

**REGULAR MEETING AGENDA
MAYOR AND COUNCIL
March 6, 2014**

Meeting called to order.

Statement of Compliance with Open Public Meetings Act.

This meeting complies with the Open Public Meeting Act by publication of this location, date and time in the Asbury Park Press and the LINK News on January 9, 2014 and by the posting of same on the municipal bulletin board and Borough Web Site.

Flag salute.

Invocation.

Roll call.

CONSENT AGENDA:

- | | | |
|------------------|-----|---|
| #2014-056 | 1. | Resolution authorizing the payment of bills. |
| #2014-057 | 2. | Resolution accepting the Tax Collector's Annual Report for 2013 |
| #2014-058 | 3. | Resolution authorizing renewal of Inter-local Agreement with Long Branch for Fire Prevention Services |
| #2014-059 | 4. | Resolution authorizing redemption of Tax Sale Certificate #13-00012 |
| #2014-060 | 5. | Resolution authorizing redemption of Tax Sale Certificate #13-00001 |
| #2014-061 | 6. | Resolution appointing a Municipal Housing Liaison |
| #2014-062 | 7. | Resolution authorizing a Special Events Permit to The New Jersey Marathon |
| #2014-063 | 8. | Resolution authorizing a temporary emergency appropriation to the Capital Improvement Fund |
| #2014-064 | 9. | Resolution authorizing a contract for asbestos abatement in the Old Wharf House to Synatech Inc. |
| #2014-065 | 10. | Resolution declaring an Area In Need of Rehabilitation for a 16-acre portion of Block 110.01, Lot 1 |
| #2014-066 | 11. | Resolution authorizing a Memorandum of Understanding with AcuteCare |
| #2014-067 | 12. | Resolution authorizing Main Street Drainage System Repair |
| #2014-068 | 13. | Resolution adopting the Monmouth County JIF 2014 Safety & Compliance Program |
| | 14. | Approval of the Reorganization Minutes of January 1, 2014 |
| | 15. | Approval of the Workshop Minutes of February 20, 2014 |
| | 16. | Approval of the Regular Meeting Minutes of February 20, 2014 |
| | 17. | Approval of the Executive Session Minutes of February 20, 2014 |

ADMINISTRATOR'S REPORT:

COMMITTEE REPORTS:

COUNCILMAN BERTEKAP (Parks & Recreation)

COUNCILMAN GALLO (Public Works & Engineering)

COUNCILMAN IRACE (Public Safety)

COUNCILWOMAN KAHLE (Health & Human Services)

COUNCILMAN LYNCH (Finance & Administration)

Introduction of the 2014 CAP Ordinance

- | | |
|------------------|--|
| #2014-069 | Resolution introducing the 2014 Municipal Budget |
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COUNCILMAN PAGLIA (Planning & Development)

- | | |
|-------------|--|
| #928 | 2 nd Reading and Public Hearing of an Amendment to the Towing & Storage Ordinance |
| | Introduction of a Bond Ordinance for Police Equipment |

MAYOR MAHON:

Petitions from the public.

Executive Session Resolution:

Adjournment.

REGULAR MEETING MINUTES

Oceanport, New Jersey
March 6, 2014

The Regular Meeting of the Oceanport Mayor and Council was called to order on March 6, 2014 at 8:14 P.M. with the Statement of Compliance with the Open Public Meetings Act given by Mayor Mahon.

"Adequate notice of this meeting has been provided by notice to the Asbury Park Press and The Link News on January 9, 2014, and by the posting of same on the municipal bulletin board and Borough Web Site."

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

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

OFFICIALS PRESENT: Borough Clerk, Jeanne Smith, Borough Administrator John O. Bennett, Borough Attorney, Scott Arnette

CONSENT AGENDA

- | | | |
|-----------|-----|---|
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| #2014-064 | 9. | Resolution authorizing a contract for asbestos abatement in the Old Wharf House to Synatech Inc. |
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The Clerk stated there were 17 items on the consent agenda with Items 10 and 11 being taken separately and asked for a motion. Councilman Irace made a motion to approve which was seconded by Council President Kahle and approved by Council.

Mayor Mahon described Item #10 and asked for a motion which was moved by Councilman Bertekap and seconded by Councilman Lynch. Mayor Mahon asked for discussion or questions on the motion. Councilwoman Kahle asked for clarification on the need to take action a second time on the matter and asked what had been changed from the first one. Mr. Arnette pointed out the differences including reference and specific statutes cited and the case citation for the

transmittal of the resolution being required by FMERA to bring consistency between host towns. Councilman Irace commented that his position remained that he objected to the lack of action by the Legislature and felt it wasn't the host towns' responsibilities.

The Clerk called roll:

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

The Clerk stated that the motion carried.

Mayor Mahon described Item #11 and asked for a motion which was moved by Councilman Bertekap and seconded by Councilman Paglia. Mayor Mahon asked for discussion or questions on the motion. Councilman Irace asked for confirmation that Oceanport would not be responsible for any costs related to infrastructure repairs or improvements and wanted to be sure Oceanport would be reimbursed for expenses of the original Memorandum of Understanding and that the Borough was protected should negotiation of a PILOT fail to materialize. Mayor Mahon stated that he agreed and would support the request through action by the Mayor's office and the Borough Administrator. Councilwoman Kahle asked if that language could be put in the PILOT. Mayor Mahon further commented that yes, it could be put in the PILOT and reassured that the developer had been before the Planning Board for a Phase I and would be before the Board for the 2nd phase of development and would be under the purview of the Planning Board. Ms. Smith as Planning Board Secretary also affirmed that the Planning Board had expressed the same concerns and had advised the Developer that it would need to be addressed in the 2nd phase.

The Clerk called roll:

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

The Clerk stated that the motion carried.

ADMINISTRATOR'S REPORT: Mr. Bennett stated the remainder of his report would be given in Executive Session.

COMMITTEE REPORTS:

COUNCILMAN BERTEKAP: Councilman Bertekap had no report.

COUNCILMAN GALLO: Councilman Gallo had no report.

COUNCILMAN IRACE: Councilman Irace had no report.

COUNCILWOMAN KAHLE: Council President Kahle had no report.

COUNCILMAN LYNCH: Councilman Lynch had no report.

- #2014-069 1. Introduction of the 2014 CAP Ordinance
 2. Resolution introducing the 2014 Municipal Budget

Councilman Lynch called for the introduction of **"AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY ESTABLISHING A CAP BANK"** and then asked the Clerk to read the proposed Ordinance by title only, after which Councilman Lynch moved to approve the Ordinance upon first reading and to hold the public hearing on the proposed ordinance at the Council meeting of March 20, 2014 and to advertise same in accordance with the law and was seconded by Council President Kahle.

The Clerk called roll:

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

The Clerk stated that the motion carried

Councilman Lynch made a motion to approve a Resolution introducing the 2014 Municipal Budget which was seconded by Councilman Irace.

The Clerk called roll:

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

The Clerk stated that the motion carried. Mr. Bennett further stated that it be published in the Link News and that the public hearing would be held on April 3, 2014.

Mayor Mahon stated that the CFO Greg Mayers was present and asked if Council had any questions on the proposed budget to which there were none. Mr. Mayers invited anyone to contact him with any questions.

COUNCILMAN PAGLIA (Planning & Development)

#928 2nd Reading and Public Hearing of an Amendment to the Towing & Storage Ordinance
Introduction of a Bond Ordinance for Police Equipment

Councilman Paglia called for the 2nd reading and public hearing of **"AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING CHAPTER 361 OF THE CODE OF THE BOORUGH OF OCEANPORT ENTITLED TOWING AND STORAGE"** and then asked the Clerk to read the affidavit of publication by title only.

Mayor Mahon then opened the meeting to the public for anyone who wished to be heard. As no one from the public wished to be heard Mayor Mahon closed the public portion on a motion by Council President Kahle and seconded by Councilman Irace and approved by Council.

Councilman Paglia then made a motion to adopt the Ordinance on second and final reading and advertise same in accordance with the law, which was seconded by Council President Kahle.

The Clerk called roll:

AYES: Bertekap, Gallo, Irace, Kahle, Lynch, Paglia

NAYES: None
ABSTAIN: None
ABSENT: None

The Clerk stated that the motion carried.

Councilman Paglia called for the introduction of **"AN ORDINANCE OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF COMPUTERS AND RADIOS FOR THE BOROUGH POLICE DEPARTMENT AND APPROPRIATING \$220,000 THEREFOR AND PROVIDING FOR THE ISSUANCE OF \$209,000 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE BOROUGH OF OCEANPORT TO FINANCE THE SAME"** and then asked the Clerk to read the proposed Ordinance by title only, after which Councilman Paglia moved to approve the Ordinance upon first reading and to hold the public hearing on the proposed ordinance at the Council meeting of March 20, 2014 and to advertise same in accordance with the law and was seconded by Councilman Irace.

The Clerk called roll:

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

The Clerk stated that the motion carried.

MAYOR MAHON: Mayor Mahon designated and appointed Councilman Chris Paglia as a member of the Council Finance and Administration Committee. Mayor Mahon then stated he was appointing to the Ad Hoc Building Committee which was handling the Borough Hall facility review process with FEMA and Borough Professionals as a public member former Councilman Ted Ibex.

Mayor Mahon next advised that Councilman Bertekap had indicated scheduling conflicts prevented his regular attendance of Planning Board meetings and then asked Council consent to accept Councilman Bertekap's withdrawal as the Planning Board's Council representative and nominated for appointment Councilman Rick Gallo as Class III position on the Planning Board which was moved by Councilman Paglia and seconded by Councilman Lynch.

The Clerk called roll:

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

The Clerk stated that the motion carried.

Councillwoman Kahle asked how the Council would be informed should Councilman Gallo not be able to attend a Planning Board meeting. Mr. Arnette answered that it was a public meeting and anyone could attend. Mayor Mahon added that the Planning Board Secretary who attends both meetings was able to report back as well as the Mayor's Designee.

PUBLIC:

Mayor Mahon then opened the meeting to anyone from the public who wished to be heard. As no one else from the public wished to be heard that portion of the meeting was closed on a motion by Councilman Irace and seconded by Council President Kahle and approved by Council.

At 8:39 p.m. the Clerk read a Resolution authorizing the meeting to enter Executive Session for the purposes of matters required by law to be confidential, litigation, negotiations and attorney client privilege and land acquisition on a motion made by Council President Kahle and seconded by Councilman Paglia and approved by Council. Mayor Mahon advised the public that the subject items concerned FMERA, the COAH Plan Challenge and a potential Fort Monmouth location for the police department and that there were no action items.

At 10:02 p.m. Council returned from Executive Session and re-opened the Regular Meeting on a motion by Councilman Irace which was seconded by Councilman Gallo and approved by Council.

As there was no further business, the meeting was adjourned at 10:02 p.m. on a motion made by Councilman Irace seconded by Council President Kahle and approved by Council.

Respectfully submitted,



JEANNE SMITH
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING PAYMENT OF BILL LIST FOR MARCH 6, 2014**

**RESOLUTION #2014-056
03-06-14**

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated March 6, 2014.

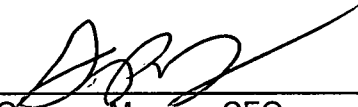
WHEREAS, the Governing Body has determined that the bill list as prepared comports with the vouchers submitted by various vendors; and

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of March 6, 2014.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated March 6, 2014 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

CERTIFICATION OF FUNDS

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



Gregory Mayers, CFO

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

I certify this to be a true copy of Resolution #2014-056 approved by the Oceanport Borough Council at the Regular Meeting held March 6, 2014



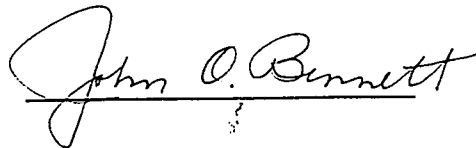
JEANNE SMITH, RMC
BOROUGH CLERK

**BOROUGH OF OCEANPORT
BILL LIST**

MARCH 6 2014

PAYEE	AMOUNT
PAYROLL ACCOUNT	\$ 93,073.11 5th Pay
2014 EXPENDITURES	
CAPITAL TRUST TOTAL	\$ 11,900.00
DOG REGISTRY TOTAL	\$ 168.60
ESCROW TRUST TOTAL	\$ 375.00
OPEN SPACE TRUST TOTAL	\$ 98,667.08
TRUST OTHER TOTAL	\$ 337.40
2013 VOUCHERS PAID	\$ 249,163.76
2013 VOUCHERS PAID THIS MEETING	\$ 2,291.33
TOTAL	\$ 251,455.09
2014 VOUCHERS PAID	\$ 4,787,457.57
2014 VOUCHERS PAID THIS MEETING	\$ 97,455.51
TOTAL	\$ 4,884,913.08

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



John O. Bennett

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

**RESOLUTION #2014-057
03-06-14**

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

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Oceanport that the following Collector's Annual Report of Receipts for the Year Ending December 31, 2013, be hereby acknowledged and accepted as submitted.

CURRENT YEAR (2013)	\$20,003,811.21
PREVIOUS YEAR (2012)	\$258,811.93
PRE-PAID (2014)	\$95,875.29
INTEREST & COSTS	\$58,922.29
YEAR END PENALTY	\$4,735.97
RETURN CHECK FEE	\$160.00
SENIOR CITIZEN IN LIEU OF TAXES	\$43,373.20
MONMOUTH ALLIANCE IN LIEU	\$3,201.00
DUE THIRD PARTY LIENHOLDER	\$80,650.24
ADVERTISING/TAX SALE COST	\$666.37
DUE SEWER	\$4,333.45
PREMIUMS	\$197,200.00
CLEAN UP	\$652.00
TOTAL FOR THE YEAR ENDING 12-31-13	\$20,752,392.95

Motion: *Shau*

Second: *Kahle*

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

I certify this to be a true copy of Resolution #2014-057 approved by the Oceanport Borough Council at the Regular Meeting held March 6, 2014

[Signature]
JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT AUTHORIZING
INTERLOCAL SERVICES AGREEMENT FOR SHARED FIRE PREVENTION
SERVICES WITH THE CITY OF LONG BRANCH**

**Resolution #2014-058
03-06-2014**

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

WHEREAS, Oceanport and Long Branch desire to share Fire Prevention Services in order to converse resources and to provide for a more efficient and more economically sound service; and

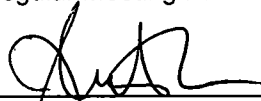
WHEREAS, the Borough Councils of both Oceanport and Long Branch find that it would be in the best interest of the parties that Fire Prevention Services for the Borough of Oceanport be provided by the City of Long Branch.

NOW THEREFORE IT IS HEREBY AGREED by and between the Mayor and Council of the Borough of Oceanport and the Mayor and Council of the City of Long Branch that the parties agree to enter into a shared services agreement.

NOW THEREFORE BE IT RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign said shared services agreement for Fire Protection Services with Long Branch in accordance with the proposal offered by the City of Long Branch and after review and recommendation from Borough Counsel regarding said agreement.

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

I certify this to be a true copy of Resolution #2014-058 approved by the Oceanport Borough Council at the Regular Meeting held March 6, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #13-00012 FOR
BLOCK 110, LOT 6 ALSO KNOWN AS 93 MAIN STREET**

**Resolution #2014-059
03-06-2014**

WHEREAS, at the Borough Tax Sale held on November 15, 2013, a lien was sold on Block 110 Lot 6, otherwise known as 93 Main St; and

WHEREAS, this lien, known as Tax Sale Certificate 13-00012 was sold to Tower Fund Serv as Cust for Ebury Fund 1 NJ LLC at an interest rate of 0% and a premium of \$1,500; and

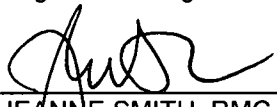
WHEREAS, the mortgage holder for the owner, has redeemed certificate 13-00012 in the amount of \$ 2,629.89.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$2,629.89 payable to Tower Fund Serv as Cust for Ebury Fund 1 NJ LLC, PO Box 37695, Baltimore MD 21297-3695 for the redemption of Tax Sale Certificate 13-00012.

BE IN FURTHER RESOLVED, that the CFO be authorized to issue a check in the amount of \$1,500 (Premium) to the aforementioned lienholder.

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

I certify this to be a true copy of Resolution #2014-059 approved by the Oceanport Borough Council at the Regular Meeting held March 6, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #13-00001 FOR
BLOCK 1, LOT 19 ALSO KNOWN AS 425 RIVER STREET**

**Resolution #2014-060
03-06-2014**

WHEREAS, at the Borough Tax Sale held on November 15, 2013, a lien was sold on Block 1 Lot 19, otherwise known as 425 River St; and

WHEREAS, this lien, known as Tax Sale Certificate 13-00001 was sold to US Bank cust for ProCap III LLC at an interest rate of 0% and a premium of \$800; and

WHEREAS, the mortgage holder for the owner, has redeemed certificate 13-00001 in the amount of \$ 274.87.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$274.87 payable to US Bank cust for ProCap III LLC, US Bank TLSG, 50 S 16th St Suite 1950, Philadelphia PA 19102 for the redemption of Tax Sale Certificate 13-00001.

BE IN FURHRER RESOLVED, that the CFO be authorized to issue a check in the amount of \$800 (Premium) to the aforementioned lienholder.

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

I certify this to be a true copy of Resolution #2014-060 approved by the Oceanport Borough Council at the Regular Meeting held March 6, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTING A MUNICIPAL HOUSING LIAISON**

**Resolution #2014-061
03-06-2014**

WHEREAS, the Borough of Oceanport received an Order Granting Temporary Immunity by the Court on May 21, 2008; and

WHEREAS, the Borough of Oceanport's Fair Share Plan promotes an affordable housing program pursuant to the Fair Housing Act (N.J.S.A. 52:27D-301, et. seq.) and COAH's Third Round Substantive Rules (N.J.A.C. 5:94-1, et. seq.); and

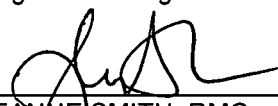
WHEREAS, pursuant to N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et. seq., the Borough of Oceanport is required to appoint a Municipal Housing Liaison for the administration of the Borough's affordable housing program to enforce the requirements of N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et. seq.; and

WHEREAS, the Borough of Oceanport has amended Chapter 390 entitled Zoning to provide for the appointment of a Municipal Housing Liaison to administer the Borough of Oceanport's affordable housing program.

NOW THEREFORE BE IT RESOLVED, by the Governing body of the Oceanport Borough in the County of Monmouth and State of New Jersey that John O. Bennett is hereby appointed by the Governing Body of the Borough of Oceanport as the Municipal Housing Liaison for the administration of the affordable housing program, pursuant to and in accordance with Section 390 of Oceanport Borough's Municipal Code effective January 1, 2014.

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

I certify this to be a true copy of Resolution #2014-061 approved by the Oceanport Borough Council at the Regular Meeting held March 6, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING A SPECIAL EVENTS PERMIT TO BE ISSUED
TO THE NEW JERSEY MARATHON FOR AN EVENT TO BE HELD
APRIL 25, 2014 WITHIN THE BOROUGH OF OCEANPORT**

**Resolution #2014-062
03-06-2014**

WHEREAS, The New Jersey Marathon has made application for a Special Events Permit to hold the 2014 Novo Nordisk New Jersey Marathon with a course that includes portions of Borough roadways; and

WHEREAS, as required by ordinance the Police Department has reviewed the application and have recommended that the application be approved.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that a Special Events Permit be issued to the New Jersey Marathon for the 2014 Novo Nordisk New Jersey Marathon to be held April 25, 2014 in accordance with the application made and recommendation by the Traffic Safety Unit upon receipt of appropriate permit fee to be paid by Applicant.

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

I certify this to be a true copy of Resolution #2014-062 approved by the Oceanport Borough Council at the Regular Meeting held March 6, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

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

**RESOLUTION #2014-063
03-06-14**

WHEREAS, an emergent condition has arisen wherein the appropriations set forth in the 2014 temporary budget are insufficient to meet the financial obligations as set forth below; and

WHEREAS, the permanent budget for the year 2014 has not yet been adopted; and

WHEREAS, the total emergency temporary appropriations adopted in the year 2014 pursuant to the provisions of N.J.S. A. 40A:4-20 included in this resolution total \$11,000.

NOW, THEREFORE, BE IT RESOLVED, (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with the aforementioned statute the 2014 temporary fiscal budget be and the same is hereby amended to provide for an emergency temporary appropriation in the amount of \$11,000.00, said appropriations are as follows:

<u>APPROPRIATIONS</u>	<u>SALARIES & WAGES</u>	<u>OTHER EXPENSES</u>
Capital Improvement Fund		\$ 11,000.00

Motion: *Kahle* Second: *Kahle*

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

I certify this to be a true copy of Resolution #2014-063 approved by the Oceanport Borough Council at the Regular Meeting held March 6, 2014

[Signature]

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AWARDING A CONTRACT FOR ASBESTOS ABATEMENT SERVICES
IN THE OCEANPORT OLD WHARF HOUSE**

**RESOLUTION #2014-064
03-06-14**

WHEREAS, the Old Wharf House building was impacted by Super Storm Sandy which flooded the basement area; and

WHEREAS, during the replacement of the furnace new piping was installed leaving behind the original piping; and

WHEREAS, the Borough has determined that there is a need to remove the old piping which was wrapped in a material containing asbestos; and

WHEREAS, the cost to perform such services would be below the public bidding threshold of Thirty Six Thousand (\$36,000.00) Dollars, as provided by law with a Qualified Purchasing Agent (N.J.S.A. 40A:11-3); and

WHEREAS; the Borough solicited three (3) proposals for performance of said work; and

WHEREAS, the Borough has received proposals from Global Abatement Services, LLC, Synatech, Inc. and Asbestos and Mold Services; and

WHEREAS, the recommendation of the Borough Engineer after review was to award to Synatech, Inc. as they provided the most comprehensive services and provided the lowest quote; and

WHEREAS, the said contract sum is below the statutory threshold amount and therefore there is no requirement to publicly advertise for bids as provided in the Local Public Contracts Law (N.J.S.A. 40A:11-3); and

WHEREAS, there is no negative history associated with the contractor, which would necessitate the reasons not to award said contract to IRS Insurance Restoration Specialists.

WHEREAS, funds are available in the 2014 temporary budget established for Super Storm Sandy.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport, County of Monmouth and State of New Jersey that the contract for asbestos abatement services of the Oceanport Old Wharf in the total sum of Five Thousand Seven Hundred Twenty Five Dollars (\$5,725.00) be awarded to Synatech, Inc.

BE IT FURTHER RESOLVED that the Borough Administrator and Borough Clerk are hereby authorized to execute any documents necessary to effectuate this resolution.

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

I certify this to be a true copy of Resolution #2014-064 approved by the Oceanport Borough Council at the Regular Meeting held March 6, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AMENDED RESOLUTION DESIGNATING A 16 ACRE PORTION OF
BLOCK 110, LOT 4 ALSO KNOWN AS BLOCK 110.01, LOT 1
AS AN AREA IN NEED OF REHABILITATION**

**Resolution #2014-065
ADOPTED: March 6, 2014**

RECITALS:

A. In accordance with the provisions of the *Local Redevelopment and Housing Law*, N.J.S.A. 40:12A-1 *et seq.* (the "LRHL"), the Borough Council of the Borough of Oceanport, in the County of Monmouth ("Borough Council") directed the Planning Board of the Borough of Oceanport, in the County of Monmouth ("Planning Board") to conduct an investigation as to whether a portion of the real property identified as Block 101, Lot 4 also known as Block 110.01, Lot 1 on the Tax Map of the Borough ("Property"), commonly known as Patterson Army Hospital located at 1075 Stephenson Avenue, Oceanport, New Jersey, meets the criteria set forth in N.J.S.A. 40A:12A-14 for designation as an area in need of rehabilitation;

B. The Planning Board, pursuant to and in accordance with the requirements of the LRHL, conducted an investigative hearing on or about April 23, 2013 to determine whether the Property should be designated as an area in need of rehabilitation;

C. As part of the investigation, the Planning Board reviewed the recommendations set forth in the "Investigation for Determination of an Area in Need of Rehabilitation for a 16 acre portion of Block 110, Lot 4, commonly known as the Patterson Army Hospital area, Fort Monmouth, dated April 17, 2013" prepared by Clark, Caton Hintz of Trenton, New Jersey ("Study"), a copy of which is annexed hereto as Attachment A;

D. At the investigative hearing of April 23, 2013, the Planning Board heard from all persons who are interested in or would be affected by a finding that the Property is an area in need of rehabilitation. Thereafter, the Planning Board unanimously recommended that the Borough Council designate the Property as an area in need of rehabilitation. A copy of the

Minutes of the Planning Board Meeting of April 23, 2013 is annexed hereto and made a part hereof as Attachment B; and

E. The Borough Council adopted Resolution R-13-69 at its meeting of May 2, 2013 designating the Property as an area in need of rehabilitation pursuant to the provisions of *N.J.S.A. 40A:12A-14*. Subsequently, it was determined that the form Resolution R-13-69 was inadequate and should be amended for submission to the Fort Monmouth Economic Revitalization Authority ("FMERA").

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

1. General. The Recitals set forth above are incorporated herein by reference as if set forth herein at length.

2. Designation of the Area. Based upon the April 23, 2013 recommendation of the Planning Board and upon the criteria set forth in *N.J.S.A. 40A:12A-14* as and to the extent determined to be applicable to the Property and for the reasons set forth in Study, the Borough Council hereby designates the Property as an area in need of rehabilitation.

3. Transmittal of Resolution to Department of Community Affairs. The Borough Council hereby authorizes and directs the Borough Clerk in accordance with the requirements of the LRHL, to mail a copy of this Resolution forthwith to the Commissioner of the Department of Community of Affairs.

4. Transmittal of Resolution to Property Owner. The Borough Council hereby authorizes and directs the Borough Clerk in accordance with the requirements of *Harrison Redevelopment Agency v. DeRose et al.*, 395 *N.J. Super.* 361 (App. Div. 2008), to mail written notice of the adoption of this Resolution, in the form attached as Attachment C hereto, to the Property owner no later than five business days after the date of adoption hereof.

5. Transmittal of Resolution to Fort Monmouth Economic Revitalization Authority. The Borough Council hereby authorizes and directs the Borough Clerk in accordance with the

requirements of the *Fort Monmouth Economic Revitalization Authority Act*, N.J.S.A. 52:271-18, *et seq.*, to mail written notice of the adoption of this Resolution, in the form attached as Attachment D hereto, forthwith to FMERA.

6. Effective Date. This Resolution shall take effect immediately upon the approval of the Borough Council's designation of the Property as an area in need of rehabilitation by FMERA as required by N.J.A.C. 19:31C-3.25(a)5.

7. Entire Resolution. This Resolution amends, in its entirety, Resolution R-13-69 previously adopted by the Borough Council on May 2, 2013.

Motion: Bertekap Second: Lynch

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

I certify this to be a true copy of Resolution #2014-065 approved by the Oceanport Borough Council at the Regular Meeting held March 6, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING EXECUTION OF A
MEMORANDUM OF UNDERSTANDING BETWEEN
THE BOROUGH OF OCEANPORT AND ACUTECARE HEALTH SERVICES**

**Resolution #2014-066
03-06-14**

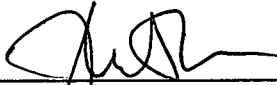
WHEREAS, in accordance with discussions between the Governing Body of the Borough of Oceanport and representatives from AcuteCare Health Services, a Memorandum of Understanding was developed; and

WHEREAS, said Memorandum of Understanding has been reviewed by the Borough Attorney and found to be acceptable.

NOW THEREFORE BE IT RESOLVED, that Borough Council of the Borough of Oceanport authorize the Mayor and Clerk to effectuate said document.

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

I certify this to be a true copy of Resolution #2014-066 approved by the Oceanport Borough Council at the Regular Meeting held March 6, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING DRAINAGE SYSTEM REPAIRS ON MAIN STREET**

**RESOLUTION #2014-067
03-06-14**

WHEREAS, the Borough had determined that there was a need to repair a damaged drainage pipe located in Main Street near the intersection with Oceanport Avenue; and

WHEREAS, the cost to perform such services would be below the public bidding threshold of Thirty Six Thousand (\$36,000.00) Dollars, as provided by law with a Qualified Purchasing Agent (N.J.S.A. 40A:11-3); and

WHEREAS; the Borough solicited three (3) proposals for performance of said work; and

WHEREAS, the Borough has received proposals from West Bergen Enterprises, Fiore Paving Company and The LCP Group, LLC; and

WHEREAS, the recommendation of the Borough Engineer after review was to award to West Bergen Enterprises as they provided the lowest quote; and

WHEREAS, the onsite work proceeded and due to several factors as noted in a Memorandum by the Borough Engineer dated March 3, 2014, the proposed work was not able to be completed in the timeframe initially anticipated thereby increasing the cost of the work; and

WHEREAS, the said contract sum is below the statutory threshold amount and therefore there is no requirement to publicly advertise for bids as provided in the Local Public Contracts Law (N.J.S.A. 40A:11-3); and

WHEREAS, there is no negative history associated with the contractor, which would necessitate the reasons not to award said contract to West Bergen Enterprises.

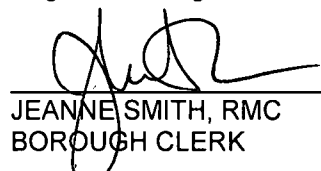
WHEREAS, funds are available in the budget established for the 2013 Road Program.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport, County of Monmouth and State of New Jersey that the contract for the repairs to the Drainage System on Main Street in the total sum of Eleven Thousand Nine Hundred Dollars (\$11,900.00) be awarded to West Bergen Enterprises.

BE IT FURTHER RESOLVED that the Borough Administrator and Borough Clerk are hereby authorized to execute any documents necessary to effectuate this resolution.

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

I certify this to be a true copy of Resolution #2014-067 approved by the Oceanport Borough Council at the Regular Meeting held March 6, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
ACCEPTING AND ADOPTING THE MONMOUTH COUNTY MUNICIPAL JOINT
INSURANCE FUND'S 2014 SAFETY AND COMPLIANCE PROGRAM**

**Resolution #2014-068
03-06-2014**

WHEREAS, the Borough of Oceanport is a member of the Monmouth County Joint Insurance Fund (MONMOUTH JIF); and

WHEREAS, it is the policy of the MONMOUTH JIF to achieve the best and most practical degree of freedom from accidents and/or injuries; and

WHEREAS, the MONMOUTH JIF endeavors to ensure that all of their members' employees, volunteers and public are provided with a safe and healthy environment, free from any recognized hazards; and

WHEREAS, the MONMOUTH JIF endeavors to ensure that all of their members are in compliance with applicable safety and health requirements; and

WHEREAS, the MONMOUTH JIF's Safety Committee is made up of volunteers representing many of the Fund's Municipalities, along with the professionals employed by the Fund; and

WHEREAS, over the past year, the MONMOUTH JIF's Safety Committee has worked hard to develop new Safety and Compliance Program like none other in the State that will better represent the members of the Fund's needs; and

WHEREAS, the new Program will assist all the MONMOUTH JIF's members in becoming or maintaining compliance with all Public Employees Occupational Safety and Health (PEOSH) Requirements; and

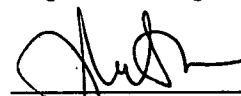
WHEREAS, the MONMOUTH JIF has adopted the new 2014 SAFETY AND COMPLIANCE PROGRAM which should succeed in providing a safe, healthful and pleasant environment; and

WHEREAS, the Administrator of the Borough of Oceanport has reviewed the SAFETY AND COMPLIANCE PROGRAM and has recommended its adoption by the Governing Body.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport, County of Monmouth, State of New Jersey that the Monmouth County Municipal Joint Insurance Fund SAFETY AND COMPLIANCE PROGRAM be adopted by the Borough of Oceanport.

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

I certify this to be a true copy of Resolution #2014-068 approved by the Oceanport Borough Council at the Regular Meeting held March 6, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
INTRODUCING THE MUNICIPAL BUDGET FOR THE YEAR 2014**

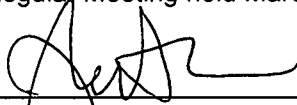
**Resolution #2014-069
03-06-2014**

BE IT RESOLVED that the following statements of revenues and appropriations shall constitute the municipal budget for the year 2014.

BE IT FURTHER RESOLVED that said budget be published in The Link News in the issue of March 13, 2014. The governing body of the Borough of Oceanport does hereby approve the following as the budget for the year 2014.

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

I certify this to be a true copy of Resolution #2014-069 approved by the Oceanport Borough Council at the Regular Meeting held March 6, 2014



JEANNE SMITH, RMC
BOROUGH CLERK