amount of \$956.07.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$956.07 payable to US Bank Cust/PC8Firsttrust Bank, 50 South 16th St. Suite 2050, Philadelphia, PA 19102 for the redemption of Tax Sale Certificate 21-00007.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING COLLIER'S ENGINEERING & DESIGN TO PROCEED WITH CONTRACT FOR
PROFESSIONAL ENGINEERING SERVICES FOR THE BOROUGH DRAINAGE SYSTEM TIDAL
CHECK VALVES PROJECT**

**Resolution #2022-75
03/17/22**

WHEREAS, the Borough of Oceanport is a duly organized Municipal Corporation (hereinafter referred to as "Borough") having principal offices at 910 Oceanport Way, Oceanport, New Jersey 07757; and

WHEREAS, the Borough entered into a contract with Maser Consulting for engineering services related to the Borough Drainage System Tidal Check Valves project pursuant with Resolution #2018-122; and

WHEREAS, the Borough has since secured grant funding through the American Rescue & Recovery Act and the Drainage System Tidal Check Valves project is an eligible project; and

WHEREAS, the project scope has been modified in accordance with the available funding for the project for the provision of ten (10) check valves for the following locations:

ID #	STREET
OPT-17	Myrtle Ave
OPT-025	Monmouth Blvd
OPT-030	Port Au Peck Ave terminus
OPT-031	Comanche Dr terminus
OPT-027A	Port Au Peck Ave
OPT-27B	Cayuga Ave
OPT-037	Itaska Place
OPT-021A	Shore Road
OPT-01	Oceanport Ave
OPT-A71	Main Street

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

1. That the Borough of Oceanport has awarded a Professional Service Contract to Colliers Engineering & Design (formerly Maser Consulting) as Borough Engineer for 2021 and the work to be performed will be consistent with their existing contract and the attached proposal for engineering services for the Borough Drainage System Tidal Check Valve project approved as a 2018 capital improvement.
2. That the compensation associated with the proposal shall not exceed \$40,500.00.
3. That the within Resolution shall be subject to the Borough CFO confirming that funds remain available for the stated purpose.

CERTIFICATION OF FUNDS

As required by N.J.A.C. 5:34-5.1 et. seq., and any other applicable requirement, I, Catherine D. LaPorta, Chief Financial Officer of the Borough of Oceanport certify that funds are available in Acct#04-215-55-988-A04, for an amount not to exceed \$40,500.00 for the above referenced professional services contract.


Catherine D. LaPorta, CFO



Engineers
Planners
Surveyors
Landscape Architects
Environmental Scientists

8.11.a

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

July 13, 2018

VIA EMAIL

Mayor and Council Members
Borough of Oceanport
315 E. Main Street
Oceanport, NJ 07757

Re: Proposal for Professional Services
Borough Drainage System Tidal Valves Installation – Phase 2
Borough of Oceanport, Monmouth County, New Jersey
MC Project No. OPB-001

Dear Mayor and Council Members:

Maser Consulting P.A. is pleased to submit the following proposal for Professional Engineering and Construction Observation Services associated with the Borough Drainage System Tidal Valves Installation – Phase 2. The Borough authorized a study entitled “Drainage System Backflow Prevention Feasibility Study” which identified thirty seven outfalls that could be retrofitted with tidal check valves to reduce the frequency of flood of the Borough roadways and adjacent properties. The second phase will provide for the design and installation of eleven valves with the intent of two subsequent phases to install the valves in the remaining locations identified by the report. A map and list of the valves proposed for each phase is attached.

Our proposal is divided into four sections as follows:

- Section I – Scope of Services
- Section II – Business Terms and Conditions
- Section III – Technical Staff Hourly Rate Schedule and Reimbursable Expenses
- Section IV – Client Contract Authorization

The following scope of services has been separated into phases so that it may be more easily reviewed. The order in which the phases are presented generally follows the sequence in which the project will be accomplished; however, depending on the project, the various authorized services contained in this proposal may be performed in a sequence as deemed appropriate by Maser Consulting to meet project schedules.

SECTION I – SCOPE OF SERVICES

Based on our conversations and information noted above, we propose to complete the following:



PHASE 1.0 CONSTRUCTION PLANS/TECHNICAL SPECIFICATIONS

Base mapping will be prepared utilizing the Monmouth County GIS Data. These base maps will then be utilized for the preparation of appropriate construction plans which will provide sufficient detail for the retrofitting of the identified outfalls with an appropriate check valve configuration. In some cases, headwalls and/or sections of piping in poor condition will be replaced. Structures may be added immediately upstream of the outfall to provide better access for maintenance of the valve. We will confer with Manufacturer representatives to assure each installation will be able to operate as intended.

The Bid Documents for Phase 2 will be prepared and appended to Phase 1 documents with the intent that both phases will be bid as a single project.

- 1.1 Maser Consulting will prepare plans and technical specifications for the improvements discussed in the Scope of Work.

The construction plan set shall consist of the following drawings:

- Cover Sheet
- Quantities, Construction Notes, and Legend
- Construction Plans
- Maintenance and Protection of Traffic (if needed)
- Construction Details

In addition to preparing plans and specifications, Maser Consulting will perform the following project associated activities:

- 1.2 Meet with Traffic Safety Officer to review traffic control and protection measures to be implemented during the construction phase.
- 1.3 Prepare a construction cost estimate.
- 1.4 Furnish one (1) bound copy of the construction plans and technical specifications to the Borough.

Phase 1.0 - Lump Sum Fee

\$23,500.00

PHASE 2.0 BIDDING SERVICES

During this phase, Maser Consulting will:

- 2.1 Prepare all forms required for project advertisement, bid and contract execution, review, analyze and tabulate bids, and recommend award of contract.

- 2.2 Respond to questions from prospective bidders during the review period and issue appropriate addenda to contract documents, if required.
- 2.3 Review references, qualifications and prices submitted by the low bidder, and submit a recommendation of award of contract to the Borough.

Phase 2.0 - Lump Sum Fee

Included in Phase 1

PHASE 3.0 CONSTRUCTION OBSERVATION & ADMINISTRATION

Maser Consulting will perform construction administration and construction observation services during the period of the construction contract. It is anticipated that the contracts will have a time period of two (2) months. Full-time and part-time construction observation services will be provided on an as needed basis throughout construction activities, up to and including final inspections. Maser Consulting will check on the Contractor's compliance with the contract documents and provide monthly status reports and recommendations regarding payment applications. The following Scope is included in this proposal:

- 3.1 Attend and chair the pre-construction meeting, and prepare and distribute the minutes of that meeting.
- 3.2 Manage all submittals, and develop and maintain a shop drawing log. Maser Consulting shall review for approval/disapproval of all shop drawings, schedules and other submittals.
- 3.3 Perform full-time and part-time construction observation services as required during construction of the proposed improvements. Construction observation services will be provided throughout the duration of construction with a resident construction project manager and other personnel as required. Maser Consulting shall provide observation of construction for conformance with the contract documents and approved shop drawings, and report any deviations to the Borough and the Contractor.
- 3.4 Review and recommend for approval to the Borough on a monthly basis; Contractor's quantities, measurements, and requests for payment.
- 3.5 Maintain pertinent job records including contract drawings, addenda, change orders, payment estimates, and daily inspection reports.
- 3.6 Maintain copies of all files related to this project including, but not limited to, all correspondence, permits, requests for information, shop drawings/reviews, design modifications, payment estimates, change orders, cost estimates, inspection reports, record plans and specifications, etc.



Mayor and Council Members
MC Project No. OPB-001
July 13, 2018
Page 4 of 6

- 3.7 Negotiate and prepare change orders approved by the Borough as required. Independent cost estimates will be prepared during review of change orders to advise the Borough on the validity of said change orders.
- 3.8 Prepare a punch list of remaining work near completion of the project.

Phase 3.0 - Lump Sum Fee **\$17,000.00**

SCHEDULE OF FEES

For your convenience, we have broken down the total estimated cost of the project into the categories identified within the scope of services.

PHASE 1.0	CONSTRUCTION PLANS/TECHNICAL SPECIFICATIONS	\$ 23,500.00
PHASE 2.0	BIDDING SERVICES (INCLUDED IN PHASE 1)	\$ 0.00
	SUBTOTAL FOR LUMP SUM PHASES 1.0 THRU 3.0	\$ 23,500.00
PHASE 3.0	CONSTRUCTION OBSERVATION & ADMINISTRATION (BILLED HOURLY - ESTIMATED TOTAL)	\$ 17,000.00
	TOTAL LUMP SUM FEE	\$ 40,500.00

This Contract and Fee Schedule are based upon the acceptance of Maser Consulting's Business Terms and Conditions contained in Section II of this Contract.

EXCLUSIONS AND UNDERSTANDINGS

Services relating to the following items are not anticipated for the project or cannot be quantified at this time. Therefore, any service associated with the following items is specifically excluded from the scope of professional services within this agreement.

- Grant Administration Services.
- Construction testing services. Expenses incurred for services, equipment, and facilities not furnished by Maser Consulting are charged to the Borough at cost plus, an up-charge not to exceed 20 percent of the invoice for said work.
- This proposal does not include exploratory or testing services, interpretations, or conclusions related to determination of potential chemical, toxic, radioactive or other type of contaminants on site.
- Printing and reproduction costs in excess of that contained in the contract. Such additional costs are not anticipated since contractors will be purchasing sets of the plans and technical specifications directly from this office.



- Permit and application fees, which are to be paid directly by the Borough.
- Preparation of easement, right-of-way or right-of-entry deed or agreements.

If an item listed herein, or otherwise not specifically mentioned within this agreement, is deemed necessary Maser Consulting may prepare an addendum to this agreement for your review, outlining the scope of additional services and associated professional fees with regard to the extra services.

SECTION II – BUSINESS TERMS & CONDITIONS

The Business Terms and Conditions are in accordance with the original contract agreement.

SECTION III - 2018 TECHNICAL STAFF HOURLY RATE SCHEDULE AND REIMBURSABLE EXPENSES

The Rate Schedule is on file with the Borough.

BOROUGH OBLIGATIONS

1. The Borough shall provide Maser Consulting with access to files and allow relevant documents to be utilized.
2. The Borough shall provide application fees for any permits that may be required for the completion of the work.



Mayor and Council Members
MC Project No. OPB-001
July 13, 2018
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SECTION IV – CLIENT CONTRACT AUTHORIZATION

I hereby declare that I am duly authorized to sign binding contractual documents. I also declare that I have read, understand, and accept this contract.

Signature

Date

Printed Name

Title

If you find this proposal acceptable, please sign where indicated above in Section IV, and return one signed copy to this office. Invoices are due within 30 days. This proposal is valid until September 13, 2018.

Maser Consulting shall comply with requirements of the State of New Jersey Affirmative Action Program.

We very much appreciate the opportunity of submitting this proposal and look forward to performing these services for you.

Very truly yours,

MASER CONSULTING P.A.

A handwritten signature in blue ink, appearing to read 'W. H. White, III'.

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

WHW/nb

cc: Jeanne Smith, RMC, Borough Clerk

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Priority locations for Tidal Check Valves

ID #	Street	Size	Estimated Cost	Comments
OPT-17	Myrtle Avenue	30"	\$40,000	County owned system, insert in outfall at river
OPT-025	Monmouth Blvd	30"	\$42,500	County owned system, insert doghouse MH
OPT-030	Port Au Peck Ave terminus	24"	\$32,500	insert in FES or upstream inlet
OPT-031	Comanche Drive terminus	15"	\$35,000	remove manual valve and install in box structure
OPT-027A	Port Au Peck Avenue	24"	\$28,500	ditch on northside of BBBP
OPT-27B	Cayuga Ave	18"	\$21,500	install in inlet
OPT-037	Itaska Place	18"	\$21,500	install in MH before bulkhead, remove failing flapgate
OPT-021A	Shore Road	24"	\$27,500	new outfall, install in ex. inlet
OPT-01	Oceanport Ave	18"	\$21,500	Old Wharf Park, install in MH adjacent to bridge
OPT-A71	Main Street	18"	\$21,500	Adj to corner of OP Ave and Main St, install in Main St inlet
Subtotal			\$292,000	
Contigencies 20%			\$58,400	
Total			\$350,400	

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING AN EMERGENCY TEMPORARY APPROPRIATION TO EXTEND THE 2022
TEMPORARY BUDGET**

**Resolution #2022-76
03/17/22**

WHEREAS, the appropriations set forth in the 2022 temporary budget are insufficient to meet the financial obligations as set forth below; and

WHEREAS, the permanent budget for the year 2022 has not yet been adopted; and

WHEREAS, the total emergency temporary appropriations adopted in the year 2022 pursuant to the provisions of N.J.S.A. 40A:4-20 included in this resolution total \$1,546,160.00.

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 2022 temporary fiscal budget is hereby amended to provide for an emergency temporary appropriation in the amount of \$1,546,160.00 and said appropriations are as follows:

Account Number	Description	S/W	O/E
01-201-20-100-100	ADMINISTRATIVE & EXECUTIVE SW	\$ 21,000.00	
01-201-20-100-200	ADMINISTRATIVE & EXECUTIVE OE		\$ 15,000.00
01-201-20-120-100	MUNICIPAL CLERK SW	\$ 10,000.00	
01-201-20-120-200	MUNICIPAL CLERK OE		\$ 25,000.00
01-201-20-130-100	FINANCIAL ADMINISTRATION SW	\$ 15,000.00	
01-201-20-130-200	FINANCIAL ADMINISTRATION OE		\$ 20,000.00
01-201-20-145-100	COLLECTION OF TAXES SW	\$ 10,000.00	
01-201-20-145-200	COLLECTION OF TAXES OE		\$ 1,000.00
01-201-20-150-100	ASSESSMENT OF TAXES SW	\$ 4,500.00	
01-201-20-150-200	ASSESSMENT OF TAXES OE		\$ 7,000.00
01-201-20-155-200	LEGAL SERVICES OE		\$ 27,000.00
01-201-20-165-200	BOROUGH ENGINEER OE		\$ 15,000.00
01-201-20-275-100	PROSECUTOR SW	\$ 2,000.00	
01-201-21-180-100	PLANNING BOARD S&W	\$ 3,000.00	
01-201-21-180-200	PLANNING BOARD OE		\$ 2,000.00
01-201-21-181-205	PLANNER SERVICES & FEES		\$ 6,000.00
01-201-21-186-200	ENVIRONMENTAL COMMISSION OE		\$ 150.00
01-201-22-195-100	CONSTRUCTION CODE SW	\$ -	
01-201-22-195-200	CONSTRUCTION CODE OE		\$ -
01-201-22-201-100	CODE ENFORCEMENT SW	\$ 7,000.00	
01-201-22-201-200	CODE ENFORCEMENT OE		\$ 200.00
01-201-23-210-200-1	GENERAL LIABILITY		\$ 65,000.00
01-201-23-210-200-2	WORKMEN'S COMPENSATION		\$ 55,000.00
01-201-23-210-201	HEALTH OPT OUT		\$ -
01-201-23-210-202	HEALTH		\$ 175,000.00
01-201-23-210-203	DENTAL		\$ 25,000.00
01-201-25-240-100	POLICE SW	\$ 300,000.00	
01-201-25-240-200	POLICE OE		\$ 25,000.00
01-201-25-240-300	POLICE EQUIPMENT		\$ 20,000.00
01-201-25-252-100	EMERGENCY MANAGEMENT SW	\$ 1,500.00	
01-201-25-252-200	EMERGENCY MANAGEMENT OE		\$ 4,500.00
01-201-25-255-200	FIRE HYDRANT SERVICE OE		\$ 20,000.00
01-201-25-260-200	FIRST AID ORGANIZATION OE		\$ 10,000.00
01-201-25-262-200	LOSAP		\$ -
01-201-25-265-200	FIRE DEPARTMENT OE		\$ 15,000.00
01-201-25-265-300	FIRE BUREAU SW	\$ 4,000.00	
01-201-25-265-400	FIRE BUREAU OE		\$ 2,000.00

01-201-26-300-100	STREETS SW	\$	65,000.00		
01-201-26-300-200	STREETS & ROADS OTHER EXPENSES			\$	35,000.00
01-201-26-305-200	SANITATION-TRASH REMOVAL OE			\$	100,000.00
01-201-26-306-200	RECYCLING OE			\$	20,000.00
01-201-26-310-200	PUBLIC BUILDINGS & GROUNDS OE			\$	50,000.00
01-201-26-313-200	SHADE TREE COMMITTEE OE			\$	-
01-201-27-332-100	BOARD OF HEALTH SW	\$	500.00		
01-201-27-332-200	BOARD OF HEALTH OE			\$	50.00
01-201-27-335-300	WATER WATCH COMMITTEE-OTHER			\$	1,250.00
01-201-27-335-400	ENVIRONMENTAL HEALTH SERVICES			\$	25,000.00
01-201-28-371-100	PARKS SW	\$	3,000.00		
01-201-28-371-200	PARKS AND PLAYGROUNDS OE			\$	4,000.00
01-201-28-372-200	SENIOR CITIZEN COMMITTEE OE			\$	750.00
01-201-29-390-100	LIBRARY SW	\$	1,500.00		
01-201-29-390-200	LIBRARY OE			\$	400.00
01-201-29-405-200	TRANS OF HS STUDENTS OE			\$	9,500.00
01-201-30-410-200	NJEIT ADMIN FEES			\$	-
01-201-30-420-200	CELEBRATION OF PUB. EVENTS OE			\$	1,500.00
01-201-31-430-201	ELECTRICITY			\$	18,000.00
01-201-31-430-203	TELEPHONE/INTERNET			\$	12,500.00
01-201-31-430-204	WATER/SEWER			\$	6,500.00
01-201-31-430-205	NATURAL GAS			\$	12,000.00
01-201-31-430-207	STREET LIGHTING			\$	15,000.00
01-201-31-430-208	GASOLINE & OIL			\$	22,000.00
01-201-31-465-200	SANITATION DUMPING FEES			\$	60,000.00
01-201-33-466-200	S&W ADJUSTMENT			\$	-
01-201-35-470-200	CONTINGENT			\$	-
01-201-36-471-200	P.E.R.S. OE			\$	-
01-201-36-472-200	SOCIAL SECURITY SYSTEM OE			\$	30,000.00
01-201-36-475-200	P & F RETIREMENT SYSTEM OE			\$	-
	DEFERRED RETIREMENT				
01-201-36-477-200	COMPENSATION PROGRAM			\$	1,100.00
01-201-41-726-200	DISPATCH SHARED SERVICES	\$	-		
01-201-41-730-200	BLOODBORNE PATHOGEN				
01-201-43-490-100	MUNICIPAL COURT S&W	\$	30,000.00		
01-201-43-490-200	MUNICIPAL COURT OE				
01-201-43-495-200	PUBLIC DEFENDER-OTHER EXPENSE				
	DEBT SERVICE GREEN ACRES				
	CAPITAL LEASE				
	DEBT SERVICE BOND PRINCIPAL				
	DEBT SERVICE BOND INTEREST			\$	108,760.00
	DEBT SERVICE BAN PRINCIPAL				
	DEBT SERVICE BAN INTEREST				
01-201-46-870-200	COVID 19				
TOTALS		\$	478,000.00	\$	1,068,160.00

**BOROUGH OF OCEANPORT****MAYOR & COUNCIL****MINUTES • FEBRUARY 3, 2022****Workshop****Clement V. Sommers Municipal Building****7:00 PM****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 5, 2022 of this meeting and its location, date and time to the Asbury Park Press and Two River Times and by the posting of same on the municipal bulletin board and Borough's Web Site.
- III. **Flag Salute:** Mayor Coffey led attendees and the members of Council in the flag salute.

IV. Roll Call:

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

V. RESOLUTION(S):**#2022-43** Resolution authorizing payment of BILL LIST 02-03-2022

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

#2022-44 Resolution authorizing waiver of Street Opening Moratorium for 282 E. Main St

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

#2022-45 Resolution authorizing waiver of Street Opening Moratorium for 10 Bridgewaters Drive

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

- VI. **Administrator's Report:** Ms. Phelps reported on items including annual reviews of employees and volunteers driver's license checks; annual reports for OSHA have been posted; notice from NJAW of their annual maintenance program and a change in their water treatment process beginning February 14 through April; upgrade of lighting in public works garage has been completed and the Borough is now compliant with items during OSHA inspection; submittal of letter of interest to FEMA for new grant funding available towards projects such as the tidal check valve project, stormwater drainage system, elevation of roadways in grading

and curbing flooding as well as coordinating with the Army Corps for a movable floodgate and install floodgates at the four bridges that will restrict people from re-entering the borough when it is unsafe; final closeout of Tropical Storm Isaias with a total reimbursement of \$115,492.82 including approximately \$5,000 for administrative expenses; the contract for trash and recycling coming to end of 2nd year and discussed whether to go back out to bid or take the option for the 3rd year renewal which comes with an increase of \$22,000. Ms. Phelps will gather additional numbers for next meeting.

- VII. Clerk's Report:** Ms. Smith advised that the engineer costs for the trash/collection bid work was \$7,600. Ms. Smith reviewed the regular meeting items which were moved forward to the regular meeting with no objections.

Regular Meeting Items:

1. Resolution approving Special Event permit for Girl Scouts
2. Resolution approving certified LOSAP lists for 2021
3. Resolution authorizing a contract with Shore BOE for Student Transportation 2021-2022
4. Resolution authorizing renewed agreement 2022-2023 with Sea Bright for Court Facilities
5. Resolution authorizing an Agreement with MCSPCA for Animal Control Services 2022
6. Resolution awarding contract to Sodon Electric for 2022 electrician services
7. Resolution accepting grant and amended terms for the 2021 MC Open Space Grant Program
8. Resolution appointing CGP&H for Affordable Housing Adm Agent Services
9. Resolution appointing Acacia Financial Group as Financial Advisor for 2022
10. Resolution accepting the Tax Collector's Annual Report for 2021
11. Resolution amending appointments for Special Projects Engineers
12. An Ordinance to Increase Fees for Liquor Licenses
13. Ordinance for Electrical Vehicles
14. Receipt of 2021 Annual Report - Fire Prevention Bureau
15. Mayor & Council - Regular Meeting - Jan 20, 2022 7:00 PM

Ms. Smith discussed the electrical vehicle ordinance and portions of the language that were not mandated. Mayor Coffey asked that Council review and highlight for review for next workshop.

Ms. Smith reported that the DPW Superintendent had requested email accounts be set up for his staff in order to receive work directives, notices and online training classes. She reviewed with the Borough's IT contractor, and it would mean an increase in their contract by approximately \$100 per month. Additionally she had reviewed with Intron the additional compliance items for the Borough's JIF cyber-security policy and the Borough had the opportunity to implement additional measures that would qualify the Borough for Tier 2 and 3 incentives which would save the Borough an additional \$10,000 per claim at a cost of approximately \$1500 annually. Additional measures included multi-factor log in for those working remotely and logging of user entries. All this would require a change order to Intron's contract to increase it by about \$2700 which is available in the technology budget for which there were no objections to adding to regular meeting for action. Ms. Smith also advised that she had met with the Monmouth County IT concerning some additional cabling needed to eliminate the need to bring phone from court office into court room and a tripping hazard. She is reviewing and getting quotes from the contractor. Ms. Smith reported that she had sought costs to implement a mapping layer in the Borough's GIS mapping that outlays the streets, their condition, street openings, moratoriums, when last paved etc. which she was requesting approval from her operating budget at a cost of about \$4,000 – there were no objections. Lastly, the Planning Board Chairman has appointed a Development Review Committee per the zoning ordinance to perform informal and completeness reviews for applications or potential developer projects. In order for the Board Engineer to attend informal meetings she is requesting that the Council consider increasing the informal application fee from \$100 to \$250 in order to cover the cost of the engineer's involvement. The hope is that the Committee will cut down on the length of application hearings before the Board and streamline the process.

Lastly Ms. Smith sought guidance on the processing of field use applications and field assignments due to the pending project improvements for Gatta and Community Center Parks. There was discussion on alternative locations (not available) and the current delay in the supply chain for both projects puts the anticipated start to around July/August. Conclusion was that requests could be scheduled as usual for all parks for the spring session.

VIII. Discussion Items:

1. Authorization for Public Sale of One Plenary Retail Consumption License - Mayor Coffey advised that the Borough's census had exceeded 6,000 population. State statute permits the sale of one consumption license for every 3,000. The Borough would issue a bid for the sale and set the minimum purchase amount which would likely be higher than the Fort Monmouth special licenses as it could be used anywhere in town. He estimated a minimum of \$350-400,000 would not be inappropriate. As there were no objections, a resolution authorizing the sale would be added to the regular meeting.
2. Planning Board Recommendation - Prohibit Parking on Eastern Terminus of Werah Place. Councilman Tvrdik led discussion on an issue presented by the Planning Board after hearing an application adjacent to the eastern terminum of Werah Place. They have concerns with parking being permitted along that portion as there is a lot of pedestrian traffic using the river access.

Ms. Smith stated it would require an amendment to the ordinance to prohibit parking on that section of Werah Place. As there were no objections, an ordinance would be prepared for introduction at the next meeting.

3. Land Development Ordinance - Rooming Houses. Councilman Keeshen advised that the Borough has received multiple complaints concerning rooming houses which the Borough's ordinance doesn't particularly address limits on in town. Mayor Coffey discussed the differences between rooming house and boarding house, the statutes definition of "family" or persons sharing living expenses, does the owner live on-site, etc. It was decided that the Borough Attorney would look at the ordinance and make a recommendation as to the sufficiency of the ordinance to address it.
4. DEP Funding Opportunity for Stormwater, Flood Reduction Projects. Mayor Coffey led discussion on available grants with application due Feb. 28th. Suburban stormwater management systems are an eligible project and believes the Borough should submit an application and asked the Council if it should be done through a grant writer or with Borough staff. Even if the Borough receives \$50,000 its \$50,000 they currently don't have and there's no match required. Mayor Coffey asked what would it cost to add in the 7 check valves. Ms. Phelps answered with 10 it would be about \$360K. Mayor Coffey asked then should we put in for another 10 – discuss with Bill White, consider applying for a camera to go in and look at all pipes – even apply to the system by the Army at the fort. Discussion ensued. Mayor Coffey finished by saying they've been talking about this for years and thinks we should move forward with the money the Borough has already received and go with installing 10 check valves and see how it works and by September have it wrapped up and installation started/finished. Ten locations to be determined by the Borough Engineer but should include Cayuga Ave, Monmouth Blvd, Itaska Place and Genesee Ave.
5. Memorial Day Parade Committee. Mayor Coffey advised that more volunteers are needed to work on the parade. He's including it in his Mayor's message. Specifically help needed for the coordination at the park before step-off. Paula and past volunteers will continue and hopefully we have more volunteers sign up.
6. Historical Committee Funding. Mayor Coffey next discussed the fund that will expire end of next month for the centennial celebration and whether to continue it or set a different one up. Ms. LaPorta explained the purpose of the dedicated funds and the need to encumber the remaining funds before expiration or it would revert to municipal revenue not anticipated. Rosanne Letson, Historical Committee Secretary was acknowledged from the public and participated in discussion on the plans to complete the book, and continue with a project for historical boards around town, the expenses associated, possible benches for the parks and the issue of raising funds which would have to be done by a 501-3(c) such as a historical society. The current donations on hand would be encumbered to cover remaining expenses related to the book publication. The future handling of donations would be reviewed and brought to Council for decision.

IX. Mayor's Report: All items were addressed in the discussion items.

X. Petitions from the Public: Mayor Coffey opened the meeting to petitions from the public. As no one else from the public appeared, Mayor Coffey closed that portion of the meeting.

XI. Adjournment: As there was no further business, the meeting was adjourned at 8:18 PM on a motion by Councilman Deerin, seconded by Councilman Gallo and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK

**BOROUGH OF OCEANPORT****MAYOR & COUNCIL****MINUTES • FEBRUARY 17, 2022****Regular Meeting****Clement V. Sommers Municipal Building****7:00 PM****910 Oceanport Way, Oceanport, NJ 07757**

- I. **Call 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 5, 2022 of this meeting and its location, date and time to the Asbury Park Press and Two River Times and by the posting of same on the municipal bulletin board and Borough's Web Site.
- III. **Flag Salute:** Scouts Kyle Nagy, Kyle Stenicks and Thomas George McDermott led attendees and the Mayor & Council in the flag salute.
- IV. **Roll Call:**

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

- V. **GUEST: FMERA Staff Monthly Update:** Mayor Coffey gave a brief update on the status of remaining parcels in Oceanport section of Fort Monmouth redevelopment including the expected closing date for the sale of Allison Hall parcel in early March; the Lodging parcel closed a couple months ago and they have begun to demolish the buildings not going to be utilized, Barker's Circle which will be converted to 75 condo units for sale, 15 of which will be for affordable housing; currently published "mega-parcel" RFOTF for all parcels remaining unsold and the Nurse's Quarters. The bridge at Oceanport Ave and Main Street was closed a couple of days, put in a Jersey barrier and limited the weight and will be doing work in April with traffic being re-routed through the fort area.
- VI. **Administrators Report:** Ms. Phelps sought guidance on whether to go back out to bid on the solid waste and recycling contracts or take the option to extend the contract for 1 year. There was discussion after which it was decided that based on the current expenses it was best to continue with the current contract and act on a resolution at the next meeting extending both contracts. Ms. Phelps next reported on meetings with the Recreation Coordinator concerning this year's action camp and the logistics to be worked out including relocating to Blackberry Bay Park while Community Center park is under construction, and establishing a code of conduct for workers and background checks for regulation compliance. Ms. Phelps reported that she is working with DPW Superintendent setting up policies and procedures, office files, training, maintenance records that need to be put together and advised that this department is need of an administrative assistant. Borough Engineer Bill White has begun the process of putting together the bid documents for the 10 title check valves to be installed using the American Recovery Act funding, the CFO has confirmed that funding is still encumbered for the work; she requested input on selection of 10 locations before the next meeting.
- VII. **Consent Agenda:**
- #2022-46 1. Resolution authorizing payment of BILL LIST 02-17-2022
 - #2022-47 2. Resolution authorizing a contract with Shore BOE for Student Transportation 2021-2022
 - #2022-49 3. Resolution authorizing an Agreement with MCSPCA for Animal Control Services 2022

- #2022-50 4. Resolution accepting grant and amended terms for the 2021 MC Open Space Grant Program
- #2022-51 5. Resolution authorizing renewed agreement 2022-2023 with Sea Bright for Court Facilities
- #2022-52 6. Resolution awarding contract to Sodon Electric for 2022 electrician services
- #2022-53 7. Resolution appointing Acacia Financial Group as Financial Advisor for 2022
- #2022-54 8. Resolution amending appointments for Special Projects Engineers
- #2022-55 9. Resolution appointing CGP&H for Affordable Housing Adm Agent Services
- #2022-56 10. Resolution accepting the Tax Collector's Annual Report for 2021
- #2022-57 11. Resolution approving Special Event Permit for NJCU Vendorpalooza
12. Receipt of 2021 Annual Report - Fire Prevention Bureau
13. Approval of Fire Membership Application, Cigalia, Michael, Jr.

Mayor Coffey stated there were 14 items on the Consent Agenda. Ms. Smith requested that #3 be taken separately to discuss an amendment. Councilman O'Brien made a motion to approve the remaining 13 items which was seconded by Councilman Gallo.

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

VIII. Minutes:

1. Mayor & Council - Regular Meeting - Jan 20, 2022 7:00 PM

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

IX. Resolutions:

- #2022-48 Resolution approving Special Event permit for Girl Scouts.

Ms. Smith advised the Council that due to a supply chain delay, the Girl Scouts had requested to move the requested dates to March 12-13 and March 19-20th. Councilman Keeshen made a motion to approve the amendment to the resolution which was seconded by Councilman Tvrdek and unanimously approved by Council. Councilman Keeshen then made a motion to approve the Resolution as amended which was seconded by Councilman Tvrdek.

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

- #2022-58 Resolution authorizing Change Order #1 to Intron Technology Contract

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

#2022-59 Resolution authorizing Change Order #1 to Main Street Phase II & Oceanport Ave Contract

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

#2022-60 Resolution for Reduction in Guarantees for FM Partners LLC (Fort Athletic Club)

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

#2022-61 Resolution authorizing the public sale of a plenary retail consumption license

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

#2022-62 Resolution Setting the Fees for 2022 Summer Action Camp

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

#2022-64 Resolution approving certified LOSAP lists for 2021 – Ms. Smith advised that the First Aid List had not been submitted and requested a motion to amend the resolution and a motion to adopt it as amended.

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

X. First Reading Ordinances:

#1048 Introduction of An Ordinance to Increase Fees for Liquor Licenses

Councilman Tvrdik called for the introduction of "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" and then asked the Clerk to read the proposed ordinance by title only, after which Councilman Tvrdik moved to approve the Ordinance upon first reading and to hold the PUBLIC HEARING on the proposed ordinance at the Council meeting of March 17, 2022 and to advertise same in accordance with the law, which was seconded by Councilman O'Brien

RESULT:	APPROVED OF FIRST READING [UNANIMOUS]	Next: 3/17/2022 7:00 PM
MOVER:	Thomas Tvrdik, Councilman	
SECONDER:	Michael O'Brien, Councilman	
AYES:	Gallo, Keeshen, O'Brien, Tvrdik	
ABSENT:	Deerin, Walker	

#1049 Introduction of Amendment to Chapter 64 "Vehicles and Traffic"

Councilman Tvrdik called for the introduction of "**AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING CHAPTER 64 "VEHICLES AND TRAFFIC" PROHIBITING PARKING ON THE UNIMPROVED EASTERN TERMINUS OF WERAH PLACE**" and then asked the Clerk to read the proposed ordinance by title only, after which Councilman Tvrdik moved to approve the Ordinance upon first reading and to hold the PUBLIC HEARING on the proposed ordinance at the Council meeting of March 17, 2022 and to advertise same in accordance with the law, which was seconded by Councilman O'Brien.

RESULT:	APPROVED OF FIRST READING [UNANIMOUS]	Next: 3/17/2022 7:00 PM
MOVER:	Thomas Tvrdik, Councilman	
SECONDER:	Michael O'Brien, Councilman	
AYES:	Gallo, Keeshen, O'Brien, Tvrdik	
ABSENT:	Deerin, Walker	

#1050 Introduction of Ordinance amending Chapter 204-17 "Development Application Fee Schedule"

Councilman Tvrdik called for the introduction of "**AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING CHAPTER 204-17, "DEVELOPMENT APPLICATION FEE SCHEDULE" MORE SPECIFICALLY THE FEE CHARGED FOR INFORMAL APPLICATIONS**" and then asked the Clerk to read the proposed ordinance by title only, after which Councilman Tvrdik moved to approve the Ordinance upon first reading and to hold the PUBLIC HEARING on the proposed ordinance at the Council meeting of March 17, 2022 and to advertise same in accordance with the law, which was seconded by Councilman O'Brien

RESULT:	APPROVED OF FIRST READING [UNANIMOUS]	Next: 3/17/2022 7:00 PM
MOVER:	Thomas Tvrdik, Councilman	
SECONDER:	Michael O'Brien, Councilman	
AYES:	Gallo, Keeshen, O'Brien, Tvrdik	
ABSENT:	Deerin, Walker	

XI. Committee Reports:

1. Councilman Deerin, Parks & Recreation - Absent
2. Councilman Gallo, Public Works & Engineering – Councilman Gallo thanked Public Works under the direction of Superintendent Steve Briskey for the great job on the last snow storm; as well as the ice this past weekend; training classes are being taken advantage of.
3. Councilman Keeshen, Public Safety – Urged residents to keep their vehicles and homes locked; First Aid and Fire are in the process of yearly updates and annual training and continue to respond to calls.
4. Councilman O'Brien, Finance & Administration – They are in the midst of the budget process with more to come over the next couple of months.
5. Councilman Tvrdik, Planning & Development – Reported on items including Planning Board's approval for Barker's Circle redevelopment, residential units will no longer be rentals but for-sale; first meeting of the Planning Board's Development Review Committee for the Informal Application for RPM Development regarding the Nurse's Quarters; coordinating communication between East Gate and Pulte Homes for the construction of the lodging parcel units and traffic flow patterns and demolition removals.
6. Councilwoman Walker, Health & Human Services – Unable to attend being away on business but provided report through Mayor Coffey including attendance of the Eagle Scout Aidan Weiss ceremony; library will now be open 2 days per week and thanked the Administrator and DPW for the assistance with COVID related requirements imposed by the County; met with library staff to discuss the need for installation of new sewage pipe and removal of old oil tank both initiatives are underway; both Water Watch and

Environmental Commission met for the first time this year – she was unable to attend due to a funeral out of town but great to see them back up and running; the next wave of referendum related to construction projects underway for conversion of the Wolf Hill cafeteria to classrooms, new Board offices, installation of new fire alarms and sprinklers, nurse's office, main office, staff bathrooms, new STEM lab and more; as of March 7th masks will be optional for all students; and the school district is seeking substitute teachers – apply on the district website.

- XII. Mayor Coffey's Report:** Mayor Coffey advised that the Fort Athletic Club would be repainting the water tower and asked Council if they were supportive of placing the name Oceanport on the tower with no objections.

- XIII. Petitions from the public:** Mayor Coffey opened the meeting to petitions from the public.

Cub Scout Thomas George McDermott, asked questions of the Mayor and Council including age requirement to be a councilman, what are their terms, and is there a limit to their terms. He also asked if Action Camp would be returning this summer and was told yes.

Tom Cox, 18 Hunters Run, requested that the Council address concerns related to the Blackberry Bay Pavilion and safety concerns due to lack of lighting and possible solutions. Ms. Phelps advised that she had visited the site with DPW and they are looking into the lighting. There was additional discussion on a solution to stop persons from walking out the door don't walk straight out and down over the retaining wall. Ms. Phelps will continue to look into solutions including a railing or sign or landscaping such as boxwoods. Councilman Tvrdik requested that DPW also address the tripping issue near the men's bathroom.

Barbara Scerbo, Senior Citizens Club Representative, 3 Whitehall Circle, appeared on behalf of the Seniors and advised that they would be appearing before them every month. They are very upset that the library is only open 1 day a week. There was discussion concerning the library hours, the amount of funding paid to the County for the library resources. She also asked what was the financial decision that involved not cleaning the library additional times so that the County would open the library additional days. The Borough evaluated the cost of additional cleaning days with DPW being able to do the work. Ms. Phelps advised though that they needed to replace the sewage pipe so they were limiting the open days to 2 until the pipe was repaired to minimize the demand on the old pipe. She asked why the opportunity was missed to have a library in the new building. Mayor Coffey explained the decisions of the previous Council back in 2019 that the library could stay where it was in order to keep the municipal complex budget of \$11 million and not go above it.

Ms. Scerbo also discussed the perception by the seniors that they have been forgotten and that nobody cares about what happens. She revisited the history of the senior center, the Borough's conversion of it for offices and that 10 years later they still do not have their building back. The Blackberry Bay Pavilion does not work for them because the handicap ramp is troublesome. There is a card playing group that has moved several places and the last place is at the Port Au Peck firehouse but heating recently went out and its too cold. There is one player who is extremely handicapped and is too difficult to get into the Pavilion. Discussion towards the clean up at the Old Wharf House so they could get their building back – the project went out to bid but came back much higher than expected - \$240,000 to redo bathrooms, flooring, paint, ceiling tiles, front door when budgeted was \$50,000 and there was only 1 bid. Ms. Phelps advised that steps being taken to get some of the work to be done including relocating files to storage unit, DPW can replace ceiling tiles, paint walls. It was discussed whether to go back out to bid, what items could be done by DPW. The process is started.

As no one else from the public appeared, Mayor Coffey closed that portion of the meeting.

- XIV. Adjournment:** As there was no further business, the meeting was adjourned at 7:54 PM on a motion by Councilman Deerin, seconded by Councilman Gallo and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
ACCEPTING RESIGNATION OF MILTON ZARATE AS PUBLIC WORKS FOREMAN**

**Resolution #2022-78
03/17/22**

WHEREAS, Milton Zarate has served as a Public Works Laborer for the Borough of Oceanport since December 23, 2019 as a seasonal laborer and full time as of March 22, 2021; and

WHEREAS, Milton Zarate has tendered his resignation to the Mayor and Council of the Borough of Oceanport from the position of Public Works Laborer for the Borough, effective March 19, 2022 .

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that the resignation of Milton Zarate from the position of Public Works Laborer for the Borough of Oceanport is hereby accepted.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the following: Borough Administrator, Public Works Superintendent, Borough Clerk and Borough Attorney.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTMENT OF DEMETRIO ZARATE AS PART TIME LABOR IN THE PUBLIC WORKS
DEPARTMENT**

**Resolution #2022-79
03/17/22**

WHEREAS, there is a need for additional help in the Public Works Department to assist with lawn care, general duties and parks maintenance; and

WHEREAS, Demetrio Zarate retired from Borough service in 2018 and pursuant with N.J.A.C. 17:1-17.14(a)2 has met the requirements of a "bona fide severance of employment" and has expressed interest in returning to service on a part time basis; and

WHEREAS, the Public Works Superintendent and Public Works & Engineering Committee have recommended the appointment of Demetrio Zarate as part time labor and Mr. Zarate is willing and able to accept the position.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor & Council of the Borough of Oceanport, that Demetrio Zarate is hereby appointed to the Department of Public Works for the position of part time labor at a rate of \$25.00 per hour in accordance with the Borough's salary ordinance effective March 11, 2022.

BE IT RESOLVED, that a copy of this resolution shall be forwarded to the Public Works Superintendent, Borough Administrator, Chief Financial Officer and the Payroll Clerk.

ORDINANCE

AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING THE BOROUGH'S LAND DEVELOPMENT ORDINANCE TO AUTHORIZE AND ENCOURAGING ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT (EVSE) & MAKE-READY PARKING SPACES

This Ordinance sets forth procedures for the installation of Electric Vehicle Supply/Service Equipment (EVSE) and Make-Ready parking spaces and establishes associated regulations and other standards within the BOROUGH OF OCEANPORT IN THE COUNTY OF MONMOUTH.

WHEREAS, supporting the transition to electric vehicles contributes to the Borough of Oceanport's commitment to sustainability and is in the best interest of public welfare; and

WHEREAS, installation of EVSE and Make-Ready parking spaces encourages electric vehicle adoption; and

WHEREAS, the Borough of Oceanport encourages increased installation of EVSE and Make Ready parking spaces; and

WHEREAS, adoption of this ordinance supports the State of New Jersey's goals to reduce air pollutants and greenhouse gas emissions from the transportation sector as outlined and supported by various programs related to NJ's 2019 Energy Master Plan, Global Warming Response Act (P.L.2007, c.112 (C.26:2C-37 et al.)), and EV Law (P.L. 2019, c. 362); and

WHEREAS, P.L. 2021, c.171, which Governor Murphy signed into law on July 9, 2021, requires EVSE and Make-Ready parking spaces be designated as a permitted accessory use in all zoning or use districts and establishes associated installation and parking requirements; and

WHEREAS, adoption of this ordinance will support the Master Plan of the Borough of Oceanport adopted in concurrence with P.L. 1975 c. 291, s. 1 eff. Aug. 1, 1976, and is consistent with goals of the Master Plan as well as the land use, circulation, and other elements of the Master Plan; and

WHEREAS, in order to comply with the EV Law (P.L. 2019, c. 362) the Borough of Oceanport is amending the Borough's Land Development Ordinance to establish standards and regulations for the safe and efficient installation of EVSE and Make-Ready parking spaces at appropriate locations.

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

FIRST: ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT

A. Purpose

The purpose of this ordinance is to promote and encourage the use of electric vehicles by requiring the safe and efficient installation of EVSE and Make-Ready parking spaces through municipal parking regulations and other standards. EVSE and Make-Ready parking spaces will support the State's transition to an electric transportation sector, reducing automobile air pollution, greenhouse gas emissions, and storm water runoff contaminants. The goals are to:

1. Provide adequate and convenient EVSE and Make-Ready parking spaces to serve the needs of the traveling public.
2. Provide opportunities for residents to have safe and efficient personal EVSE located at or near their place of residence.
3. Provide the opportunity for non-residential uses to supply EVSE to their customers and employees.

4. Create standard criteria to encourage and promote safe, efficient, and cost-effective electric vehicle charging opportunities in all zones and settings for convenience of service to those that use electric vehicles.

B. Definitions

Certificate of occupancy: The certificate provided for in N.J.A.C. 5:23-2, indicating that the construction authorized by the construction permit has been completed in accordance with the construction permit, the act and the regulations. See "State Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.) and regulations adopted pursuant thereto.

Charging Level: The amount of voltage provided to charge an electric vehicle varies depending on the type of EVSE as follows:

1. Level 1 operates on a fifteen (15) to twenty (20) amp breaker on a one hundred twenty (120) volt AC circuit.
2. Level 2 operates on a forty (40) to one hundred (100) amp breaker on a two hundred eight (208) or two hundred forty (240) volt AC circuit.
3. Direct-current fast charger (DCFC) operates on a sixty (60) amp or higher breaker on a four hundred eighty (480) volt or higher three phase circuit with special grounding equipment. DCFC stations can also be referred to as rapid charging stations that are typically characterized by industrial grade electrical outlets that allow for faster recharging of electric vehicles.

Electric vehicle: Any vehicle that is licensed and registered for operation on public and private highways, roads, and streets; and operates either partially or exclusively using an electric motor powered by an externally charged on-board battery.

Electric Vehicle Supply/Service Equipment or (EVSE): The equipment, including the cables, cords, conductors, connectors, couplers, enclosures, attachment plugs, power outlets, power electronics, transformer, switchgear, switches and controls, network interfaces, point of sale equipment, and associated apparatus designed and used for the purpose of transferring energy from the electric supply system to a plug-in electric vehicle. "EVSE" may deliver either alternating current or, consistent with fast charging equipment standards, direct current electricity. "EVSE" is synonymous with "electric vehicle charging station." **{Note: Definition is directly from legislation and cannot be changed.}**

Make-Ready Parking Space: means the pre-wiring of electrical infrastructure at a parking space, or set of parking spaces, to facilitate easy and cost-efficient future installation of Electric Vehicle Supply Equipment or Electric Vehicle Service Equipment, including, but not limited to, Level Two EVSE and direct current fast chargers. Make Ready includes expenses related to service panels, junction boxes, conduit, wiring, and other components necessary to make a particular location able to accommodate Electric Vehicle Supply Equipment or Electric Vehicle Service Equipment on a "plug and play" basis. "Make-Ready" is synonymous with the term "charger ready," as used in P.L.2019, c.362 (C.48:25-1 et al.). **{Note: Definition is directly from legislation and cannot be changed.}**

Private EVSE: EVSE that has restricted access to specific users (e.g., single and two-family homes, executive parking fleet parking with no access to the general public).

Publicly-accessible EVSE: EVSE that is publicly available (e.g., park & ride, public parking lots and garages, on-street parking, shopping center parking, non-reserved parking in multi-family parking lots, etc.).

C. Approvals and Permits

{Note: Section C. of the model ordinance is mandatory and may not be altered.}

1. An application for development submitted solely for the installation of EVSE or Make-Ready parking spaces shall be considered a permitted accessory use and permitted accessory structure in all zoning or use districts and shall not require a variance pursuant to C.40:55D-70.

2. EVSE and Make-Ready Parking Spaces installed pursuant to Section D. below in development applications that are subject to site plan approval are considered a permitted accessory use as described in 1. above.
3. All EVSE and Make-Ready parking spaces shall be subject to applicable local and/or Department of Community Affairs permit and inspection requirements.
4. The Zoning Officer and Borough Engineer shall enforce all signage and installation requirements described in this ordinance. Failure to meet the requirements in this ordinance shall be subject to the same enforcement and penalty provisions as other violations of the Borough of Oceanport's land use regulations.
5. An application for development for the installation of EVSE or Make-Ready spaces at an existing gasoline service station, an existing retail establishment, or any other existing building shall not be subject to site plan or other land use board review, shall not require variance relief pursuant to C.40:55D-1 et seq. or any other law, rule, or regulation, and shall be approved through the issuance of a zoning permit by the administrative officer, provided the application meets the following requirements:
 - a. the proposed installation does not violate bulk requirements applicable to the property or the conditions of the original final approval of the site plan or subsequent approvals for the existing gasoline service station, retail establishment, or other existing building;
 - b. all other conditions of prior approvals for the gasoline service station, the existing retail establishment, or any other existing building continue to be met; and
 - c. the proposed installation complies with the construction codes adopted in or promulgated pursuant to the "State Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.), any safety standards concerning the installation, and any State rule or regulation concerning electric vehicle charging stations.
6. An application pursuant to Section 5. above shall be deemed complete if:
 - a. the application, including the permit fee and all necessary documentation, is determined to be complete,
 - b. a notice of incompleteness is not provided within 20 days after the filing of the application, or
 - c. a one-time written correction notice is not issued by the Zoning Officer within 20 days after filing of the application detailing all deficiencies in the application and identifying any additional information explicitly necessary to complete a review of the permit application.
7. EVSE and Make-Ready parking spaces installed at a gasoline service station, an existing retail establishment, or any other existing building shall be subject to applicable local and/or Department of Community Affairs inspection requirements.
8. A permitting application solely for the installation of electric vehicle supply equipment permitted as an accessory use shall not be subject to review based on parking requirements.

D. Requirements for New Installation of EVSE and Make-Ready Parking Spaces

{Note: Section D of the model ordinance is mandatory and may not be altered.}

1. As a condition of preliminary site plan approval, for each application involving a multiple dwelling with five or more units of dwelling space, which shall include a multiple dwelling that is held under a condominium or cooperative form of ownership, a mutual housing corporation, or a mixed-use development, the developer or owner, as applicable, shall:
 - a. prepare as Make-Ready parking spaces at least 15 percent of the required off-street parking spaces, and install EVSE in at least one-third of the 15 percent of Make-Ready parking spaces;
 - b. within three years following the date of the issuance of the certificate of occupancy, install EVSE in an additional one-third of the original 15 percent of Make-Ready parking spaces; and

- c. within six years following the date of the issuance of the certificate of occupancy, install EVSE in the final one-third of the original 15 percent of Make-Ready parking spaces.
 - d. Throughout the installation of EVSE in the Make-Ready parking spaces, at least five percent of the electric vehicle supply equipment shall be accessible for people with disabilities.
 - e. Nothing in this subsection shall be construed to restrict the ability to install electric vehicle supply equipment or Make-Ready parking spaces at a faster or more expansive rate than as required above.
2. As a condition of preliminary site plan approval, each application involving a parking lot or garage not covered in 1. above shall:
- a. Install at least one Make-Ready parking space if there will be 50 or fewer off-street parking spaces.
 - b. Install at least two Make-Ready parking spaces if there will be 51 to 75 off-street parking spaces.
 - c. Install at least three Make-Ready parking spaces if there will be 76 to 100 off-street parking spaces.
 - d. Install at least four Make-Ready parking spaces, at least one of which shall be accessible for people with disabilities, if there will be 101 to 150 off-street parking spaces.
 - e. Install at least four percent of the total parking spaces as Make-Ready parking spaces, at least five percent of which shall be accessible for people with disabilities, if there will be more than 150 off-street parking spaces.
 - f. In lieu of installing Make-Ready parking spaces, a parking lot or garage may install EVSE to satisfy the requirements of this subsection.
 - g. Nothing in this subsection shall be construed to restrict the ability to install electric vehicle supply equipment or Make-Ready parking spaces at a faster or more expansive rate than as required above
 - h. Notwithstanding the provisions of Section E above, a retailer that provides 25 or fewer off-street parking spaces or the developer or owner of a single-family home shall not be required to provide or install any electric vehicle supply equipment or Make-Ready parking spaces.

E. Minimum Parking Requirements

{Note: Section E of the model ordinance is mandatory and may not be altered. }

- 1. All parking spaces with EVSE and Make-Ready equipment shall be included in the calculation of minimum required parking spaces, pursuant to ***{Section number for Parking Requirements}*** _____.
- 2. A parking space prepared with EVSE or Make-Ready equipment shall count as at least two parking spaces for the purpose of complying with a minimum parking space requirement. This shall result in a reduction of no more than 10 percent of the total required parking.
- 3. All parking space calculations for EVSE and Make-Ready equipment shall be rounded up to the next full parking space.
- 4. Additional installation of EVSE and Make-Ready parking spaces above what is required in Section D. above may be encouraged, but shall not be required in development projects.

F. Reasonable Standards for All New EVSE and Make-Ready Parking Spaces

{Note: Municipalities may deviate from the reasonable standards set forth in Section F to address installation, sightline, and setback requirements or other health- and safety-related specifications for EVSE and Make-Ready parking spaces. Nothing in this section of the ordinance shall be deemed to authorize a municipality to require site plan review by a municipal agency solely for the installation of EVSE or Make-Ready parking spaces.}

- 1. Location and layout of EVSE and Make-Ready parking spaces is expected to vary based on the design and use of the primary parking area. It is expected flexibility will be required to provide the most convenient and functional

service to users. Standards and criteria should be considered guidelines and flexibility should be allowed when alternatives can better achieve objectives for provision of this service.

2. Installation:

- a. Installation of EVSE and Make-Ready parking spaces shall meet the electrical subcode of the Uniform Construction Code, N.J.A.C. 5:23-3.16.
- b. Each EVSE or Make-Ready parking space that is not accessible for people with disabilities shall be not less than 9 feet wide or 18 feet in length. Exceptions may be made for existing parking spaces or parking spaces that were part of an application that received prior site plan approval.
- c. To the extent practical, the location of accessible parking spaces for people with disabilities with EVSE and Make Ready equipment shall comply with the general accessibility requirements of the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.
- d. Each EVSE or Make-Ready parking space that is accessible for people with disabilities shall comply with the sizing of accessible parking space requirements in the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.

3. EVSE Parking:

- a. Publicly-accessible EVSE shall be reserved for parking and charging electric vehicles only. Electric vehicles shall be connected to the EVSE. **{Note: The use of time limits is optional and shall be determined by the owner.}**
- b. Electric vehicles may be parked in any parking space designated for parking, subject to the restrictions that would apply to any other vehicle that would park in that space.
- c. Public Parking. Pursuant to NJSA 40:48-2, publicly-accessible EVSE parking spaces shall be monitored by the municipality's police department and enforced in the same manner as any other parking. It shall be a violation of this Section to park or stand a non-electric vehicle in such a space, or to park an electric vehicle in such a space when it is not connected to the EVSE. Any non-electric vehicle parked or standing in a EVSE parking space or any electric vehicle parked and not connected to the EVSE shall be subject to fine and/or impoundment of the offending vehicle as described in the general penalty provisions of the Borough's Code. Signage indicating the penalties for violations shall comply with Section 5. below. Any vehicle parked in such a space shall make the appropriate payment for the space and observe the time limit for the underlying parking area, if applicable.

{Note: Municipalities may establish alternative penalties than those listed above by ordinance.}

{Note: Municipality may put the locations of the publicly-accessible, municipally-owned EVSE parking spaces in this ordinance and the fees associated with charging/parking at those spaces. See Section 6. below for Usage Fees.}

- d. Private Parking. The use of EVSE shall be monitored by the property owner or designee.

4. Safety

- a. Each publicly-accessible EVSE shall be located at a parking space that is designated for electric vehicles only and identified by green painted pavement and/or curb markings, a green painted charging pictograph symbol, and appropriate signage pursuant to Section 5. below.
- b. Where EVSE is installed, adequate site lighting and landscaping shall be provided in accordance with the Borough of Oceanport's ordinances and regulations.
- c. Adequate EVSE protection such as concrete-filled steel bollards shall be used for publicly-accessible EVSE. Non-mountable curbing may be used in lieu of bollards if the EVSE is setback a minimum of 24 inches from the face of the curb. Any stand-alone EVSE bollards should be 3 to 4-feet high with concrete footings placed to protect the EVSE from accidental impact and to prevent damage from equipment used for snow removal.
- d. EVSE outlets and connector devices shall be no less than 36 inches and no higher than 48 inches from the ground or pavement surface where mounted, and shall contain a cord management system as described in e. below. Equipment mounted on pedestals, lighting posts, bollards, or other devices shall be designated and located as to not impede pedestrian travel, create trip hazards on sidewalks, or impede snow removal.

- e. Each EVSE shall incorporate a cord management system or method to minimize the potential for cable entanglement, user injury, or connector damage. Cords shall be retractable or have a place to hang the connector and cord a safe and sufficient distance above the ground or pavement surface. Any cords connecting the charger to a vehicle shall be configured so that they do not cross a driveway, sidewalk, or passenger unloading area.
- f. Where EVSE is provided within a pedestrian circulation area, such as a sidewalk or other accessible route to a building entrance, the EVSE shall be located so as not to interfere with accessibility requirements of the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.
- g. Publicly-accessible EVSEs shall be maintained in all respects, including the functioning of the equipment. A 24-hour on-call contact shall be provided on the equipment for reporting problems with the equipment or access to it. To allow for maintenance and notification, the Borough of Oceanport shall require the owners/designee of publicly-accessible EVSE to provide information on the EVSE's geographic location, date of installation, equipment type and model, and owner contact information.

5. Signs

- a. Publicly-accessible EVSE shall have posted regulatory signs, as identified in this section, allowing only charging electric vehicles to park in such spaces. For purposes of this section, "charging" means that an electric vehicle is parked at an EVSE and is connected to the EVSE. If time limits or vehicle removal provisions are to be enforced, regulatory signs including parking restrictions shall be installed immediately adjacent to, and visible from the EVSE. For private EVSE, installation of signs and sign text is at the discretion of the owner.
- b. All regulatory signs shall comply with visibility, legibility, size, shape, color, and reflectivity requirements contained within the Federal Manual on Uniform Traffic Control Devices as published by the Federal Highway Administration.
- c. Wayfinding or directional signs, if necessary, shall be permitting at appropriate decision points to effectively guide motorists to the EVSE parking space(s). Wayfinding or directional signage shall be placed in a manner that shall not interfere with any parking space, drive lane, or exit and shall comply with b. above.
- d. In addition to the signage described above, the following information shall be available on the EVSE or posted at or adjacent to all publicly-accessible EVSE parking spaces:
 - 1) Hour of operations and/or time limits if time limits or tow-away provisions are to be enforced by the municipality or owner/designee;
 - 2) Usage fees and parking fees, if applicable; and
 - 3) Contact information (telephone number) for reporting when the equipment is not operating or other problems.

6. Usage Fees

- a. Private EVSE: Nothing in this ordinance shall be deemed to preclude a private owner/designee of an EVSE from collecting a fee for the use of the EVSE, in accordance with applicable State and Federal regulations. Fees shall be available on the EVSE or posted at or adjacent to the EVSE parking space.

SECOND: SEVERABILITY

If any section, paragraph, clause, or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, clause or provision so adjudged and the remainder of the ordinance shall be deemed valid and effective.

THIRD: REPEAL OF PRIOR ORDINANCES

All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

FOURTH: EFFECTIVE DATE

This ordinance shall take effect after final passage and publication as provided by law.

APPROVED ON FIRST READING

DATED:

JEANNE SMITH
Clerk of the Borough of Oceanport

ADOPTED ON SECOND READING

DATED: March 17, 2022

JEANNE SMITH
Clerk of the Borough of Oceanport

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____.

JOHN F. COFFEY, II
Mayor

ORDINANCE #1048**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 ~~\$1,789.00~~ \$2,146.00.

§ 115-8. Fee for retail distribution license.

The annual license fee for plenary retail distribution licenses shall be and is hereby fixed at ~~\$1,072.00~~ \$1,286.00.

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:

JEANNE SMITH
Clerk of the Borough of Oceanport

ADOPTED ON SECOND READING

DATED: March 17, 2022

JEANNE SMITH
Clerk of the Borough of Oceanport

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____.

JOHN F. COFFEY, II
Mayor

ORDINANCE #1049**AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING CHAPTER 64 "VEHICLES AND TRAFFIC" PROHIBITING PARKING ON THE UNIMPROVED EASTERN TERMINUS OF WERAH PLACE**

WHEREAS, the eastern terminus of Werah Place is unimproved and used frequently by the public for access to the waterway known as Branchport Creek; and

WHEREAS, there are two adjacent residences that use this portion of Werah Place to access driveways to their properties; and

WHEREAS, the access is narrow and not sufficient to support an accessible lane as well as parking and the Oceanport Planning Board has recommended to the Governing Body for consideration that parking be prohibited along the easterly terminus of Werah Place due to access and safety concerns,

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 64 entitled "Vehicles & Traffic":

§ 64-33 Schedule I: No Parking

In accordance with the provisions of §64-3, no person shall park, stop or stand a vehicle at any time upon any of the following described streets or parts of streets;

Schedule I is hereby amended to include the following street:

Name of Street	Side	Location
Werah Place	Both	From the easterly curbline of Smith Street to Branchport Creek

BE IT FURTHER ORDAINED, any article, section, paragraph, subsection, clause, or other provision of the Code of the Borough of Oceanport inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

BE IT FURTHER ORDAINED, if any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

APPROVED ON FIRST READING

DATED:

JEANNE SMITH
Clerk of the Borough of Oceanport

ADOPTED ON SECOND READING

DATED: March 17, 2022

JEANNE SMITH
Clerk of the Borough of Oceanport

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____.

JOHN F. COFFEY, II
Mayor

ORDINANCE #1050**AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING CHAPTER 204-17, "DEVELOPMENT APPLICATION FEE SCHEDULE" MORE SPECIFICALLY THE FEE CHARGED FOR INFORMAL APPLICATIONS**

WHEREAS, the current application fee for an informal development application meeting does not cover the cost of the Planning Board's Engineer to attend and the expense should be born by the developer and not the taxpayers,

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 fee adjustment be made to Chapter 204 "FEES", Section 17 "Development Application Fee Schedule":

Informal Application Fee \$100 \$250

APPROVED ON FIRST READING

DATED:

JEANNE SMITH
Clerk of the Borough of Oceanport

ADOPTED ON SECOND READING

DATED: March 17, 2022

JEANNE SMITH
Clerk of the Borough of Oceanport

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____.

JOHN F. COFFEY, II
Mayor

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

**Resolution #2022-77
03/17/22**

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

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

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

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

Municipal Building Contracts

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