

**REGULAR MEETING AGENDA
MAYOR AND COUNCIL
February 19, 2015**

Call to Order.

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

Flag Salute

Invocation

Roll Call

Administrator's Report:

Clerk's Report:

1. Consent Agenda:

- | | | |
|------------------|-----|--|
| #2015-041 | 1a. | Resolution authorizing the payment of bills. |
| #2015-042 | 1b. | Resolution authorizing refunds for overpayment of taxes |
| #2015-043 | 1c. | Resolution approving Special Events Permit for NJ Marathon |
| #2015-044 | 1d. | Resolution authorizing redemption of Tax Sale Certificate #14-00020 |
| #2015-045 | 1e. | Resolution supporting law enforcement officers |
| #2015-046 | 1f. | Resolution urging revenue sharing between NJ casinos and Monmouth Park |
| #2015-047 | 1g. | Resolution authorizing redemption of Tax Sale Certificate #13-00007 |
| #2015-048 | 1h. | Resolution awarding towing contracts for 2015 |
- Approval of Fire Department Membership Application – Alexander Robertson
Approval of Fire Department Membership Application – John Carroll III

2. Minutes Approval of the Executive Session Minutes of January 15, 2015
 Approval of the Workshop Minutes of February 5, 2015
 Approval of the Regular Meeting Minutes of February 5, 2015
 Approval of the Executive Session Minutes of February 5, 2015

3. Police Report, December 2014

COMMITTEE REPORTS:

Parks & Recreation, Councilman Bertekap, Chair

Public Works & Engineering, Councilman Gallo, Chair

Public Safety, Councilman Irace, Chair

Health & Human Services, Council President Kahle, Chair

Finance & Administration, Council President Lynch, Chair

Planning & Development, Councilman Paglia, Chair

- | | | |
|-------------|----|---|
| #942 | 1. | 2 nd Reading / Public Hearing of an Amendment to Salary Ordinance |
| #943 | 2. | 2 nd Reading / Public Hearing of an Amendment to Property Maintenance |
| #944 | 3. | Introduction of an Ordinance Establishing Transportation Requirements for Nursing Homes |

MAYOR MAHON'S REPORT:

1. Fort Monmouth
2. Monmouth Park

Petitions from the public.

Adjournment.

REGULAR MEETING MINUTES

Oceanport, New Jersey
February 19, 2015

The Regular Meeting of the Oceanport Mayor and Council was called to order on February 19, 2015 at 7:15 PM with the Statement of Compliance with the Open Public Meetings Act given by Mayor Mahon.

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

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

MEMBERS PRESENT: Councilpersons Bertekap (arrived at 7:37 PM), Gallo, Irace, Kahle, Lynch, Paglia and Mayor Mahon

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

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

CLERK'S REPORT

1. CONSENT AGENDA:

- | | | |
|-----------|----|--|
| #2015-041 | 1a | Resolution authorizing the payment of bills |
| #2014-042 | 1b | Resolution authorizing refunds for overpayment of taxes |
| #2014-043 | 1c | Resolution approving Special Events Permit for NJ Marathon |
| #2014-044 | 1d | Resolution authorizing redemption of Tax Sale Certificate #14-00020 |
| #2014-045 | 1e | Resolution supporting law enforcement officers |
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| #2014-048 | 1h | Resolution awarding towing contracts for 2015 |
- Approval of Fire Department Membership Application – Alexander Robertson
Approval of Fire Department Membership Application – John Carroll III

The Clerk advised that there were 10 items on the consent agenda and asked for a motion which was made by Councilwoman Kahle and seconded by Councilman Irace.

The Clerk called roll:

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

The Clerk stated that the motion carried.

2. Approval of the Executive Session Minutes of January 15, 2015
Approval of the Workshop Meeting Minutes of February 5, 2015
Approval of the Regular Session Minutes of February 5, 2015
Approval of the Executive Session Minutes of February 5, 2015

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

The Clerk called roll:

AYES: Gallo, Irace, Kahle, Lynch and Paglia

NAYES: None
ABSTAIN: None
ABSENT: Bertekap

The Clerk stated that the motion carried

3. Police Report, December 2014 – The Clerk stated that she was in receipt of the December 2014 Police Report which had been distributed and would be posted at Borough Hall.

COUNCILMAN BERTEKAP: Councilman Bertekap reported that the Recreation Committee is considering a new member. After attendance at his second recreation committee meeting, recommendation to council will be forthcoming.

COUNCILMAN GALLO: Councilman Gallo had no report.

Councilman Irace asked Councilman Gallo, Planning Board Representative, about the last Planning Board Meeting. Specifically, Councilman Irace asked what the Planning Board's reaction was to the fact that RPM did not sign the MOUs. Councilman Gallo responded that it was not discussed. Councilman Irace asked why it was not discussed. Councilman Gallo and the Mayor stated that it was not included on the agenda. Councilman Irace asked if it should be added to the agenda. Councilman Gallo stated if needs to be discussed, it should be. Councilman Irace stated that the Planning Board passed a resolution in support of RPM based upon the misunderstanding that there were MOU's signed by RPM. Councilman Gallo said he would look into it.

COUNCILMAN IRACE: Councilman Irace reported that members of the Public Safety Committee (Mayor Mahon, Councilman Irace, Borough Administrator Bennett, Police Chief Barcus, Fire Chief Sherman and OEM Director Buzz Baldanza) recently met. They discussed various capital budget items including police equipment, fire equipment and public safety vehicles. He reported that plan is to enable the Emergency Alert System to be activated via PC. All is moving in the right direction.

Councilman Irace read a statement prepared and presented to him by the Police Chief regarding recent criminal acts within the Borough and the resultant Detective Bureau Investigations. With regard to the two recently reported burglaries, our patrol officers and detectives have succeeded in apprehending several suspects and charges have been filed. Specifically mentioned are Sergeant Fagliarone, Detective Laretta and Officer Petrucelli. Additionally, our patrol officers have made several arrests for illegal possession of Narcotics and other crimes. We are all proud of these accomplishments by Oceanport Police Department.

#2015-049 Resolution appointing Patrolman John Weir to permanent status

Councilman Irace offered **Resolution #2015-049** and read said resolution in its entirety. Motion to accept resolution was made by Councilman Irace was seconded by Councilwoman Kahle.

The Clerk called roll:

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

The Clerk stated that the motion carried.

At this point, Mayor Mahon mentioned a change to the Borough's Public Notices that occurred several years ago. The change was made permitting the regular meeting to immediately follow the workshop so that in the event the workshop meeting ended before 8PM, Council is not required to adjourn and reconvene but rather continue right through with the regular meeting.

Because this regular meeting was called to order earlier than most, the Mayor asked that Chaplain Wayne Smith proceed with the invocation.

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

MOMENT OF SILENCE: Mayor Mahon called for a moment of silence for Mr. Joseph Bova, POW and long standing member of our community who recently passed.

COUNCILWOMAN KAHLE: Councilwoman Kahle reported her attendance at the FMERA Environmental Advisory Committee Meeting. Attendees included 2 representatives from the DEP and other community members who are concerned about the environment at Fort Monmouth. Since the Committee had not seen the RAB report, Councilwoman shared said results. The committee said they would follow up. She also shared the Borough's concerns about the water, chemicals near the water, on-going testing after FMERA leaves and cleanup efforts.

Councilwoman Kahle mentioned that there were concerns regarding the safety of the water at the police department, housed on Fort Monmouth. The water was independently tested and the results revealed that the water was fine for human consumption.

One of the things that came out of this process was that the Borough learned that it needed to provide a designee letter allowing Councilwoman Kahle to attend the Environmental Advisory Committee Meetings in the event that Mr. Richard Gruskos is unable to attend. Mayor Mahon offered to keep the designation on file for future meetings.

Councilwoman Kahle reported that all testing results have been passed over to the Environmental Commission and Waterwatch Committee who will keep a good watch on things.

COUNCIL PRESIDENT LYNCH: Council President Lynch reported that the Finance and Administration Committee had both an Administration Meeting and a Finance Meeting.

During the Administration meeting, the committee went over their recommendations for changes to the Human Resources Policy with the Business Administrator. He believes the consensus will be taken to the Council next meeting. These recommendations are substantially the same as the preliminary recommendations put forth last month. The biggest change reclassifies paid leave as "paid time off" instead of designating it vacation, personal and sick. Also, they are getting quotes from insurance brokers for health insurance coverage. Change in policy type will result in substantial cost savings to both the Borough and the employee.

With regard to Finance, Councilman Lynch expects to introduce the 2015 Budget at the next Mayor and Council Meeting. He expects total expenditures will come in below the Oceanport imposed 2% cap (All In Cap) with no exceptions. Due to some advantageous financing and the Leased Vehicle Program that occurs every two years through the County, they expect to be replacing some vehicles in our aging fleet.

COUNCILMAN PAGLIA: Councilman Paglia reported on the recent Site Selection Committee Meeting. When discussing where to build our future Borough Hall, they've come up with a "pro/con" list which is primarily concerned with cost and access to utilities. As the process proceeds, information will be posted on the Borough Website allowing residents to view the plan, comment and ask questions. Council President Lynch and Mayor Mahon contributed to the discussion. The next meeting is planned for early March.

Councilman Paglia met with Construction Official, Sal Massaro. There were 311 permits issued in 2012; 815 in 2013 and 511 in 2014. House lifts continue but at a slower pace. Mary Grace has been helping the department catch up on Sandy related matters. Overall, this department serves our residents well. Councilman Paglia plans to meet with the Mayor, Councilman Bertekap and Sal regarding issues at hand.

#942 2nd Reading of An Amendment to Salary Ordinance

Councilman Paglia called for the 2nd Reading and Public Hearing of an ordinance amending the Salary Ordinance and then asked the Clerk to read the affidavit of publication and proposed Ordinance by title only. **"AN ORDINANCE OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, SETTING THE SALARY RANGES OF CERTAIN BOROUGH OFFICERS AND EMPLOYEES"** was published in The Link News on February 12, 2015. The Mayor opened the meeting for any public comments on this ordinance only. There being none, the Mayor closed public hearing for this ordinance on a motion by Councilwoman Kahle and seconded by Councilman Paglia.

Councilman Paglia made a motion to adopt this ordinance and advertise in accordance with law which was seconded by Councilwoman Kahle.

The Clerk called roll:

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

The Clerk stated that the motion carried.

#943 2nd Reading of An Amendment to Property Maintenance Ordinance

Councilman Paglia called for the 2nd Reading and Public Hearing of an ordinance amending the Property Maintenance Ordinance and then asked the Clerk to read the affidavit of publication proposed ordinance by title only. **"AN ORDINANCE OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AMENDING CHAPTER 295 OF THE CODE OF THE BOROUGH OF OCEANPORT ENTITLED PROPERTY MAINTENANCE"** was published in The Link News on February 12, 2015. The Mayor opened the meeting for any public comments on this ordinance only. There being none, the Mayor closed public hearing for this ordinance only. There being none, the Mayor closed public hearing for this ordinance on a motion by Councilman Irace and seconded by Councilwoman Kahle.

Councilman Paglia made a motion to adopt this ordinance and advertise in accordance with law which was seconded by Councilwoman Kahle.

The Clerk called roll:

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

The Clerk stated that the motion carried.

**#944 Introduction of an Ordinance Establishing Transportation Requirements
for Nursing Homes**

Councilman Paglia called for the introduction of an ordinance establishing Transportation Requirements for Nursing Homes and then asked the Clerk to read the proposed ordinance by title only. **"AN ORDINANCE OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, ESTABLISHING TRANSPORTATION REQUIREMENTS FOR NURSING HOMES"** was read. Councilman Paglia moved to approve the Ordinance upon first reading and to hold the public hearing on the proposed ordinance at the Council meeting of March 5, 2015 and to advertise same in accordance with the law. It was seconded by Councilwoman Kahle.

The Clerk called roll:

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

The Clerk stated that the motion carried.

#945 Introduction of an Ordinance Amending the Subdivision of Land Ordinance

Councilman Paglia called for the introduction of an ordinance amending the subdivision requirements for the Subdivision Ordinance and then asked the Clerk to read the proposed ordinance by title only. **"AN ORDINANCE AMENDING CHAPTER 336, SUBDIVISION OF LAND, OF THE CODE OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY"** was read. Councilman Paglia moved to approve the Ordinance upon first reading and to hold the public hearing on the proposed ordinance at the Council meeting of March 5, 2015 and to advertise same in accordance with the law. It was seconded by Councilwoman Kahle.

The Clerk called roll:

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

The Clerk stated that the motion carried

MAYOR MAHON:

Fort Monmouth: Mayor Mahon noted that an E-newsletter was released today. The next FMERA meeting is scheduled for February 26.

Monmouth Park: Mayor Mahon stated that the Borough is looking forward to Opening Day. The Borough is looking to meet with representatives of Darby Enterprises in the near future.

PUBLIC:

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

Mr. Frank Barricelli, of Hiawatha Avenue, Fort Monmouth Environmental RAD members, read a statement regarding TCE/PCE Contamination at the Former Fort Monmouth Dry Cleaners. His statement is attached. A lengthy discussion, including a question and answer period followed.

Mr. Hugh Sharkey, 39 Algonquin Avenue, inquired about financial statements from Monmouth Park and New Jersey Sports Authority. Councilman Lynch replied that, in accordance with the lease between the two parties, the 2014 statements aren't due until 120 days after year end. The Sports Authority waived the requirement for 2013.

Mr. Sharkey asked about the Health Insurance Broker selection process. Collectively, Borough Officials reported that they advertised for broker quotes twice. The first time, only two bids were received (one from the existing broker). The Borough then went back out to bid. The second round resulted in 5 bids, including the existing broker. The committee interviewed 3 additional brokers (the 5th declined due to scheduling issues.) The selection was based on the ability to produce as commission is based upon statute and paid by carrier.

Mr. Sharkey also asked about the Business Administrator and Public Works Superintendent salary and budget classification thereof. He questioned the expenditure for leasehold

improvements prior to having a signed lease in place. Both questions were addressed by Borough Officials.

Lastly, Mr. Sharkey said that GRC recently denied his request for reconsideration. It now starts the clock to file an appeal of their decision based upon new evidence that came out under the rules law. He asked the Council to reconsider reimbursement of his legal fees.

As no one else from the public wished to be heard that portion of the meeting was closed.

At 8:13PM the meeting was adjourned on a motion by Councilwoman Kahle, seconded by Councilman Irace and approved by Council.

Respectfully submitted,



JEANNE SMITH
BOROUGH CLERK

TCE/PCE CONTAMINATION AT FORMER FORT MONMOUTH DRY CLEANERS

A SUMMARY REPORT OF 2014 LONG TERM GROUNDWATER SAMPLING FOR THE 1ST AND 2ND QUARTERS WAS GIVEN AT THE FORT MONMOUTH RESTORATION ADVISORY BOARD HELD THIS PAST JANUARY 8TH. TWO CONTAMINATED SITES LOCATED IN THE OCEANPORT SECTION WERE INCLUDED.

SITE FTMM-63, BUILDING 699 WAS THE FORMER POST GAS STATION. IT IS LOCATED ALONG THE MAIN ROAD THROUGH FORT MONMOUTH, SALTZMAN AVENUE, AND IS ROUGHLY IN THE CENTER OF THE MAIN POST. A DISCHARGE OF GASOLINE WAS REPORTED IN THE EARLY 1990'S AND THE SITE HAS BEEN UNDERGOING REMEDIATION SINCE THAT TIME. A FEW YEARS AGO, ONE OF THE TEST WELLS FOR THAT SITE SHOWED A TRACE OF SOLVENTS ASSOCIATED WITH DRY CLEANING. A SEARCH OF HISTORICAL RECORDS SHOWED THAT THE POST DRY CLEANERS HAD BEEN LOCATED ADJACENT TO THE GAS STATION IN BUILDING 700 PRIOR TO RELOCATING TO THE PX COMPLEX. IT IS ASSUMED THAT OPERATION MOVED IN THE 1960/1970 TIMEFRAME. THE BUILDING 700 SITE IS NOW TRACKED AS SITE FTMM-68 AND THE CONTAMINANTS DISCHARGED WERE TRICHLOROETHENE [TCE] AND TETRACHLOROETHENE [PCE]. BOTH OF THOSE SOLVENTS ARE AMONG THE MOST FREQUENTLY ENCOUNTERED CONTAMINANTS THROUGHOUT THE COUNTRY DUE TO WIDESPREAD USE. DRY CLEANING MEANT NO WATER WAS USED. DRY CLEANING USED THOSE LIQUID SOLVENTS IN SPECIALLY DESIGNED WASHERS AND DRYERS, AND DISCHARGES AND TANK LEAKS OCCURRED.

THE BRIEFING SHOWED THAT BOTH SITES HAD CONTAMINATION LEVELS ABOVE THE NJDEP STANDARDS. THE DRY CLEANING SITE HAD A TEST READING FOR PCE OF 1,800 MICROGRAMS PER LITER WHICH IS WELL ABOVE THE GROUND WATER QUALITY STANDARD OF 1 MICROGRAM PER LITER AND UNDERSTANDIBLY REQUIRES EXPLANATION. UNFORTUNATELY, THE SAMPLING SUMMARY ONLY SHOWED INTERIM TEST DATA RESULTS AND DID NOT PROVIDE ANY ANALYSIS OR CONTEXT FOR THE INFORMATION. I'LL TRY TO SUPPLY SOME OF THAT CONTEXT.

WITH RESPECT TO WELLS FOR DRINKING WATER, THERE ARE NONE LOCATED IN THE VICINITY OF THE SITE. THE NEAREST DRINKING WELLS IN OCEANPORT ARE LOCATED IN THE AREA NEARBY THE MAPLE PLACE SCHOOL. AN EFFORT TO CONNECT THOSE REMAINING STREETS WAS ANNOUNCED JUST SEVERAL MONTHS AGO. THE ARMY REVIEWED THE NJDEP LIST OF DRINKING WELL LOCATIONS EARLY IN ITS ENVIRONMENTAL RESTORATION EFFORT YEARS AGO AND FOUND NONE WERE LOCATED IN THE VICINITY OF THE SITES. THE MEASURED LEVELS OF CONTAMINANTS AND GROUND WATER FLOW WERE CONSIDERED IN THAT DETERMINATION. THERE ARE NO IRRIGATION WELLS LOCATED NEAR THE FTMM-68 SITE. IT IS LOCATED IN THE CENTER OF MAIN POST.

WITH RESPECT TO THE FLOW OF GROUNDWATER TOWARDS STREAMS AND RIVERS, THERE ARE MONITORING WELLS LOCATED AROUND AND DOWNSLOPE OF SITES FTMM-63 AND FTMM-68 WHICH DO NOT SHOW CONTAMINANTS HAVE MIGRATED AWAY FROM THOSE LOCATIONS. THE FORT MONMOUTH TERRAIN HAS ONLY A SLIGHT GRADE AND THE HEAVY CLAY SOIL MEANS CONTAMINATION WILL PRIMARILY MOVE DOWNWARD.

WITH RESPECT TO AIR QUALITY, VAPOR INTRUSION MEASUREMENTS WERE TAKEN IN BUILDINGS 699 AND 700 AND THERE WERE NO DETECTIONS.

I DID AN INTERNET SEARCH ON OTHER TCE/PCE CONTAMINATED SITES TO BETTER UNDERSTAND THE SEVERITY OF THE FORT MONMOUTH TEST RESULTS OF 1,800 MICROGRAMS PER LITER. THOSE SITES HAD READING ORDERS OF MAGNITUDE GREATER. THE DRY CLEANING SITES IN WALL TOWNSHIP MEASURED 200,000 MICROGRAMS PER LITER. OTHER SITES HAD SIMILAR TEST RESULTS. I ALSO DID SEARCHES ON THE DIFFERENT TECHNIQUES TO REMEDIATE TCE/PCE CONTAMINATION. THERE IS A LOT OF RESEARCH ONGOING ON TCE/PCE REMEDIATION SINCE IT IS SO COMMON AND THE MARKETPLACE FOR BETTER SOLUTIONS IS VERY STRONG.

IT IS THE ARMY'S RESPONSIBILITY TO TAKE ADDITIONAL SAMPLES AND THEN PROPOSE A SOLUTION. BASED UPON THE TEST DATA, THE CONTAMINATION AT THESE SITES IS NOT SPREADING AND AT LEVELS THAT ARE WITHIN THE CAPABILITIES OF CURRENT REMEDIATION TECHNIQUES. IT SHOULD BE UNDERSTOOD THAT SOME OF THESE TECHNIQUES TAKE A CONSIDERABLE AMOUNT OF TIME. THE EPA'S DESIRED APPROACH FOR THE WALL TOWNSHIP SITE REQUIRED 30 YEARS. THE REJECTED APPROACHES REQUIRED 70 YEARS.

I HAVE ADVISED THE ARMY'S RAB MEMBER THAT WE HAVE TO DO BETTER AT PROVIDING CONTEXT TO FUTURE BRIEFINGS. I ALSO ASKED FOR A TIMEFRAME WHEN THE ARMY WILL PROVIDE A PLAN FOR THESE SITES. I WILL PROVIDE THAT TO YOU AND ANY FURTHER INFORMATION YOU NEED.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING PAYMENT OF BILL LIST FOR FEBRUARY 19, 2015**

**RESOLUTION #2015-041
02-19-15**

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated February 19, 2015.

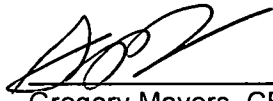
WHEREAS, the Governing Body has determined that the bill list as prepared comports with the vouchers submitted by various vendors; and

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of February 19, 2015.

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 February 19, 2015 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

CERTIFICATION OF FUNDS

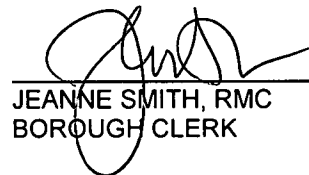
I, Gregory S. Mayers, Chief Financial Officer, of the Borough of Oceanport, do hereby certify that funds are available for the purpose stated herein.



Gregory Mayers, CFO

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

I certify this to be a true copy of Resolution #2015-041 approved by the Oceanport Borough Council at the Regular Meeting held February 19, 2015



JEANNE SMITH, RMC
BOROUGH CLERK

BOROUGH OF OCEANPORT
BILL LIST

FEBRUARY 19 2015

PAYEE	AMOUNT
PAYROLL ACCOUNT	\$ 95,037.22 4th Payroll

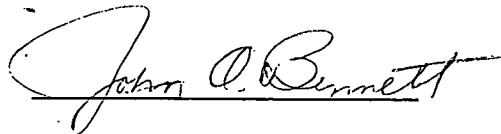
2014 EXPENDITURES

DOG REGISTRY TOTAL	\$ 230.40
ESCROW TRUST TOTAL	\$ 4,425.00
OPEN SPACE TRUST TOTAL	\$ 272.70
TRUST OTHER TOTAL	\$ 5,169.00

2014 VOUCHERS PAID	\$ 140,569.89
2014 VOUCHERS PAID THIS MEETING	\$ 4,914.50
TOTAL	\$ 145,484.39

2015 VOUCHERS PAID	\$ 4,488,583.23
2015 VOUCHERS PAID THIS MEETING	\$ 150,558.17
TOTAL	\$ 4,639,141.40

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


John A. Bennett

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING TAX REFUNDS DUE FOR OVERPAYMENTS**

**Resolution #2015-042
02-19-2015**

WHEREAS, the following property is due a refund due to an overpayment from the property owner's mortgage company as a result of the sale of the property; and

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

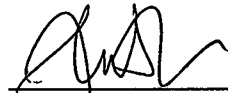
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that the Tax Collector is hereby authorized to refund overpayment due to a double payment from the property owner to the following property owner as follows:

Block 113 Lot 7.01 Corelogic Real Estate Tax Service 2015 \$2,017.37

Block 138 Lot 17 BCM Irrigation Properties LLC 2015 \$ 601.73

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

I certify this to be a true copy of Resolution #2015-042 approved by the Oceanport Borough Council at the Regular Meeting held February 19, 2015



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 26, 2015 WITHIN THE BOROUGH OF OCEANPORT**

**Resolution #2015-043
02-19-2015**

WHEREAS, The New Jersey Marathon has made application for a Special Events Permit to hold the 2015 New Jersey Marathon with a course that includes portions of Borough roadways; and

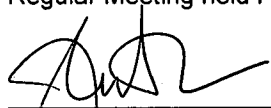
WHEREAS, as required by ordinance the Police Department has reviewed the application and have recommended that the application be approved.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that a Special Events Permit be issued to the New Jersey Marathon for the 2015 New Jersey Marathon to be held April 26, 2015 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: *Kahle* Second: *Trace*

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

I certify this to be a true copy of Resolution #2015-043 approved by the Oceanport Borough Council at the Regular Meeting held February 19, 2015



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #14-00020
FOR BLOCK 133, LOT 31 C0101 KNOWN AS 25 MONMOUTH ROAD, UNIT 1**

**Resolution #2015-044
02-19-15**

WHEREAS, at the Borough Tax Sale held on September 26, 2014, a lien was sold on Block 133 Lot 31 C0101, otherwise known as 25 Monmouth Rd Unit 1; and

WHEREAS, this lien, known as Tax Sale Certificate 14-00020 was sold to US Bank cust for PC 4Firsttrust Bank at an interest rate of 0% and a premium of \$1,200; and

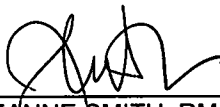
WHEREAS, the owner's mortgage company has redeemed certificate 14-00020 in the amount of \$ 515.12.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$515.12 payable to US Bank cust for PC4 Firsttrust Bank, US Bank Global Corp Trust Serv, 50 S 16th St Suite 2050, Philadelphia PA 19102 for the redemption of Tax Sale Certificate 14-00020.

BE IT FURTHER RESOLVED, that the CFO be authorized to issue a check in the amount of \$1,200 (Premium) to the aforementioned lienholder.

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

I certify this to be a true copy of Resolution #2015-043 approved by the Oceanport Borough Council at the Regular Meeting held February 19, 2015



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
SUPPORTING, RECOGNIZING AND HONORING THE SERVICE
OF LAW ENFORCEMENT OFFICERS**

**RESOLUTION #2015-045
02-19-15**

WHEREAS, recent events throughout our nation have unfortunately demonstrated a disregard for the lives and safety of law enforcement officers; and

WHEREAS, law enforcement officers have become the direct targets of reprisals that have resulted in the assassination of a number of law enforcement officers throughout the country in recent weeks; and

WHEREAS, from combating terror and staking out criminals to patrolling our highways, law enforcement officers maintain stability in our communities, resulting in a more secure nation; and

WHEREAS, law enforcement officers in this state and throughout the nation are routinely called upon to serve and protect their fellow citizens by responding to horrendous events and acting heroically to save the lives of others; and

WHEREAS, it is incumbent upon public officials and the law abiding public to proactively support our law enforcement officers who regularly face threats of violence and danger, and routinely put their lives in jeopardy to defend others, potentially resulting in injury, disability, or even death to keep our neighborhoods safe, enforce the rule of law, protect our property, and to respond in times of crisis.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport in the County of Monmouth, State of New Jersey that they declare their support and solidarity with the men and women who serve as law enforcement officers for their distinctive service and dedicated efforts, earning our highest respect and deepest gratitude, which must be recognized and honored for their selfless and heroic service and invaluable contributions to upholding justice, enforcing the rule of law, and protecting the innocent in Oceanport, the State of New Jersey and in this nation.

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to transmit a certified copy of this Resolution to the Governor, the State legislators representing the Borough of Oceanport and the Board of Chosen Freeholders of the County of Monmouth.

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

I certify this to be a true copy of Resolution #2015-045 approved by the Oceanport Borough Council at the Regular Meeting held February 19, 2015



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
URGING REVENUE SHARING BETWEEN NJ CASINOS, MONMOUTH PARK AND THE
NEW JERSEY HORSERACING INDUSTRY**

**Resolution #2015-046
02-19-15**

WHEREAS, Monmouth Park Racetrack is an historic and integral part of the Borough of Oceanport, the County of Monmouth and State of New Jersey; and

WHEREAS, the horseracing industry has survived and prospered due to the proximity of Monmouth Park to Monmouth County horse farms; and

WHEREAS, the Mayor and Council of the Borough of Oceanport have supported a host of initiatives to ensure the continuation of racing at Monmouth Park including but not limited to sports wagering, off tracking wagering, extensions of racing days and increases of horse racing purses; and

WHEREAS, the Legislature of the State of New Jersey is considering legislation to allow casinos outside of Atlantic City; and

WHEREAS, it is the feeling of the Mayor and Council of the Borough of Oceanport in the event that casinos are permitted to be located outside of Atlantic City, the legislation permitting same shall provide a location at Monmouth Park within the gates of the existing facility; and

WHEREAS, if such a facility is located at Monmouth Park that the Borough of Oceanport shall be entitled to a host fee as a hosting municipality; and

WHEREAS, it is necessary that the legislation to provide extended gambling shall assure that a percentage of the revenues collected shall be dedicated to the support of New Jersey horse racing including establishing purses to be competitive with surrounding states as well as infrastructure of same including New Jersey horse farms and breeders.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oceanport support the expansion of casinos and gambling outside of Atlantic City providing that any expansion will provide a dedicated revenue stream for Monmouth Park Racetrack and support of the horseracing industry in the State of New Jersey.

BE IT FURTHER RESOLVED, that the Borough Clerk shall forward a certified copy of this resolution to Governor Christie, all Monmouth County legislative representatives and the governing bodies of the adjacent municipalities.

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

I certify this to be a true copy of Resolution #2015-046 approved by the Oceanport Borough Council at the Regular Meeting held February 19, 2015.



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #13-00007
FOR BLOCK 55, LOT 4 KNOWN AS 44 MANITTO PLACE**

**Resolution #2015-047
02-19-15**

WHEREAS, at the Borough Tax Sale held on November 15, 2013, a lien was sold on Block 55 Lot 4, otherwise known as 44 Manitto Pl; and

WHEREAS, this lien, known as Tax Sale Certificate 13-00007 was sold to Tower Fund Serv as Cust for Ebury Fund 1 NJ LLC at an interest rate of 0% and a premium of \$1,200; and

WHEREAS, the owner's mortgage company has redeemed certificate 13-00007 in the amount of \$ 1,393.66.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$1,393.66 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 13-00007.

BE IT FURTHER RESOLVED, that the CFO be authorized to issue a check in the amount of \$900 (Premium) to the aforementioned lienholder.

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

I certify this to be a true copy of Resolution #2015-047 approved by the Oceanport Borough Council at the Regular Meeting held February 19, 2015



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AWARDING OF CONTRACT FOR TOWING SERVICES FOR 2015**

**Resolution #2015-048
02-19-2015**

WHEREAS, the Borough of Oceanport has determined there is a need for towing and storage services pursuant to the Chapter 361 of the Code of the Borough of Oceanport; and

WHEREAS, the Police Chief as authorized by ordinance solicited proposals from qualified towers to perform said services to the Borough on a rotating basis; and

WHEREAS; the Police Chief has recommended that Borough towing licenses be awarded to Arties' Custom Styling, Procraft Auto Body and Brothers Towing, John's Auto and Truck Repair, LLC and Central Towing and Recovery for 2015.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport, in the County of Monmouth and State of New Jersey that towing licenses for 2015 be awarded to Arties' Custom Styling, Procraft Auto Body and Brothers Towing, John's Auto and Truck Repair, LLC and Central Towing and Recovery; and

BE IT FURTHER RESOLVED that the Police Chief shall obtain the necessary certificates of insurance from said towing companies.

Motion: *Kahle* Second: *Irace*

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

I certify this to be a true copy of Resolution #2015-048 approved by the Oceanport Borough Council at the Regular Meeting held February 19, 2015



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTING PATROLMAN JOHN WEIR TO PERMANENT STATUS**

**Resolution #2015-049
02-19-15**

WHEREAS, according to the Police Ordinance of the Borough of Oceanport all police officers are classified as probationary for a period of one year beginning with their date of hire; and

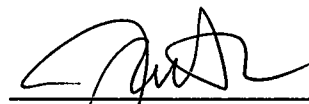
WHEREAS, at the end of that one year period the Chief of Police reviews the performance of said police officer and makes a recommendation to the Mayor and Council as to the status of said police officer; and

WHEREAS, based upon the review of performance of Officer John Weir, the Chief of Police has recommended that said police officer be appointed a permanent officer of the Oceanport Police Department.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that based upon the recommendation of the Chief of Police, John Weir is hereby appointed a permanent police officer.

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 #2015-04
approved by the Oceanport Borough Council at the
Regular Meeting held February 19, 2015



JEANNE SMITH, RMC
BOROUGH CLERK