

**REGULAR MEETING AGENDA  
MAYOR AND COUNCIL  
January 15, 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:
  - #2015-023 1. Resolution authorizing the payment of bills.
  - #2015-024 2. Resolution accepting FEMA Grant for Emergency Shelter Portable Generator Project
  - #2015-025 3. Resolution authorizing redemption of Tax Sale Certificate #14-00007
  - #2015-026 4. Resolution appointing Borough Chaplain
  - #2015-027 5. Resolution authorizing budget appropriation transfers
2. Minutes
  - Approval of the Workshop Minutes of December 18, 2014
  - Approval of the Regular Meeting Minutes of December 18, 2014
  - Approval of the Executive Session Minutes of December 18, 2014
3. Police Report, November 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

1. Introduction of an Amendment to Chapter 103 – Volunteer Incentives

**MAYOR MAHON'S REPORT:**

- #2015-028
  - 1. Appointment to Two Rivers Water Reclamation Authority
  - 2. Fort Monmouth
  - 3. Monmouth Park

**Petitions from the public.**

**Resolution #2015-029 Authorizing the Governing Body to enter into Executive Session for:**  
**Litigation/Potential Litigation – N.J.S.A. 10:4-12(b)(7)**  
Fort Monmouth  
**Potential Property Acquisitions or Sales – N.J.S.A. 10:4-12(b)(5)**  
Fort Monmouth  
**Contract Negotiations – N.J.S.A. 10:4-12(b)(4)**  
Borough Engineer  
Fort Monmouth

**Adjournment.**

## REGULAR MEETING MINUTES

Oceanport, New Jersey  
January 15, 2015

The Regular Meeting of the Oceanport Mayor and Council was called to order on January 15, 2015 at 7:46PM 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.

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

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

**MEMBERS ABSENT:** Councilman Bertekap

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

**#2015-026** Resolution appointing Borough Chaplain

Mayor Mahon asked for unanimous consent from the Council to take Item 4 of consent agenda out of order. He then asked for a motion and a second on Resolution #2014-026 appointing the Borough Chaplain. Motion made by Councilman Paglia and 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.

The Mayor then stated for the record that Reverend Wayne Smith, Retired Colonial, is the Chaplain for the Borough of Oceanport.

**ADMINISTRATOR'S REPORT:** Borough Administrator, John Bennett, had nothing to add to his workshop discussion. The remainder of his report will be delivered during executive session.

### CLERK'S REPORT

#### 1. CONSENT AGENDA:

- #2015-023** 1. Resolution authorizing the payment of bills
- #2014-024** 2. Resolution accepting FEMA Grant for Emergency Shelter Portable Generator Project
- #2014-025** 3. Resolution authorizing redemption of Tax Sale Certificate #14-00007
- separate** 4. Resolution appointing Borough Chaplain
- #2014-027** 5. Resolution authorizing budget appropriation transfers

The Clerk advised that there were 5 items on the consent agenda with Item 4 removed and 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.

2. Approval of the Workshop Minutes of December 18, 2014  
Approval of the Regular Meeting Minutes of December 18, 2014  
Approval of the Executive Session Minutes of December 18, 2014

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

The Clerk called roll:

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

The Clerk stated that the motion carried.

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

4. **#2015-030** Resolution authorizing the placement of Ice Boat Rescue Trailer at Seawaneka Preserve

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.

This resolution had previously been distributed to Mayor and Council. Borough Attorney read the resolution into the record for public purposes.

5. **#2015-031** Resolution authorizing an Amendment to the Temporary Budget

Borough Attorney read the resolution in its entirety. The Clerk asked for a motion which was made by Councilwoman Kahle and seconded by Council President Lynch.

The Clerk called roll:

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

The Clerk stated that the motion carried.

6. **#2015-032** Resolution authorizing the Direct Install Clean Energy Program Grant for Port au Peck Fire House

The Clerk read the resolution by title only then 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.

**7. #2015-033** Resolution awarding a Contract for Health Insurance Broker Consultant

Borough Attorney read the resolution in its entirety. The Clerk asked for a motion which was made by Council President Lynch and seconded by Councilman Paglia.

The Clerk called roll:

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

The Clerk stated that the motion carried.

**8. #2015-034** Resolution awarding a Non-Fair and Open Contract for Grant Writing, Grant Management between Millennium Strategies and the Borough of Oceanport

Borough Attorney read the resolution in its entirety. The Clerk 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.

**COMMITTEE REPORTS:**

**COUNCILMAN BERTEKAP:** Mayor Mahon reported that Councilman Bertekap was unable to attend due to work commitment.

**COUNCILMAN GALLO:** Councilman Gallo had no report.

**COUNCILMAN IRACE:** Councilman Irace stated that this past week, Atlantic City Racecourse has announced its closure. This is another blow to racing in the state of New Jersey. However, he did read that Dennis Drazin (Monmouth Park) may be interested in the purchase or lease of this facility. Events continue to unfold in New Jersey as there is still no secondary gaming in the state. Oceanport continues to be an advocate for Monmouth Park, our largest tax payer.

Borough Administrator Bennett added that he will be setting up a Public Safety Committee meeting in the near future. He also asked that the Fire Chief be notified of the action taken regarding the heat at the Port au Peck Fire House.

**COUNCILWOMAN KAHLE:** Councilwoman Kahle reported on the January meeting of the Environmental Commission and Water Works Committee. The US Army has released its Long Term Ground Water Sampling Report. Testing at various sites on Fort Monmouth shows very

high levels of various metals, chemicals and organic compounds. The report did not include a plan for remediation.

Despite originally stating that they would remove all underground storage tanks, the tanks will not be removed by the Army. By law, they are not required to take out any underground storage tanks unless there is an oil spill. Council President Lynch added that the Army is carved out from the Federal Law requiring removal of such tanks. The Borough needs remain vigilant going forward. We await the remediation report.

Lastly, Councilwoman Kahle has concerns regarding the transfer of ownership from the Army to FMERA. Will FMERA be good stewards of our land and water? She has discussed this with Freeholder Curley and intends to discuss further with other Freeholders

**COUNCIL PRESIDENT LYNCH:** Council President Lynch reported that the Finance Committee met with the Business Administrator and CFO regarding the budget. They are making early progress with the expectation that expenditures will be held to 2% including capital expenditures and other items excluded from the mandatory cap per State Legislation. He expects the Budget to be complete within the next month.

Council President Lynch addressed an article which appeared in the Asbury Park Press regarding legal fees. The article reported that the Borough of Oceanport had approximately \$160,000 in legal fees in 2013. When comparing our numbers to those of surrounding towns, our expenditures appeared rather high. Review by the Borough Administrator revealed that \$70,000 of this was directly attributable to COAH litigation. Additionally, \$15,000 was directly attributable to planning board litigation. Considering the litigation expenses incurred, the Borough's legal expenses fall in line with neighboring towns at \$75,000. The article also indicated that Scott Arnette was the Borough Attorney when, in fact, there was another law firm at the time. Council President Lynch wants it on record that our legal costs are under control, are being watched closely and are down from prior year.

Council President Lynch wanted to thank Councilmen Paglia and Irace, members of Finance and Administration Committee, for their time in trying to balance work, family and committee meetings.

**COUNCILMAN PAGLIA:** Councilman Paglia attended several Finance and Administration Committee Meetings regarding Insurance. He also attended a Site Selection Meeting with Architect Andy Trocchia regarding spatial needs and possible building locations. Lastly, he attended a FMERA Housing meeting on which he will report during executive session.

#### **#941            Introduction of An Ordinance Amending the Volunteer Incentives**

Councilman Paglia called for the introduction of an ordinance amending the Volunteer Incentives 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, AMENDING CHAPTER 103 OF THE CODE OF THE BOROUGH OF OCEANPORT ENTITLED VOLUNTEER INCENTIVES"** 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 February 5, 2015 and to advertise same in accordance with the law. It was seconded by Councilwoman Kahle.

The Clerk called roll:

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

The Clerk stated that the motion carried.

Council President Lynch wished to have the public informed of the architectural findings regarding the square footage and plan to involve the public in the Site Selection process.

Councilman Paglia stated that there are four sites under consideration: Maria Gatta Park, the Teicher Property on Main Street, the existing Borough Hall and Fort Monmouth. They are looking at square footage with and without the library and police station. Square footage requirement with the library and police station would be 22,000 square feet; without would be 10,000 square feet. Discussions include single story vs two story and the additional costs associated with a second story; i.e. elevators. They are very mindful of the current needs as well as future needs and subsequent cost to the taxpayer.

The Architectural firm will come for public presentation of the renderings. Graphics will go on website. Public comments and questions will be accepted at the public meetings and via website. Conceptual renderings were passed around to those present.

Council President Lynch reported that initial request for space was about 40% higher than what we ended up with as a result of the Architect's survey of departments regarding their actual needs. The challenge is to meet the current needs of the borough and anticipate the needs 30 years from now without overburdening taxpayers. Multiuse space is very important. A discussion followed.

Councilwoman Kahle exited at 8:14PM and returned at 8:18PM.

**MAYOR MAHON:**

**#2015-028** Resolution reappointing Catherine D. LaPorta to a five year term to the Two River Water Reclamation Authority.

The Mayor asked for a motion which was made by Councilman Irace and 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.

**Fort Monmouth:** There are several items to be discussed regarding Fort Monmouth. They are subject to negotiations and property acquisitions and will be discussed in executive session; specifically including, a discussion of officers housing.

**Monmouth Park:** We will be requesting the Annual Report from the Thoroughbred Horsemen Association as required under their lease agreement with the New Jersey Sports and Exposition Authority. The Mayor would like to set up a series of meetings with Management of Monmouth Park to make sure that our interaction is more frequent and direct. Council President Lynch was asked to continue as Borough designee. Council President would like to see documents in advance including any changes or amendments to existing documents.

Mayor Mahon reported that the NJSEA voted to close the IZOD for 2 years. Scheduled Events are transferred to Prudential Center in Newark. This is a sign of difficulties being faced.

The Mayor believes there will be a referendum on the November ballot asking voters to approve Casino or Slot machine gambling outside Atlantic City; specifically at the Meadowlands and/or Jersey City. It is imperative that Monmouth Park, as sole location and holder of thoroughbred

licensing in the State of NJ that there be a host fee. It is essential to its survival that there is some sort of profit sharing related to any casino located outside of Atlantic City. The Borough should plan put forth a resolution supporting the protection of Monmouth Park as soon as possible. A discussion followed.

**PUBLIC:**

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

Stuart Briskey, 46 Werah Place, made his annual request that the Summary of the Budget be included in the Bulletin as it had been in prior years.

Mr. Briskey's further commented on the Generator Grant, expressed concern that items obtained via grants be properly maintained, that the maintenance of said items be properly budgeted and the actual maintenance be properly overseen. He then went on to list various items (OEM Boat, Ford 250, and Emergency Alert System) obtained via grant by the Borough that he believes have not been properly maintained. For example, the Emergency Alert System did not work during Super Storm Sandy – the alarm never sounded.

The Mayor indicated that he had addressed the Emergency Alert System concern before but offered to do so again. Mr. Briskey insisted that he'd like a response in writing which he has not received to date. Mayor Mahon responded that his repeated written response to the Emergency Alert System concern is recorded in the minutes of each and every meeting that included this discussion.

The proposed generator, for which the grant was awarded, includes two transfer switches housed in Wolf Hill and Maple Place Schools. The generator will be portable, trailer mounted, with its own fuel supply. It will be located at one school or the other hooked up to the respective transfer switch and will be exercised automatically based upon user established schedule. It will transfer a temporary load each and every time. It will signal electronically to an annunciator panel so we will know when it has failed or needs service.

Mr. Jim Markey, JCP&L, was given the floor. He discussed "The Light of the Future" program whereby JCP&L has expanded substations in preparation for meeting future needs of our communities. He also discussed JCP&L's Lineman Training Program whereby individuals attend alternative training courses and receive JCP&L training over the course of 2 years. After successful completion of the program, they are guaranteed jobs as linemen or substation workers. Lastly, he's always available to answer any questions.

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

**#2015-029** Resolution authorizing the Governing Body to enter into an Executive Session

At 8:37 p.m. the Mayor asked for a motion on **Resolution #2015-029** authorizing the Governing Body to enter Executive Session which was moved by Councilman Gallo, seconded by Councilman Paglia and approved by Council. Mayor Mahon stated for the record, representatives from RPM will be asked to stay for a portion of the discussion.

At 10:12 p.m. Council returned from Executive Session, the regular meeting was reopened and adjourned on a motion by Councilman Irace, seconded by Councilman Gallo and approved by Council.

Respectfully submitted,

  
JEANNE SMITH  
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
AUTHORIZING PAYMENT OF BILL LIST FOR JANUARY 15, 2015**

**RESOLUTION #2015-023  
01-15-15**

**WHEREAS**, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated January 15, 2015.

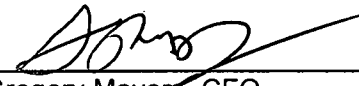
**WHEREAS**, the Governing Body has determined that the bill list as prepared comports with the vouchers submitted by various vendors; and

**WHEREAS**, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of January 15, 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 January 15, 2015 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

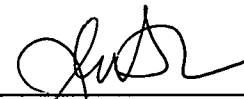
**CERTIFICATION OF FUNDS**

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

I certify this to be a true copy of Resolution #2015-023 approved by the Oceanport Borough Council at the Regular Meeting held January 15, 2015

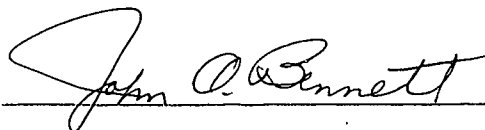
  
\_\_\_\_\_  
JEANNE SMITH, RMC  
BOROUGH CLERK

**BOROUGH OF OCEANPORT  
BILL LIST**

JANUARY 15 2015

| PAYEE                           | AMOUNT                   |
|---------------------------------|--------------------------|
| PAYROLL ACCOUNT                 | \$ 93,399.93 1st Payroll |
|                                 | \$ 99,352.61 2nd Payroll |
| 2014 EXPENDITURES               |                          |
| ADP, Inc                        | \$ 361.02                |
| Comcast Business Solutions      | \$ 1,133.60              |
| Direct Energy                   | \$ 2,008.69              |
| JCPL                            | \$ 3,092.70              |
| NJ American Water               | \$ 5,627.69              |
| NJDMV                           | \$ 60.00                 |
| NJ Natural Gas                  | \$ 4,237.07              |
| USPS                            | \$ 500.00                |
| 2015 EXPENDITURES               |                          |
| Horizon                         | \$ 66,061.06             |
| JIF                             | \$ 103,395.00            |
| CAPITAL TRUST TOTAL             | \$ 39,528.63             |
| DOG REGISTRY TOTAL              | \$ 308.00                |
| ESCROW TRUST TOTAL              | \$ 100.00                |
| OPEN SPACE TRUST TOTAL          | \$ 18,932.50             |
| 2014 VOUCHERS PAID              | \$ 17,020.77             |
| 2014 VOUCHERS PAID THIS MEETING | \$ 76,204.89             |
| TOTAL                           | \$ 93,225.66             |
| 2015 VOUCHERS PAID              | \$ 362,208.60            |
| 2015 VOUCHERS PAID THIS MEETING | \$ 1,806,568.19          |
| TOTAL                           | \$ 2,168,776.79          |

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

  
\_\_\_\_\_

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
ACCEPTING THE HAZARD MITIGATION GRANT PROGRAM (CFDA#97.039)  
FEMA-DR-4086-NJ-0128-R**

**Resolution #2015-024  
01-15-2015**

**WHEREAS** the Oceanport Office of Emergency Management submitted an application to FEMA for the Hazard Mitigation Grant Program for an Emergency Shelter Portable Generator Project; and

**WHEREAS** the NJ Office of Emergency Management whom administers the Grant on behalf of FEMA has issued to Oceanport Office of Emergency Management an award letter for the Emergency Shelter Portable Generator Project; and

**WHEREAS**, the total project cost is \$118,570.00 with a Federal share of \$100,000.00 and a non-Federal share of \$18,570.00 to be made by the Borough of Oceanport.

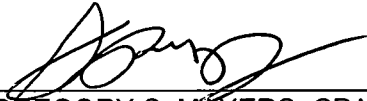
**WHEREAS**, funds are available in the current account as evidenced by the Chief Financial Officer's certification;

**NOW THEREFORE BE IT RESOLVED** by the Council of the Borough of Oceanport that the Borough hereby accepts the aforementioned grant for \$100,000.00 and authorizes the balance of the project costs in the amount of \$18,570.00.

**BE IT FURTHER RESOLVED** by the Council of the Borough of Oceanport authorizes the Mayor and Borough Clerk to execute any documents to effectuate 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 S. MAYERS, CPA, CFO

Motion: *Kahle*

Second: *Gallo*

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

I certify this to be a true copy of Resolution #2015-024 approved by the Oceanport Borough Council at the Regular Meeting held January 15, 2015

  
\_\_\_\_\_  
JEANNE SMITH, RMC  
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #14-00007  
FOR BLOCK 41, LOT 5.03 KNOWN AS 157A COMANCHE DRIVE**

**Resolution #2015-025  
01-15-15**

**WHEREAS**, at the Borough Tax Sale held on September 26, 2014, a lien was sold on Block 41 Lot 5.03, otherwise known as 157A Comanche Dr; and

**WHEREAS**, this lien, known as Tax Sale Certificate 14-00007 was sold to US Bank cust for BV001 Trust at an interest rate of 0% and a premium of \$93,100; and

**WHEREAS**, the owner's mortgage company has redeemed certificate 14-00007 in the amount of \$ 35,067.09.

**NOW, THEREFORE, BE IT RESOLVED** that the CFO be authorized to issue a check in the amount of \$35,067.09 payable to US Bank cust for BV001 Trust, 50 S 16<sup>th</sup> St Suite 2050, Philadelphia PA 19102 for the redemption of Tax Sale Certificate 14-00007.

**BE IT FURTHER RESOLVED**, that the CFO be authorized to issue a check in the amount of \$93,100 (Premium) to the aforementioned lienholder.

Motion: *Kahle* Second: *Gallo*

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

I certify this to be a true copy of Resolution #2015-025 approved by the Oceanport Borough Council at the Regular Meeting held January 15, 2015

  
\_\_\_\_\_  
JEANNE SMITH, RMC  
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
APPOINTMENT OF BOROUGH CHAPLAIN**

**RESOLUTION #2015-026  
01-15-15**

**BE IT RESOLVED**, by Michael J. Mahon, Mayor of the Borough of Oceanport, that the following Borough appointments be made for the year 2015 with the advice and consent of Council as follows:

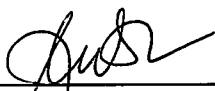
Borough Chaplain

Reverend Wayne Smith, Ret. Col.

Motion: *Paglia*      Second: *Kahle*

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

I certify this to be a true copy of Resolution #2015-026 approved by the Oceanport Borough Council at the Regular Meeting held January 15, 2015

  
\_\_\_\_\_  
JEANNE SMITH, RMC  
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
AUTHORIZING BUDGET APPROPRIATION TRANSFERS**

**RESOLUTION #2015-027  
01-15-15**

**WHEREAS**, it shall become necessary to expend for some of the purposes specified in the Budget an excess of the respective sums appropriated, and

**WHEREAS**, there is an excess in one or more appropriations over and above the amount deemed necessary to fulfill the purposes of such appropriations, and

**WHEREAS**, N.J.S.A. 40A:4-59 provides for transfer of such amounts deemed in excess, to appropriations in the amount of which are deemed insufficient to fulfill the purpose of such appropriations; and

**WHEREAS**, the transfers about to be authorized do not affect an appropriation to which or from which transfers are prohibited under the statutes.

**NOW, THEREFORE BE IT RESOLVED** the following transfers between appropriations be authorized pursuant to N.J.S.A. 40A:4-59:

|                           |                  |
|---------------------------|------------------|
| <b>FROM:</b>              |                  |
| Police S&W                | 14,000.00        |
|                           | <u>14,000.00</u> |
| <b>TO:</b>                |                  |
| Legal Services & Costs OE | 10,000.00        |
| Natural Gas               | 4,000.00         |
|                           | <u>14,000.00</u> |

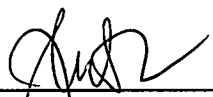
**BE IT FURTHER RESOLVED** that a copy of this resolution be filed forthwith with the Borough Chief Financial Officer.

Motion: *Kahle*

Second: *Gallo*

I certify this to be a true copy of Resolution #2015-027 approved by the Oceanport Borough Council at the Regular Meeting held January 15, 2015

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

  
\_\_\_\_\_  
JEANNE SMITH, RMC  
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
APPOINTMENT OF REPRESENTATIVE TO THE  
TWO RIVERS WATER RECLAMATION AUTHORITY**

**Resolution #2015-028  
01-15-15**

**WHEREAS**, the Borough of Oceanport is a member of the Two Rivers Water Reclamation Authority by virtue of the provisions of Ordinance #242 adopted August 5, 1965; and

**WHEREAS**, it is necessary to appoint members to the Two Rivers Water Reclamation Authority to represent the Borough for a five (5) year term in accordance with the provisions of N.J.S.A. 40:14A- et seq.; and

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

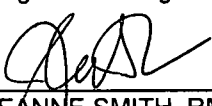
1. That Catherine LaPorta be and is hereby appointed to be a member of the Two Rivers Water Reclamation Authority for a five (5) year term commencing February 1, 2015 and ending January 31, 2020.
2. That a certified copy of this resolution shall be filed with the Office of the Secretary of State and a copy forwarded to the Two Rivers Water Reclamation Authority.

Motion: *Irace*

Second: *Kahle*

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

I certify this to be a true copy of Resolution #2015-028 approved by the Oceanport Borough Council at the Regular Meeting held January 15, 2015.

  
\_\_\_\_\_  
JEANNE SMITH, RMC  
BOROUGH CLERK

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

**Resolution #2015-029  
01-15-2015**

**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/Potential Litigation – N.J.S.A. 10:4-12(b)(7)**  
Fort Monmouth

**Potential Property Acquisitions or Sales – N.J.S.A. 10:4-12(b)(5)**  
Fort Monmouth

**Contract Negotiations – N.J.S.A. 10:4-12(b)(4)**  
Borough Engineer  
Fort Monmouth

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

Motion: *Gallo*

Second: *Paglia*

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

I certify this to be a true copy of Resolution #2015-029 approved by the Oceanport Borough Council at the Regular Meeting held January 15, 2015.

  
\_\_\_\_\_  
JEANNE SMITH, RMC  
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
AUTHORIZING ICE RESCUE TRAILER TO BE  
POSITIONED IN THE SEAWANEKA**

**Resolution #2015-030  
01-15-15**

**WHEREAS**, numerous residents and non-residents utilize the access to the river at Seawaneka Preserve for the launching of ice boats; and

**WHEREAS**, the presence of ice boats on the river necessitate having an ice rescue trailer readily available to assure the safety of those utilizing the ice boats; and

**WHEREAS**, the Long Branch Ice Boat & Yacht Club has advised that they are willing to leave their ice rescue trailer at the launch site for quick access to the ice to assure safety; and

**WHEREAS**, said offer will help to assure the safety for those utilizing the Seawaneka Launch.

**WHEREAS**, the Seawaneka Preserve was area acquired by the Borough with Green Acres funds and therefore mandates accessibility by residents and no-residents alike; and

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Oceanport hereby authorizes the Long Branch Ice Boat & Yacht Club to stage their ice rescue trailer at the Seawaneka Preserve launch under the following conditions:

1. When the ice on the river is safe for ice boats to be present
2. No utility connections shall be permitted
3. The area around the trailer shall be kept free of litter and trash
4. The trailer shall be removed whenever the river does not have ice sufficient to support ice boating activity.

Motion: *Kahle*      Second: *Gallo*

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

I certify this to be a true copy of Resolution #2015- 030  
approved by the Oceanport Borough Council at the  
Regular Meeting held January 15, 2015

  
\_\_\_\_\_  
JEANNE SMITH, RMC  
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
ESTABLISHING AMENDING THE TEMPORARY BUDGET**

**Resolution #2015- 031  
01-15-15**

**WHEREAS**, N.J.S.A. 40A:4-19 provides that the Governing Body may, and if any contracts, commitments or payments are to be made prior to the adoption of the Budget shall by resolution adopted prior to January 31<sup>st</sup> of the fiscal year, make appropriations to provide for the period between the beginning of the fiscal year and the adoption of the Budget.

**NOW, THEREFORE, BE IT RESOLVED** that the following temporary appropriations be made for the year 2015:

| <u>APPROPRIATIONS</u>                                                 | <u>SALARIES<br/>&amp; WAGES</u> | <u>OTHER<br/>EXPENSES</u> |
|-----------------------------------------------------------------------|---------------------------------|---------------------------|
| NJ Office of Clean Energy<br>Direct Install Program<br>Matching Funds | \$                              | \$ 24,413.51              |

Motion: *Kahle*

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 #2015- 031  
approved by the Oceanport Borough Council at the  
Regular Meeting held January 15, 2015

*[Signature]*  
\_\_\_\_\_  
JEANNE SMITH, RMC  
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
ACCEPTING THE NJ CLEAN ENERGY DIRECT INSTALL PROGRAM PROPOSAL  
TO UPGRADE LIGHTING AND HVAC SYSTEM FOR THE  
PORT AU PECK FIREHOUSE AT 433 MYRTLE AVENUE**

**RESOLUTION #2015-032  
01-15-15**

**WHEREAS**, the Borough of Oceanport desires to accept the proposal from the NJ Office of Clean Energy Direct Install Program in the amount of \$81,378.37 for the purpose of replacing and upgrading the lighting and HVAC system in the Port Au Peck Firehouse located at 433 Myrtle Avenue; and

**WHEREAS**, the Borough of Oceanport has previously conducted and completed an Energy Audit through the Office of Clean Energy; and

**WHEREAS**, the Direct Install Program through the Office of Clean Energy will subsidize 70% of the cost of the total amount proposed, equaling \$56,964.86; and

**WHEREAS**, the Borough of Oceanport accepts the responsibility to pay the balance of \$24,413.51 to the pre-qualified state contractor, Lime Energy, to complete all the work detailed in the proposed scope of work, presented to the Borough's administration on December 16, 2014.

**NOW THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Oceanport, County of Monmouth and State of New Jersey on this 15<sup>th</sup> day of January, 2015, that upon notice of the New Jersey Office of Clean Energy, the Borough of Oceanport herewith accepts the award of the Direct Install grant.

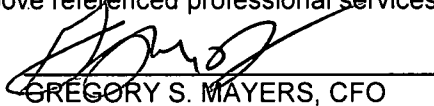
**BE IT FURTHER RESOLVED**, that the Borough of Oceanport is authorized to enter into a contract with Lime Energy pursuant to the proposal received for said services.

**BE IT FURTHER RESOLVED**, that the Mayor and Clerk are hereby authorized to sign any and all documents necessary to effectuate the intentions of the within Resolution – including but not limited to, the Contract.

**BE IT FURTHER RESOLVED** that the within Resolution shall be subject to the Borough CFO confirming that funds are 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, Gregory S. Mayers, Chief Financial Officer of the Borough of Oceanport, have ascertained that there are sufficient uncommitted funds in the 2015 Temporary Budget not to exceed \$24,413.51 for the above referenced professional services contract.

  
GREGORY S. MAYERS, CFO

Motion: *Kahle*      Second: *Irace*

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

I certify this to be a true copy of Resolution #2015-032 approved by the Oceanport Borough Council at the Regular Meeting held January 15, 2015

  
JEANNE SMITH, RMC  
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
RESOLUTION AUTHORIZING THE AWARD OF A  
CONTRACT FOR HEALTH INSURANCE BROKER/CONSULTANT**

**Resolution #2015-033  
01-15-15**

**WHEREAS**, the Borough of Oceanport will require the services of a Health Insurance Broker/Consultant during 2015; and

**WHEREAS**, the Borough Council of the Borough of Oceanport adopted Ordinance #782 on December 2, 2004, pursuant to N.J.S.A. 19:44A-20.4, et. seq., known as the "New Jersey Campaign Contributions and Expenditures Reporting Act"; which established a fair and open process for the award of certain contracts with a value in excess of \$17,500.00 per year, where those contracts are not subject to public bidding or competitive contracting under the New Jersey Public Contracts Law; and

**WHEREAS**, Requests for Proposals were received on January 13, 2015 from the following:

Alamo Insurance Group  
Connor Strong & Buckelew  
Brown & Brown Benefit Advisors  
Fairview Insurance Agency  
UHY Advisors

**WHEREAS**, the Council Finance & Administration Committee has reviewed and evaluated the proposals and evaluated any proposal on the basis of being the most advantageous to the Borough of Oceanport, price and other factors being considered; and

**WHEREAS**, the evaluation considered, as to each proposal:

1. Experience and reputation in the field;
2. Knowledge of the subject matter of the services to be provided to the Borough;
3. Compensation proposal;
4. Compliance with the minimum qualifications established by the Borough;
5. Other factors determined to be in the best interest of the Borough.

**NOW THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Oceanport authorizes the Mayor and Clerk to enter into a contract with:

1. Connor Strong Buckelew is hereby appointed Borough's Health Insurance Broker/Consultant for the year 2015 and shall provide a Professional Services Contract.

2. A summary of the above shall be published in the official newspaper as required by law within ten (10) days of its passage.

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

I certify this to be a true copy of Resolution #2015-033 approved by the Oceanport Borough Council at the Regular Meeting held January 15, 2015

Jeanne Smith  
JEANNE SMITH, RMC  
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
AWARDING A NON-FAIR AND OPEN CONTRACT FOR  
GRANT WRITING/GRANT MANAGEMENT BETWEEN  
MILLENNIUM STRATEGIES AND THE BOROUGH OF OCEANPORT**

**RESOLUTION #2015- 034  
01-15-15**

**WHEREAS**, the Borough of Oceanport has a need to retain grant writing and grant management consulting services by means of a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.B; and,

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

**WHEREAS**, the anticipated term of this contract is one (1) year and may be extended one (1) time as approved by this governing body; and

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

**WHEREAS**, Millennium Strategies has submitted two (2) proposals dated December 22, 2014:

1. Proposal for grant writing consulting services for a retainer of \$1,500 per month
2. Proposal for experienced FEMA Public Assistance Consulting and Management of the Borough's FEMA Project Worksheet 1424

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

1. Millennium Strategies be and is hereby appointed as Grant Writing and FEMA Public Assistance Consultants for the year 2015 for an amount not to exceed \$60,000.
2. Millennium Strategies is prohibited from making any contribution to a political or candidate committee during the term of this appointment.
3. The Mayor and Borough Clerk are hereby authorized to enter into a contract on behalf of the Borough of Oceanport.

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

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

Motion: *Kahle*      Second: *Irace*

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

I certify this to be a true copy of Resolution #2015-034 approved by the Oceanport Borough Council at the Regular Meeting held January 15, 2015

  
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JEANNE SMITH, RMC  
BOROUGH CLERK