



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

AGENDA • JANUARY 1, 2022

Reorganization Meeting

Clement V. Sommers Municipal Building

12:00 PM

910 Oceanport Way, Oceanport, NJ 07757

1. **Meeting Called to Order**

2. **Statement of Compliance with the Open Public Meetings Act:** This meeting complies with the Open Public Meetings Act by adequate and electronic notification on December 16, 2021 of this meeting and its location, date and time to the Asbury Park Press and Two River Times and by the posting of same on the municipal bulletin board and Borough's Web Site.

3. **Flag Salute**

4. **Invocation**

5. **Clerk's Certificate of Election and Administrates Oaths of Office to**

Michael O'Brien	COUNCILMAN	3-year term	Term Expiring 12/31/23
William Deerin	COUNCILMAN	3-year term	Term Expiring 12/31/23

6. **Roll Call of the 2022 Governing Body**

7. **Mayor Coffey's Greeting**

8. **Election of Borough Council President**

1. Resolution appointing Class III Member to the Planning Board

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

1. Resolution Electing Borough Council President

10. **Borough Council Adoption of 2022 ByLaws**

1. Resolution adopting the Borough ByLaws for CY2022

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

1. Resolution appointing 2022 Borough Council Committees

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

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

Patricia Cooper	Class I	1yr Term
James Whitson	Class IV	4yr Term
Michael Dailey	Class IV	4yr Term
Leslie B. Widdis	Alternate I	Unexpired Term ending 12/31/22
Michael Savarese	Alternate 2	2yr Term

The **PLANNING BOARD** is now composed of the following members:

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

John Kahle	Class IV	4yr Term expiring 12/31/24
James Whitson	Class IV	4yr Term expiring 12/31/25
Michael Dailey	Class IV	4yr Term expiring 12/31/25
Leslie B. Widdis	Alternate 1	2yr Term expiring 12/31/22
Michael Savarese	Alternate 2	2yr Term expiring 12/31/23

13. Mayor Coffey's Appointments to the Environmental Commission

BE IT RESOLVED that Mayor Coffey makes the following appointments to the Environmental Commission:

Robert Broege	3yr Term expiring 12/31/24
Bruce Lane	3yr Term expiring 12/31/24
Thomas Cox	3yr Term expiring 12/31/24
Jack L. Harris	1yr Term expiring 12/31/22

The **ENVIRONMENTAL COMMISSION** is now composed of the following members:

Joseph Foster	1yr Term expiring 12/31/22
Jack L. Harris	1yr Term expiring 12/31/22
Patricia Cooper	2yr Term expiring 12/31/23
Richard Gruskos	2yr Term expiring 12/31/23
Robert Broege	3yr Term expiring 12/31/24
Bruce Lane	3yr Term expiring 12/31/24
Thomas Cox	3yr Term expiring 12/31/24
Vacant	Alter #1 Term expiring 12/31/22
Vacant	Alter #2 Term expiring 12/31/22

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

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

15. FIRST AID SQUAD 2022 Officers

The Mayor and Council recognize the following First Aid Officers for 2022.

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

16. FIRE DEPARTMENT 2022 Officers

The Mayor and Council recognize the following Fire Department Officers for 2022.

1. 2nd Assistant Chief, Joseph Wolfe
2. 1st Assistant Chief, Thomas Gallo
3. CHIEF, Francis Lippolis

17. Acknowledgment of Outgoing Chief Paul Van Brunt

18. Consent Agenda

All items listed under Consent Agenda, are considered routine by the Borough Council and will be enacted by one motion in the form listed below. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and considered separately. There will be one motion for all items listed.

1. Resolution fixing date, time and place of the Governing Body meetings
2. Resolution designating the official newspapers for Borough advertising

3. Resolution approving the 2022 temporary budget
4. Resolution setting a fee schedule for various miscellaneous administrative items
5. Resolution designating depositories
6. Resolution authorizing the signature of checks
7. Resolution approving a Cash Management Plan and Investment Policy
8. Resolution permitting prepayment of certain items
9. Resolution authorizing a tax grace period and interest on delinquent taxes
10. Resolution authorizing the Tax Collector to cancel small balances
11. Resolution authorizing the annual tax sale
12. Resolution of Police Department Appointments
13. Resolution setting fees for extra duty assignments for 2022
14. Resolution awarding contract for 2022 Towing Services
15. Resolution authorizing participation in the 1033 LESA program for 2021
16. Resolution appointments to Boards & Committees
17. Resolution re-appointing Django Wiegers as Fire Subcode Official
18. Resolution appointing 2021 Borough Officials
19. Resolution appointing a Public Agency Compliance Officer
20. Resolution appointing Community Development Representatives
21. Resolution appointing Clean Communities Coordinator
22. Resolution appointing an ADA Coordinator for CY2022
23. Resolution appointing Designated Employer Representative for CDL requirements
24. Resolution appointing Fire Police members
25. Resolution appointing a Municipal Prosecutor
26. Resolution appointing a Borough Attorney
27. Resolution appointing a Borough Auditor
28. Resolution appointing a Bond Counsel
29. Resolution appointing a Borough Engineer
30. Resolution appointing a Borough Planner
31. Resolution appointing Special Projects Engineer(s)
32. Resolution appointing Special Counsel for Redevelopment
33. Resolution awarding contract for Special Counsel for Affordable Housing
34. Resolution authorizing limited waiver of alcoholic beverage hours – Monmouth Park

19. Borough Council Remarks

1. Councilman William Deerin
2. Councilman Richard Gallo
3. Councilman Bryan Keeshen
4. Councilman Michael O'Brien
5. Councilman Thomas J. Tvrdik
6. Councilwoman Meghan Walker

20. Mayor Remarks

21. Petitions from the Public

22. Adjournment

**RESOLUTION OF THE BOROUGH OF OCEANPORT APPOINTMENT OF CLASS III MEMBER
TO THE PLANNING BOARD FOR THE PERIOD JANUARY 1, 2022 TO DECEMBER 31, 2022**

Resolution

BE IT RESOLVED, by the Council of the Borough of Oceanport, that Thomas J. Tvrdek is hereby appointed to serve as the Class III Member/Council Liaison on the Oceanport Planning Board.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
ELECTING THE 2022 BOROUGH COUNCIL PRESIDENT**

Resolution

BE IT RESOLVED, by the Borough Council of the Borough of Oceanport, in the County of Monmouth, that
_____ be and is hereby elected Borough Council President for 2022.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
ADOPTING THE BOROUGH BYLAWS FOR CY2022**

Resolution

WHEREAS, the rules of procedure and of substance of the Mayor and Council of the Borough of Oceanport have been primarily dictated by Title 40 and 40A of the revised New Jersey Statutes and other requisite statutes; and

WHEREAS, the Mayor and Council of the Borough of Oceanport adopted By-Laws which provide a foundation for a delineation of practice and procedure as well as responsibilities and authority of the Mayor and Council of the Borough of Oceanport, both as mandated by the State law covering the operation of Boroughs (N.J.S.A. 40A:60-1, et seq.) and as local practice determines; and

WHEREAS, pursuant with Article 14, Section 2 of the Borough's ByLaws, the Council shall adopt ByLaws at its annual reorganization meeting,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport, Monmouth County, New Jersey that the By-Laws last amended February 21, 2019 as attached hereto be adopted for the year 2022.

BOROUGH OF OCEANPORT BY-LAWS FOR CY2022

ARTICLE I - RULES OF ORDER

The deliberations of the Council shall be governed by “Roberts Rules of Order”, except when the same are in conflict with the laws of the State of New Jersey or these By-laws, in which even said Roberts Rules of Order shall be inapplicable.

ARTICLE 2 – THE GOVERNING BODY

Section 1. The Mayor and six Council members shall constitute the Governing Body of the Borough of Oceanport, which Governing Body shall be known as “The Mayor and Council”.

ARTICLE 3 – THE MAYOR

Section 1. The Mayor shall be the chief executive officer of the Borough. The Mayor shall also participate in the determination of Borough affairs to the extent permitted by statute.

Section 2. The Mayor shall see that the laws of the State of New Jersey and the ordinances of the Borough are faithfully executed and shall recommend to the Council such measures, as the Mayor may deem necessary or expedient for the welfare of the Borough.

Section 3. The Mayor shall use his or her authority to maintain peace and good order in the Borough and has the power to suppress all riots and tumultuous illegal assemblies in the Borough.

Section 4. The Mayor shall have the authority to execute contracts in behalf of the Borough, approved by the Council, and to sign checks and warrants or payments approved by the Council.

Section 5. The Mayor shall preside at all meetings of the Governing Body.

Section 6. The Mayor shall not vote except in the case of a tie among those Council Members voting.

Section 7. The Mayor shall on all occasions preserve the order and decorum at the deliberations of the Council. The Mayor shall cause the removal of any persons who interrupt the proceedings of the Governing Body.

Section 8. When two or more Council members arise or attempt to speak at the same time, the Mayor shall name the one entitled to the floor and recognition.

Section 9. The Mayor shall decide all questions of order without debate, subject to an appeal to the Council.

Section 10. In the absence of the Mayor or if the Mayor is unable to perform his or her duties, the Council President (or, in his or her inability to act, the Council member having the longest term of service) shall act as Mayor as provided by Statute.

Section 11. The Mayor shall be an ex officio member of all committees, both standing and special and shall be informed in advance of all meetings of such committees.

ARTICLE 4 – THE COUNCIL

Section 1. The Council shall be the legislative body of the municipality.

Section 2. The Council may, subject to general law and the provisions of this act:

- (1) Pass, adopt, amend and repeal any ordinance or, where permitted, any resolution for any purpose required for the government of the municipality or for the accomplishment of any public purpose for which the municipality is authorized to act under general law;
- (2) Control and regulate the finances of the municipality and raise money by borrowing or taxation;
- (3) Create such offices and positions as it may deem necessary. The officers appointed thereto shall perform the duties required by law and the ordinances of the Council. Other than the borough attorney, engineer, and building inspector, these officers shall be residents of the borough and shall serve at the pleasure of the Council, except the Clerk, who also shall be exempt from the borough residency requirement, the Tax Collector and Tax Assessor who shall serve for terms provided in Chapter 9 of Title 40A of the New Jersey Statutes. The Council may exempt officers from the residency requirements but only pursuant to the adoption of an ordinance to that effect;
- (4) Investigate any activity of the municipality;
- (5) Remove any officer of the municipality, other than those officers excepted by law, for cause; and
- (6) Override a veto of the Mayor by a two-thirds majority of all the members of the Council.

Section 3. The Council shall have all the executive responsibilities of the municipality not placed, by general law or this act, in the office of the Mayor.

Section 4. The Council, whenever it fails to confirm the nomination by the Mayor of any official to a subordinate office of the Borough within 30 days of being presented such nomination, shall make the appointment to that office, provided that at least three affirmative votes shall be required for such purpose, the Mayor to have no vote thereon except in the case of a tie.

ARTICLE 5 – THE BOROUGH CLERK

Section 1. The Clerk shall perform the duties enjoined upon that office by the Revised Statute of New Jersey, these By-laws and such ordinances as the Council may, from time to time, enact.

Section 2. The Clerk shall keep the minutes and ordinance books properly and fully indexed and shall perform all the duties usually devolving upon such officer; and in addition, such other duties or services as Council may require or direct.

Section 3. Upon the introduction of an ordinance, the same shall be properly numbered and recorded at length by the Borough Clerk in the Ordinance Book. The assigned number shall appear in the advertisement of such ordinance.

Section 4. The Clerk shall be the Borough employee responsible for responding to all lawful requests under the New Jersey Open Public Records Act.

ARTICLE 6 – BOROUGH ADMINISTRATOR

Section 1. The Borough Administrator shall perform such duties as are set forth in Chapter 5 and as set forth in other Chapters of the Code of the Borough of Oceanport as required by ordinance.

Section 2. The Borough Administrator need not reside in the Borough of Oceanport but must be a resident of New Jersey.

Section 3. The Borough Administrator serves at the pleasure of the Mayor and Council and carries out the policies of the Mayor and Council.

Section 4. Nothing in this Article shall derogate from or authorize the Administrator to exercise powers of the elected officials of the municipality.

ARTICLE 7 – MEETINGS

Section 1. The Council shall hold an annual meeting during the first seven (7) days of January of any year, which meeting will be held within the Borough and at such time and place as Council may by resolution direct.

Section 2. At the annual meeting of the Governing Body, the Council shall elect one of its members as Council President to serve for one year and until the next annual meeting and fix the time and place for holding regular and workshop meetings during the ensuing year, which time and place shall not be changed except by the action of the Borough Council taken at a regular meeting. Public notice of the aforesaid meetings schedule and any revision thereto shall be provided in accordance with the Open Public Meetings Act.

Section 3. The Mayor shall, when necessary, call special meetings of the Council. In case of the Mayor's neglect or refusal to do so, any four members of the Council may call such meeting at such time and place in the Borough as they may designate. Public notice of a special meeting shall be provided in accordance with the Open Public Meetings Act.

Section 4. A quorum of the Council shall be as provided by Statute, to wit: three Council Members and the Mayor, and, in the absence of the Mayor, four Council Members. However, a small number of the Governing Body may meet, discuss and adjourn from time to time, but in no event may they take any official action as a Governing Body in the absence of a quorum.

Section 5. The order of business at any meeting as set forth in Article 8 may be changed by a majority vote of the members of the Council present at such meeting or by the Mayor with consent of the Council.

Section 6. Upon demand of one member of the Council or when ordered by the Mayor, or when directed by Statute, a roll call vote shall be taken and yeas and nays entered in the Minutes of the meeting.

Section 7. If the Council at its annual meeting fails to elect a President of the Council, the Mayor shall appoint the President from the Council and in that case no confirmation by the Council shall be necessary.

Section 8. The only business which can be transacted at a special meeting is that for which the special meeting is called.

Section 9. The Clerk shall notify the Council, in writing or by email through the Borough email addresses for each Council Member, of each special meeting, stating the subject, at least one day before the time fixed for holding same.

ARTICLE 8 – AGENDA

Section 1.

A. The following order of business shall be observed:

1. Meeting called to order
2. Statement of Compliance with Open Public Meetings Act

3. Flag Salute
4. Invocation
5. Roll Call
6. Administrator's Report
7. Clerk's report
Minutes, payment of bills, resolutions
8. Committee reports
9. Petitions from the public
10. Adjournment (or where appropriate Motion to go to
closed session)
11. Closed session where appropriate.
12. Adjournment

B. The aforesaid order of business at any meeting may be changed by a majority vote of the members of the Council present at such meeting or at the discretion of the Mayor.

Section 2. An agenda for each meeting of the Council shall be prepared by the Clerk in consultation with the Mayor and provide the specific order of business and action for that particular meeting. The Clerk will accept the agenda items only as submitted by appropriate Chairpersons of standing Council committees, the Mayor, the Council President, the Administrator, the Chief Financial Officer, Municipal Attorney or Municipal Engineer.

Section 3. Agenda items shall be submitted to the Clerk by the end of business on the seventh (7th) calendar day before a workshop or regular meeting and a printed agenda shall be provided to the Governing Body and be available to the general public by the close of business on the sixth (6th) calendar day before a workshop or regular meeting. (By way of example, if a meeting is scheduled for a Thursday, the agenda should be completed and distributed by the preceding Friday.) In the event that exigent circumstances prevent issuance of an agenda on the sixth (6th) calendar day before a meeting, it shall be issued as soon thereafter as possible. Any item may be added to the agenda of any meeting by vote of a majority of the Council members present during the meeting.

Section 4. The Council, by majority vote, may adopt at any meeting a time limitation of public comment in terms of a time limit for each member of the public and an hour at which public comment will be terminated.

Section 5. Any member of the public wishing to speak a second time or more will only be recognized after all members of the public wishing to be heard for a first time have been recognized.

Section 6. Prior to being allowed to address the Governing Body, a person addressing the Governing Body shall step up to the microphone, face the Governing Body and provide his or her name and address.

ARTICLE 9 – STANDING COMMITTEES

Section 1. The Mayor shall appoint all Standing Committee members subject to the approval and concurrence of the majority of the Council. The Mayor shall have no vote in any such committee appointment except in the case of a tie vote and then only for the purpose of breaking such tie vote. Should a majority of the Council not concur in the appointment by the Mayor of any Council member to any committee, the Council members, by majority, shall make such appointment.

Section 2. The following Standing Committees of the Council shall be appointed at the annual meeting:

- | | |
|--------------------------------|---|
| 1. FINANCE & ADMINISTRATION: | Finance, Administration, Capital Improvement, Insurance |
| 2. HEALTH & HUMAN SERVICES: | Health, Education, Coastal Drug Alliance, Water Watch, Environmental Commission |
| 3. PARKS & RECREATION: | Parks and Recreation, Shade Tree, Seniors, Public Information, Special Events |
| 4. PLANNING & DEVELOPMENT: | Planning Board, Economic Development, Ordinances, Utilities, Construction |
| 5. PUBLIC SAFETY: | Police, Fire, First Aid, OEM |
| 6. PUBLIC WORKS & ENGINEERING: | Buildings & Grounds, Public Works, Engineering, Sanitation, Recycling |

Section 3. Each Councilperson shall be the Chairperson of one Standing Committee and a member of two other Standing Committees named in this article.

Section 4. The Standing Committees are appointed to expedite and facilitate the work of the Council, but only within statutory limits as the entire Council is held responsible for any or all of its acts performed within the scope of authority.

A. A Standing Committee Shall:

1. Meet when requested by the Chairperson, or a majority of the committee, and all members thereof shall participate actively in the committee deliberation, performance of duties and the formulation of its recommendations to Council.
2. Plan, study, direct, make commitments within budgetary limitation, and carry on the routine activities for which it has primary responsibility.
3. Perform such acts as may be assigned to it by Council.
4. Report and make recommendations to the Council regarding its responsibilities and activities.

B. Except as provided above, a Standing Committee shall not:

1. Exceed its budgetary appropriations without prior approval of the Council.
2. Make promises or commitments to anyone which directly, or by inference, bind the Council.
3. Act in such a manner or make decisions, which set a precedent, or violate established Council policy.

Section 5. The Mayor or Council, or both, may appoint special Committees for purposes other than those included in the duties of the Standing Committees.

Section 6. The Mayor and Council may change existing Committee assignments and or Council liaison when it is in the best interest of the Borough to do so.

Section 7. The Chairperson of each Standing or Special Committee shall be prepared to report to the Mayor and Council at each regular meeting on principal activities and achievements of his or her committee.

ARTICLE 10 – DUTIES OF STANDING COMMITTEES OF THE COUNCIL

A Standing Committee shall function as an advisory body to the Council as a whole in reviewing policy matters referred to them by the Council, and such other

matters as the Council, by simple majority vote, may direct. A Standing Committee, within its respective areas of responsibility, shall formulate recommendations to the Council regarding action proposed to be taken in general. The purpose of each Standing Committee shall be to review matters within the subject areas set forth below. Each Standing Committee shall have primary responsibility for the activities and matters listed under each committee heading which shall include the administration, practices, procedures and records.

Section 1. FINANCE AND ADMINISTRATION

The Finance and Administration Committee is generally charged with the duty of overseeing Finance, Administration, Capital Improvements and Insurance and, specifically shall:

- A. Examine, audit and report upon all bills and demands referred to them and render a report when requested by Council, on the financial condition of the Borough and approve all categories of bills for payments.
- B. Coordinate the annual fiscal budget (operational and capital) process as follows:
 - 1. Council names the Finance and Administration Committee at the Reorganization Meeting, which includes three (3) members of Council.
 - 2. Chief Financial Officer works with Department Heads to determine budgetary needs.
 - 3. Members of the Committee will coordinate the financial information with the Chief Financial Officer throughout the budget process.
 - 4. Committee and Chief Financial Officer finalize budget and share proposed budget with all Council members.
- C. Serve as liaison between the Council and the Registered Municipal Accountants.
- D. Maintain, review and, as necessary, revise all insurance coverage of the Borough.
- E. Investigate and review services that can be shared with other surrounding towns.
- F. Assist with obtaining grants in order to fund projects.

- G. Compile and review requests and information from all relevant Standing and/or other committees and recommend capital projects to Council.
- H. Participate in the negotiation and recommend for approval/denial all collectively negotiated bargaining agreements on behalf of the Borough.

Section 2. HEALTH AND HUMAN SERVICES

The Health and Human Services Committee is generally charged with the duty of overseeing matters pertaining to Health, Education, the Coastal Drug Alliance, the Water Watch Committee and the Environmental Commission and, specifically, shall:

- A. Serve as a liaison between the Council and the Oceanport Board of Education and Shore Regional Board of Education.
- B. Serve as liaison between the Council and the Coastal Drug Alliance and the Shore Regional Alliance.
- C. Serve as liaison between the Council and the Water Watch, Environmental Commission, Flood Mitigation Committee and/or with any other such agencies or associations concerned with the preservation and improvements of the waterways within and surrounding the Borough.
- D. Serve as liaison between the Council and the County Board of Health.
- E. Review documentation and make recommendations to the Council pertaining to technological advancements, information technologies and communication technologies to which the Borough should avail itself.
- F. Serve as liaison between the Oceanport Library Association, County Library and the Council.

Section 3. PARKS AND RECREATION

The Parks and Recreation Committee is generally charged with the duty of overseeing matters pertaining to Parks and Recreation, Shade Trees, Senior Citizens, Public Information and Special Events and, specifically, shall:

- A. Oversee and coordinate the maintenance, management and operation of all parks and playgrounds within the Borough.

- B. Serve as liaison to all Recognized Sports Organizations within the Borough.
- C. Oversee and coordinate recreation activities sponsored or conducted by the Borough including seasonal programs and Summer Action Camp.
- D. Serve as a liaison between the Council and such groups or associations serving Senior Citizens that may exist in the Borough.
- E. Oversee, plan and sponsor programs and activities designed to benefit all senior citizens residing in the Borough.
- F. Oversee and coordinate the purchase, removal and placement of trees in and along the public Right of Way and upon such other public property as Council may approve.
- G. Publish and distribute a bulletin containing current events and activities in the Borough and such items of interest or concern to the residents as well as the publication of the Borough Directory.
- H. Oversee, plan and coordinate Memorial Day, Veterans Day, End of Summer and other Borough events/activities.
- I. Review and make recommendations regarding the budgets of projects, programs, departments and functions under its jurisdiction.

Section 4. PLANNING & DEVELOPMENT

The Planning & Development Committee is generally charged with the duty of overseeing matters pertaining to the Planning Board, Economic Development and Construction and, specifically, shall:

- A. Serve as liaison between the Planning Board and Council.
- B. Make recommendations to the Council for the preparation, enactment, updating and/or codification of ordinances and/or Borough procedures and/or policies pertaining to zoning and planning, development, subdivision control, site plan approval, building codes and construction.
- C. Keep the Council informed on matters affecting Zoning and Planning related to the Borough, adjacent municipalities and County and State governments.

- D. Serve as liaison to the Department of Community Affairs regarding the development and grants for community projects.
- E. Provide and encourage the development and expansion of local trade and industries.

Section 5. PUBLIC SAFETY

The Public Safety Committee is generally charged with the duty of overseeing matters pertaining to Police, Fire, First Aid and Office of Emergency Management and, specifically, shall:

- A. Oversee, coordinate and manage the purchase/lease and maintenance of Borough fire equipment and other property.
- B. Oversee, coordinate and manage the purchase/lease and maintenance of Borough first aid equipment and/or property.
- C. Review and make recommendations regarding the budgets of the Police Department, Volunteer Fire Department, Volunteer First Aid Squad and Office of Emergency Management.
- D. Serve as liaison between the Borough's Volunteer First Aid Squad and the Council.
- E. Serve as liaison between the Borough's Volunteer Fire Departments and the Council.
- F. Serve as the liaison between the Borough's Police Department and the Council.
- G. Serve as the liaison between the Council and the Municipal Court.
- H. Coordinate and oversee, in conjunction with the Chief of Police, the hiring of all Police Department personnel, including members of the Department, Special Police and School Crossing Guards.
- I. Coordinate and oversee, in conjunction with the Chief of Police, highway traffic and safety and all matters relating to parking regulations, including on-street and off-street parking.
- J. Coordinate and oversee, in conjunction with the Chief of Police and the Office of Emergency Management, all civil defense activities.
- K. Coordinate and oversee, in conjunction with the Chief of Police,

regulatory signs directing the flow of traffic, including the location, design and specification thereof.

- L. In conjunction with the Chief of Police, review and, when appropriate, recommend the granting of licenses and the inspection of licensed premises and persons as designated by the Council from time to time.

Section 6. PUBLIC WORKS:

The Public Works Committee is generally charged with the duty of overseeing matters pertaining to Buildings and Grounds, Public Works, Engineering, Sanitation and Recycling and, specifically, shall:

- A. Oversee, coordinate and manage the maintenance and upkeep of all public buildings.
- B. Oversee, coordinate and manage the construction, reconstruction, improvement, maintenance and cleaning of all roadways within the Borough.
- C. Oversee, coordinate and manage the maintenance of all Borough vehicles and other mechanical equipment.
- D. Oversee, coordinate, and manage storm debris collection and disposal.
- E. Oversee, coordinate and manage the cutting of grass, shrubs and weeds on Borough roadways and properties.
- F. Review contracts for solid waste and recycling collection.
- G. Serve as a liaison between the Governing Body and utility companies.

ARTICLE 11 – BILLS, CLAIMS AND VOUCHERS

Section 1. All bills, claims, invoices, purchase orders, vouchers, etc. shall be generated, processed, reviewed and paid consistent with the procedures set forth in the Borough of Oceanport's Purchasing Manual.

ARTICLE 12 – SEAL

Section 1. The seal of the Borough shall be as hereinafter impressed.

Section 2. The seal shall be in the custody of the Borough Clerk and shall be impressed on all appropriate documents or papers.

ARTICLE 13 – AMENDMENTS

Section 1.

- A. The Mayor, or any member of the Council may propose amendments to these By-laws at any regular meeting or adjourned meeting.
- B. The Mayor will then appoint a Special Committee comprised of three members of the Council to consider the proposed amendments. This Special Committee may submit other suggested changes, additions and/or deletions to the Council.

Section 2. Such Special Committee shall present its recommendation at a regular meeting or adjourned regular meeting of the Council within (30) thirty days of appointments of the Special Committee by the Mayor.

Section 3. These By-laws shall be altered and amended only by a majority vote of the entire Council, on a roll call taken at two (2) consecutive regular meetings of the Council.

ARTICLE 14 – ADOPTION AND TERM

Section 1. The By-laws shall be adopted by resolution of the Council concurred in by a majority of the Council.

Section 2. The By-laws shall become effective immediately after adoption and shall remain in effect until not longer than December 31st of the calendar year in which the By-laws, as amended, supplemented or otherwise modified, were adopted. As such, the By-laws and any amendments, supplement, and/or modifications thereto shall be adopted by the Council as part of its annual meeting.

Section 3. The By-laws of the Borough of Oceanport, as amended, supplemented or modified shall be posted on and made available to the general public on the Borough of Oceanport's website.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTMENT OF 2022 BOROUGH COUNCIL COMMITTEES**

Resolution

WHEREAS, pursuant with the By-Laws of the Governing Body, the Mayor shall appoint all members of the Standing Committees with the consent and concurrence of the Council; and

WHEREAS, the Mayor has made the following appointments to the Standing Committees for CY2022:

PUBLIC SAFETY	Councilpersons Keeshen (Chair), Walker, Tvr dik
FINANCE AND ADMINISTRATION	Councilpersons O'Brien (Chair), Tvr dik, Keeshen
PLANNING AND DEVELOPMENT	Councilpersons Tvr dik (Chair), Keeshen, Gallo
PUBLIC WORKS	Councilpersons Walker (Chair), Deerin, O'Brien
PARKS AND RECREATION	Councilpersons Deerin (Chair), O'Brien, Walker
HEALTH AND HUMAN SERVICES	Councilpersons Gallo (Chair), Walker, Deerin

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport, County of Monmouth and State of New Jersey does hereby consent to the Mayor's appointment of the Standing Committees for CY2022.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPROVING THE 2022 ANNUAL MEETING NOTICE OF THE MAYOR AND COUNCIL**

Resolution

WHEREAS, the Open Public Meetings Act requires that all public bodies at the time of their annual organization meetings or within 7 days thereof, shall post, mail to newspapers and give notice to certain persons the schedule of meetings for the year 2022.

NOW, THEREFORE, BE IT RESOLVED that the Oceanport Mayor and Council for the 2022 calendar year will conduct the following meetings for the purpose of conducting Borough business for 2022. Meetings will be held in the Clement V. Sommers Municipal Building, 910 Oceanport Way, Oceanport, NJ 07757. Workshop Meetings will be held on the first Thursday of each month and Regular meetings on the third Thursday of each month except as otherwise noted below. All meetings will begin at 7:00 p.m. with the exception of Regular Meetings that follow a Workshop will begin immediately following the Workshop meeting. Official action may be taken at workshop and regular meetings.

	WORKSHOP	REGULAR
January		20 th
February	3 rd	17 th
March	3 rd	17 th
April	7 th	21 st
May	5 th	19 th
June	2 nd	16 th
July*	21 st	21 st
August*	18 th	18 th
September	1 st	15 th
October	6 th	20 th
November*	3 rd	3 rd
December	1 st	15 th

* Summer schedule is in effect with one meeting for both Workshop & Regular in July and August; one meeting for both Workshop & Regular in November due to the NJ League of Municipalities Conference

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to post and maintain posted a copy of the resolution in the place designated for the posting of notices and forward a copy of same to the Two River Times and the Asbury Park Press.

BE IT FURTHER RESOLVED that this resolution and the schedule contained herein may be amended from time to time provided the terms of the Act are fully followed.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
DESIGNATING OFFICIAL NEWSPAPERS AND MUNICIPAL BULLETIN BOARD**

Resolution

BE IT RESOLVED that the Asbury Park Press, Star Ledger and the Two River Times newspaper are hereby designated for the year 2022 ending December 31, 2022, as the official newspapers for the Borough of Oceanport in the County of Monmouth for the publication of all legal notices and advertisements of the Borough and all its Boards, Bodies, Committees, Offices and Agencies, as required by N.J.S.A. 40:53-1, and the statutes in such case made and provided.

BE IT FURTHER RESOLVED, that the Bulletin Board in the main foyer of the Clement V. Sommers Municipal Building, 910 Oceanport Way, is hereby designated as the Municipal Bulletin Board and as the place where all public notices, including pending ordinances shall be posted as required by law.

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

Resolution

WHEREAS, N.J.S.A. 40A:4-19 requires that where any contracts, commitments or payments are to be made prior to the adoption of the final Budget, temporary appropriations shall be made for the purpose and amounts required and in the manner and time therein provided; and

WHEREAS, N.J.S.A. 40A:4-19 provides that every Municipality must make temporary appropriations during the period January 1 to adoption of the budget sufficient to cover commitments made during the period January 1 to the date of adoption of the 2022 Budget; and

WHEREAS, the total amount of the 2022 temporary budget is not in excess of 26.25% of the total 2021 Budget, exclusive of debt service, capital improvement fund and public assistance.

NOW, THEREFORE, BE IT RESOLVED that the following list of appropriations shall constitute the 2022 Temporary Budget for the Borough of Oceanport.

	TEMP BUDGET (S&W)	TEMP BUDGET
ADMINISTRATIVE & EXECUTIVE	\$ 30,000.00	\$ 10,000.00
MUNICIPAL CLERK	\$ 35,000.00	\$ 35,000.00
FINANCIAL ADMINISTRATION	\$ 30,000.00	\$ 20,000.00
COLLECTION OF TAXES	\$ 11,000.00	\$ 4,500.00
ASSESSMENT OF TAXES	\$ 7,500.00	\$ 5,000.00
LEGAL SERVICES		\$ 35,000.00
BOROUGH ENGINEER		\$ 20,000.00
PROSECUTOR	\$ 4,000.00	
PLANNING BOARD	\$ 5,000.00	\$ 3,500.00
PLANNER SERVICES & FEES		\$ 5,000.00
ENVIRONMENTAL COMMISSION		\$ 150.00
CODE ENFORCEMENT	\$ 9,000.00	\$ 250.00
GENERAL LIABILITY		\$ 65,000.00
WORKMEN'S COMPENSATION		\$ 55,000.00
HEALTH		\$ 325,000.00
DENTAL		\$ 15,000.00
POLICE	\$ 550,000.00	\$ 40,000.00
POLICE EQUIPMENT		\$ 20,000.00
EMERGENCY MANAGEMENT SW	\$ 1,500.00	
EMERGENCY MANAGEMENT OE		\$ 5,000.00
FIRE HYDRANT SERVICE OE		\$ 30,000.00
FIRST AID ORGANIZATION OE		\$ 10,000.00
FIRE DEPARTMENT OE		\$ 15,000.00
FIRE BUREAU SW	\$ 7,000.00	
FIRE BUREAU OE		\$ 3,000.00
STREETS SW	\$ 90,000.00	
STREETS & ROADS OTHER EXPENSES		\$ 45,000.00

SANITATION-TRASH REMOVAL OE			\$	80,000.00
RECYCLING OE			\$	20,000.00
PUBLIC BUILDINGS & GROUNDS OE			\$	50,000.00
SHADE TREE COMMITTEE OE			\$	3,500.00
BOARD OF HEALTH SW	\$	800.00		
BOARD OF HEALTH OE			\$	50.00
WATER WATCH COMMITTEE-OTHER			\$	1,750.00
PARKS SW	\$	4,000.00		
PARKS AND PLAYGROUNDS OE			\$	4,000.00
SENIOR CITIZEN COMMITTEE OE			\$	750.00
LIBRARY SW	\$	1,500.00		
LIBRARY OE			\$	500.00
TRANS OF HS STUDENTS OE			\$	19,000.00
NJEIT ADMIN FEES			\$	9,400.00
CELEBRATION OF PUB. EVENTS OE			\$	500.00
ELECTRICITY			\$	25,000.00
TELEPHONE/INTERNET			\$	12,500.00
WATER/SEWER			\$	6,000.00
NATURAL GAS			\$	18,000.00
STREET LIGHTING			\$	30,000.00
GASOLINE & OIL			\$	18,000.00
SANITATION DUMPING FEES			\$	90,000.00
P.E.R.S. OE			\$	120,000.00
SOCIAL SECURITY SYSTEM OE			\$	30,000.00
P & F RETIREMENT SYSTEM OE			\$	520,000.00
DEFERRED RETIREMENT COMPENSATION PROGRAM			\$	1,500.00
DISPATCH SHARED SERVICES	\$	116,000.00		
BLOODBORNE PATHOGEN			\$	100.00
MUNICIPAL COURT S&W	\$	30,000.00	\$	2,500.00
PUBLIC DEFENDER-OTHER EXPENSE			\$	1,000.00
DEBT SERVICE - GREEN ACRES			\$	8,783.38
CAPITAL LEASE			\$	645.00
DEBT SERVICE BAN PRINCIPAL			\$	2,220,661.84
DEBT SERVICE BAN INTEREST			\$	229,799.24
DEBT SERVICE BOND INTEREST			\$	66,240.00
COVID 19			\$	15,000.00
	\$	932,300.00	\$	4,371,579.46

**RESOLUTION OF THE BOROUGH OF OCEANPORT
SETTING A FEE SCHEDULE (FOR ADMINISTRATION - VARIOUS)**

Resolution

BE IT RESOLVED that the Borough Council of the Borough of Oceanport hereby sets the following fee schedule for miscellaneous fees and various photocopies and documents requested from the public as well as those requested under the State Open Public Records Act for 2022 as follows:

Photocopies

\$.05 per page for letter (8 ½ x 11) size pages and smaller

\$.07 per page for legal (8 ½ x 14) and ledger (11x17) size pages and larger

\$.25 per additional page for color copies (sizes above)

Costs for reproduction that must be outsourced will be charged at the cost incurred by the Borough.

If the actual cost to produce a copy of a record exceeds the above fees, then the cost can be calculated by the formula set forth by the Government Records Council.

Postage costs will be charged for any mailed documents.

Electronic Copy Requests

No fee will be charged for requests delivered electronically (via fax or e-mail).

Fee for Non-Sufficient Funds

\$20.00

Police Motor Vehicle Accident Reports Requested Via Mail

A \$5.00 fee to cover the administrative cost of mailing the report will be added to the total cost of the page copies according to the above fees.

Vital Statistics

Certified Copy of:

Birth, Death, Marriage, Civil Union and/or

Domestic Partnership Record:

\$15.00 each copy

Special Service Charge (N.J.S.A. 47:1A-5.c.)

Whenever response to an Open Public Records Act or document request requires an extraordinary expenditure of time and effort, a special service charge may be assessed. Specifically, whenever response consumes two (2) or more hours of a borough employee's time, the requestor shall be required to pay the hourly rate of the employee performing the work, beginning with the first hour, for the time that it takes to produce the documents requested. Shall the request take less than two (2) hours to complete, there shall be no fee charged for the time associated with obtaining the documents. Time for document production shall include, but not be limited to, research, document collection, copying, production, conversion and review. All fees shall become effective immediately.

BE IT FURTHER RESOLVED that the aforementioned fees are effective for CY2022 and in conformance with State requirements.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
DESIGNATION OF MUNICIPAL DEPOSITORIES**

Resolution

WHEREAS, Title 17:9-9 and N.J.S.A. 40A:5-14 provide for the designation of depositories for Municipal Funds by Resolution of the Governing Body.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport that the following banks be designated for deposit of Borough Funds.

Bank of America

OceanFirst Bank

Wells Fargo

TD Bank

Valley National Bank

Columbia Bank

Capital One Bank

1st Constitution Bank

PNC Bank, NA

Santander Bank, NA

**RESOLUTION OF THE BOROUGH OF OCEANPORT
DESIGNATION OF AUTHORIZED SIGNATURES FOR CHECKS**

Resolution

BE IT RESOLVED by the Oceanport Mayor and Council that the Borough Administrator and Borough Chief Financial Officer are hereby authorized to sign all checks issued against the Borough of Oceanport and the Mayor is authorized to co-sign said checks

**RESOLUTION OF THE BOROUGH OF OCEANPORT
ADOPTION OF CASH MANAGEMENT PLAN AND INVESTMENT POLICY**

Resolution

WHEREAS, N.J.S.A. 40A:5-14 mandates that the Governing Body shall, by Resolution passed by a majority of the membership thereof, approve a Cash Management Plan;

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

1. The attached updated Cash Management Plan will guide the investment of idle cash of the Borough of Oceanport
2. The attached updated Cash Management Plan includes a Policy Statement to guide its implementation
3. The Chief Financial Officer will administer the Plan
4. The Plan is subject to annual audit.

BE IT FURTHER RESOLVED that a certified copy of the within Resolution be forwarded to the following:

1. Borough Chief Financial Officer
2. Borough Auditor
3. All depositories named in Section IV of the attached Cash Management Plan
4. All dealers and brokerage first in Section V of the Attached Management Plan

**CASH MANAGEMENT PLAN OF THE BOROUGH OF OCEANPORT
IN THE COUNTY OF MONMOUTH, NEW JERSEY**

I. STATEMENT OF PURPOSE

This Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J.S.A. 40A:5-14 in order to set forth the basis for the deposits (Deposits") and investment ("Permitted Investments") of certain public funds of the Borough, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits, if permitted, or otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

II. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN.

A. The Plan is intended to cover the deposit and/or investment of the accounts of the Borough:

ALL FUNDS

B. It is understood that this Plan is not intended to cover certain funds and accounts of the Borough, specifically:

PUBLIC ASSISTANCE

STATE AND FEDERAL GRANTS

III. DESIGNATION OF OFFICIALS OF THE BOROUGH AUTHORIZED TO MAKE DEPOSITS AND INVESTMENTS UNDER THE PLAN.

The Chief Financial Officer of the Borough and the Borough Administrator (the "Designated Officials") are hereby authorized and directed to deposit and/or invest the funds referred to in the Plan. Prior to making any such Deposits or any Permitted Investments, such officials of the Borough are directed to supply to all depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of this Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgment kept on file with such officials.

IV. DESIGNATION OF DEPOSITORIES.

The following banks and financial institutions are hereby designated as official depositories for the Deposit of all public funds referred to in the Plan, including any Certificates of Deposit which are not otherwise invested in Permitted Investments as provided for in this Plan:

BANK OF AMERICA	COLUMBIA BANK
OCEANFIRST BANK	CAPITAL ONE BANK
WELLS FARGO	1 st CONSTITUTION
TD BANK	PNC BANK, NA
VALLEY NATIONAL BANK	SANTANDER BANK, NA
State of NJ CASH MANAGEMENT FUND	

All such depositories shall acknowledge in writing receipt of the Plan by sending a copy of such acknowledgement to the Designated Official referred to in Section III above.

V. DESIGNATION OF BROKERAGE FIRMS AND DEALERS WITH WHOM THE DESIGNATED OFFICIALS MAY DEAL.

The following brokerage firms and/or dealers and other institutions are hereby designated as firms with whom the Designated Officials of the Borough referred to in this Plan may deal for purposes of buying and selling securities identified in this Plan as Permitted Investments or otherwise providing for Deposits. All such brokerage firms and/or dealers shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the Designated Official(s) referred to in Section III above.

State of NJ Cash Management Fund

VI. AUTHORIZED INVESTMENTS

A. Except, as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:

- (1) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;
- (2) Government money market mutual funds;
- (3) Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
- (4) Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part or within which the school district is located;
- (5) Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units;
- (6) Local government investment pools.
- (7) Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c.281

(C.52:18A-90.4); or

(8) Agreements for the repurchase of fully collateralized securities if:

- (a) The underlying securities are permitted investments pursuant to paragraphs (1) and (3) of this subsection a;
- (b) The custody of collateral is transferred to a third party;
- (c) The maturity of the agreement is not more than 30 days;
- (d) The underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c236 (C.17:9-41); and
- (e) A master repurchase agreement providing for the custody and security of collateral is executed for purpose of the above language, the terms "government money market mutual fund" and "local government investment pool" shall have the following definitions:

Government Money Market Mutual Fund. An investment company or investment trust:

- (a) Which is registered with the Securities and Exchange Commission under the "Investment Company Act of 1940," 15 U.S.C. sec. 80a-1 et seq., and operated in accordance with 17 C.F.R. sec 270.2a-7.
- (b) the portfolio of which is limited to US Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec.270.2a.7 and repurchase agreements that are collateralized by such US Government securities; and
- (c) Which has:
 - (i) Attained the higher ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or
 - (ii) Retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the "Investment Advisors Act of 1940." 15 U.S.C.sec.80b-1 et. seq., with experience investing in US Government securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.

Local Government Investment Pool. An Investment pool:

- (a) Which is manage in accordance with 17 C.F.R. sec. 270.2a-7;
- (b) Which is rated in the highest category by a nationally recognized statistical rating organization;
- (c) Which is limited to US Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such US Government securities;
- (d) which is in compliance with rules adopted pursuant to the "Administrative Procedure Act," P.L. 1968, c.410 (c.52:14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investment;
- (e) which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
- (f) which purchases and redeems investment directly from the issuer, government money market mutual fund, of the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c.9(C.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in US Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such US Government securities.

B. Notwithstanding the above authorization, the moneys on hand in the following funds and accounts shall be further limited as to maturities, specific investments or otherwise as follows:

NO INVESTMENT TO EXCEED ONE (1) YEAR

VII. SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGMENT OF RECEIPT OF PLAN

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Borough, then such instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the Borough to assure that there is no unauthorized use of the funds or the permitted investments of Deposits. Purchase of any Permitted Investments that involve securities shall be executed by a "delivery versus payment" method to ensure that such Permitted Investments are either received by the Borough or by a third-party custodian prior to or upon the release of the Borough's funds.

To assure that all parties with whom the Borough deals either by way of Deposits or Permitted investments are aware of the authority and the limits set forth in this Plan, all such parties shall be supplied with a copy of this Plan in writing and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Designated Official.

VIII. REPORTING REQUIREMENTS

On the first day of each month during which this Plan is in effect, the Designated Official referred to in Section III hereof shall supply to the Governing Body of the Borough a written report of any Deposits or Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following information:

- A. The name of any institution holding fund of the Borough as a Deposit or a Permitted Investment.
- B. The amount of securities or Deposits purchased or sold during the immediately preceding month.
- C. The class or type of securities purchased or Deposits made.
- D. The book value of such Deposits or Permitted Investments.
- E. The earned income on such Deposits or Permitted Investments. To the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month.
- F. The fees incurred to undertake such Deposits or Permitted Investments.
- G. The market value of all Deposits or Permitted investments as of the end of the immediately preceding month.
- H. All other information which may be deemed reasonable from time to time by the Governing Body of the Borough.

IX. TERM OF PLAN

This Plan shall be in effect from Jan. 1, 2022 to December 31, 2022. Attached to this plan is a resolution of the Governing Body of the Borough approving this Plan for such period of time. The Plan may be amended from time to time. To the extent that any amendment is adopted by the Council, the Designated Official is directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
PERMITTING PRE-PAYMENT OF CERTAIN ITEMS**

Resolution

WHEREAS, the Borough of Oceanport has budgeted funds for 2022 for payment of utilities, payroll, debt service, governmental fees, and insurance, and for the printing and mailing costs of the Borough; and

WHEREAS, the payment of these items frequently arrives out of time for placement on the next available bill list thereby inadvertently placing these bills and mailings in arrears because of timing issues.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Oceanport that the Chief Financial Officer be and is hereby authorized to make pre-payment of the following fixed items prior to the same appearing on the meeting bill lists, such funds to be taken from the pre-budgeted amount for each such expenses for 2022 subject to review and approval by the Borough Administrator or their designee.

1. Utilities (electric, gas, water, sewer, cable and telephone).
2. Payroll.
3. Debt services as evidenced by pre-existing bonds and notes.
4. Health, dental and other insurance premiums.
5. Federal, state, county fees and taxes.
6. Postage for tax bills, newsletters, and other Township mailings.
7. Contractual Payments

**RESOLUTION OF THE BOROUGH OF OCEANPORT
TAX GRACE PERIOD & INTEREST ON DELINQUENT TAXES**

Resolution

WHEREAS, N.J.S.A. 54:4-66 et. seq., provides that taxes shall be payable in quarterly installments due on February 1st, May 1st, August 1st and November 1st, after which dates, if unpaid, shall become delinquent; and that a period of ten calendar days grace for the payment of taxes following said date be fixed and established; and

WHEREAS, if the tenth calendar day of the month on which the installment becomes payable falls on a weekend, the next business day will be deemed the last day to make payment without interest; and

WHEREAS, the Tax Collector, their office or the Borough of Oceanport cannot take responsibility on the method(s) or timing of delivery of payments to the office of the Tax Collector, the Tax Collector shall follow all guidelines and statutes in the collection and delivery of said payments to the banking institution delegated by the Borough within the specified time frame as stated in N.J.S.A. 40A:5-15.

NOW THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Oceanport that the Tax Collector is authorized to charge eight (8%) percent interest on delinquent taxes with a rate of 1/10th of One Percent (1%) for the first ten (10) days after each quarterly due date and Eight Percent (8%) for the first \$1,500 and Eighteen Percent (18%) on amounts in excess of the first \$1,500 of said delinquent taxes retroactive to the quarterly due date if paid after such ten (10) days.

BE IT FURTHER RESOLVED, by the Governing Body of the Borough of Oceanport, that a taxpayer who has a delinquency in excess of \$10,000 who fails to pay that delinquency prior to the end of a calendar year the Tax Collector shall also collect a penalty of six (6) percent of the amount of the delinquency plus interest calculated to December 31st.

BE IT FURTHER RESOLVED that the Borough Clerk provide a certified copy of this resolution to the Tax Collector.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE CANCELLING OF SMALL BALANCES AND/OR DELINQUENCIES**

Resolution

WHEREAS, the Council of the Borough of Oceanport finds and declares that N.J.S.A. 40A:5-17-1 empowers authorized municipal employees to process the cancellation of tax refunds and/or delinquencies of less than Ten (\$10.00) Dollars; and

WHEREAS, the Council further finds and declares that the Municipal Tax Collector is qualified to process the cancellation of tax refunds and/or delinquencies of less than Ten (\$10.00) Dollars; and

WHEREAS, the Council further finds and declares that it is in the best interest of the citizens of the Borough of Oceanport for the Municipal Tax Collector to be authorized to process the cancellation of tax refunds and/or delinquencies of less than Ten (\$10.00) Dollars in accordance with N.J.S.A. 40A:5-17-1;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Oceanport that the Municipal Tax Collector is hereby authorized to process the cancellation of tax refunds or delinquencies of less than Ten (\$10.00) Dollars during the calendar year of 2022 in accordance with N.J.S.A. 40A:5-17-1.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE TAX COLLECTOR TO CONDUCT A TAX LIEN SALE IN 2022**

Resolution

WHEREAS, the Tax Collector is empowered by statute to conduct and preside over the sale of liens and N.J.S.A. 54-5 et. seq. provides for the enforcement and collection of such delinquencies through a tax lien sale.

BE IT RESOLVED by the Borough Council of the Borough of Oceanport that the Tax Collector is authorized to conduct a tax lien sale to be held in 2022 for those taxes and sewer utility charges due on real property that have been delinquent since December 31, 2020.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTMENTS TO THE POLICE DEPARTMENT FOR THE PERIOD
JANUARY 1, 2022 TO DECEMBER 31, 2022**

Resolution

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

Special Law Enforcement Officer Class II:

Frank Skovern

Special Law Enforcement Officer Class I:

Thomas Pullaro

School Crossing Guards

Kelly Abbate

Doris Agaman

Janet Wallace

Kathleen Britton

Gina Egidio

Maggie Lippolis

Frank Lippolis

Relief Crossing Guards

Darlene Crochet

William McNish

Wes Sherman

Michael P. Kelly
Chief of Police

Michael S. Chenoweth
Captain

Michael Fagliarone
Lieutenant

BOROUGH OF OCEANPORT



POLICE DEPARTMENT

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

732.222.6300

Main

732.222.6301 ext 1015

Records

732.222.0945

Fax

To: Oceanport Mayor and Council

From: Michael P. Kelly, Chief of Police
Donna Phelps, Borough Administrator; Jeanne Smith, Borough Clerk; Captain Michael Chenoweth

cc:

Date: December 1, 2021

Re: 2022 Police Department Annual Appointments

Please accept this as recommendation to appoint the following persons to the below listed police department positions for 2022:

Special Law Enforcement Officer Class II:

Frank Skovern

Special Law Enforcement Officer Class I:

- Thomas Pullaro

School Crossing Guards:

- Kelly Abbate
- Doris Agaman
- Janet Wallace
- Kathleen Britton
- Gina Egidio
- Frank Lippolis

Relief Crossing Guards:

- Darlene Crochet
- William McNish
- Wes Sherman

Thank you very much for your consideration and support!

**RESOLUTION OF THE BOROUGH OF OCEANPORT
SETTING THE FEES FOR EXTRA DUTY ASSIGNMENTS FOR CY2022**

Resolution

WHEREAS, the fees for Extra Duty Assignments are to be set by resolution pursuant with Borough Code 78-13(C);
and

NOW THEREFORE BE IT RESOLVED, that the fees for such Extra Duty Assignments are amended and set as follows:

1. The rate for Extra Duty Assignment shall be \$68.00 per hour for police officers, Class I and II special officers.
2. For Extra Duty Assignments exceeding 8 hours or between 5 P.M. and 7 A.M. or on a Saturday, Sunday or Federal holiday, or with less than 8 hours advance notice (emergency detail), the rate shall be \$79.00 per hour for police officers, Class I and II special officers.
3. All Extra Duty Assignment shall have a minimum of four (4) hours.
4. Notification of cancellations must be made not less than two (2) hours in advance or the four (4) hour minimum applies.

BE IT FURTHER RESOLVED that the following fees for such Extra Duty Assignments are set forth as follows for Monmouth Park Race Track.

1. The rate for Extra Duty Assignment shall be \$60.00 per hour for police officers, Class I and Class II special officers on live racing days only.
2. All Extra Duty Assignments shall have a minimum of (2) hours up to 2 hours.
3. All Extra Duty Assignments beyond 2 hours shall have a minimum of 4 hours.
4. The Chief or his designee shall be paid the hourly rate for scheduling Monmouth Park Race Track extra duty assignments.

BE IT FURTHER RESOLVED that the Collective Bargaining Unit may agree to a reduced minimum call out time and waive the increase after 5 p.m. and exceeding 8-hour rate for Non-Profit and Educational Organizations through a letter of agreement which shall apply to members covered under the PBA and other Police Department Employees:

BE IT FURTHER RESOLVED that an administrative fee of \$12.00 will be charged for every \$100.00 dollars billed for an Extra Duty Assignment.

BE IT FURTHER RESOLVED that if it is determined by the Chief of Police or his designee that a Borough vehicle is required for an Extra Duty Assignment a fee of \$10.00 per hour shall be billed for an Extra Duty Assignment. No fee shall be charged if the vehicles are "on patrol".

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AWARDING OF CONTRACT FOR TOWING SERVICES FOR 2022**

Resolution

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 Procraft Auto Body, John's Auto and Truck Repair, LLC, Arties' Custom Styling, Brothers Towing and Central Towing and Recovery for 2022.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth and State of New Jersey that towing licenses for 2022 be awarded to Procraft Auto Body, John's Auto and Truck Repair, LLC, Arties' Custom Styling, Brothers Towing 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.

BOROUGH OF OCEANPORT

Michael P. Kelly
Chief of Police

Michael S. Chenoweth
Captain

Michael Fagiarone
Lieutenant



POLICE DEPARTMENT

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

732.222.6300
Main

732.222.6301 ext 1015
Records

732.222.0945
Fax

To: Oceanport Mayor and Council

From: Chief Michael P. Kelly, Oceanport Police Department

cc: Donna Phelps, Borough Administrator; Jeanne Smith, Borough Clerk

Date: December 13, 2021

Re: 2022 Towing Licenses

Chapter 361: Towing and Storage requires that the Chief of Police recommend the issuance of towing licenses for the Mayor and Council's consent and approval. As such the below listed companies have submitted applications and meet the criteria set forth in this chapter and are therefore recommended for licensing:

1. ProCraft Auto Body Inc., 1317 Eatontown Boulevard, Oceanport, NJ
 - Located within borough limits.
2. John's Auto and Truck Repair, LLC, 505 Joline Avenue, Long Branch, NJ
 - Located 0.5 driven miles from the boundary line of Oceanport on Branchport Avenue, bordering Long Branch, NJ.
3. Arties Custom Styling, 335 Joline Avenue, Long Branch, NJ
 - Located 0.9 driven miles from the boundary line of Oceanport on Branchport Avenue, bordering Long Branch, NJ.
4. Brother's Towing, 157 Westwood Avenue, Long Branch, NJ
 - Located 1.7 driven miles from the boundary line of Oceanport on Oceanport Avenue, bordering West Long Branch, NJ.
5. Central Towing and Recovery D.B.A. Morgan's Heavy Duty Towing, 31 Central Avenue, Red Bank, NJ
 - Located 2.7 driven miles from the boundary line of Oceanport on Oceanport Avenue, bordering Little Silver, NJ.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE BOROUGH OF OCEANPORT THROUGH THE OCEANPORT POLICE
DEPARTMENT (LEA) TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW
ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM TO ENABLE THE OCEANPORT
POLICE DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE
EQUIPMENT**

Resolution

WHEREAS, the United States Congress authorizes the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county, and state law enforcement agencies (LEA's); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA: and

WHEREAS, Participation in the 1033 Program allows municipal and county LEAs to obtain property they might not otherwise be able to afford to enhance community preparedness, response, and resiliency: and

WHEREAS, although property is provided through the 1033 program at no cost to the municipality and county LEA's these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property: and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality, or county, approve by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that the Oceanport Police Department is hereby authorized to enroll in the 1033 Program for no more than a one-year period, with authorization to participate terminating on December 31 of the current calendar year from January 1st 2022 to December 31, 2022; and

NOW THEREFORE BE IT FURTHER RESOLVED that the Oceanport Police Department is hereby authorized to acquire items of non-controlled property designed "DEMIL A", which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the Oceanport Police Department, without restrictions; and

NOW THEREFORE BE IT RESOLVED that the Oceanport Police Department is hereby authorized to acquire the following "DEMIL B through Q" property, if it shall become available in the period of time for which this resolution authorizes: (1) truck tractors (1) utility truck, (1) utility vehicle, off road.

BE IT FURTHER RESOLVED that the Oceanport Police Department shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

BE IT FURTHER RESOLVED that the Oceanport Police Department shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately and shall be valid to authorize requests to acquire "DEMIL A" property and "DEMIL B through Q" property that may be made available through the 1033 Program during the period of time which this resolution authorizes; with Program participation and all property request authorization terminating on December 31st of the current calendar year from January 1, 2022 to December 31, 2022.

RESOLUTION OF THE BOROUGH OF OCEANPORT APPOINTMENTS TO BOARDS AND COMMITTEES

Resolution

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

BOARD OF HEALTH

Karen Statmore 4yr Term expiring 12/31/25

The **BOARD OF HEALTH** is now composed of the following members:

David LaPorta	4yr Term expiring 12/31/24
Karen Statmore	4yr Term expiring 12/31/25
Vacant	4yr Term expiring 12/31/22
Vacant	4yr Term expiring 12/31/23

CABLE & TECHNOLOGY COMMITTEE

James Whitson	1yr Term expiring 12/31/22
Joseph Foster	1yr Term expiring 12/31/22
Steve Heinsius	1yr Term expiring 12/31/22
John Fleming	1yr Term expiring 12/31/22
Frank Leslie	1yr Term expiring 12/31/22
Bryan Russell	1yr Term expiring 12/31/22

GREEN TEAM ADVISORY COMMITTEE

Robert Kleiberg	3yr Term expiring 12/31/24
Jordan Falcone	3yr Term expiring 12/31/24
Sara Torbet	1yr Term expiring 12/31/24
Vacant	3yr Term expiring 12/31/24

The **GREEN TEAM ADVSORY COMMITTEE** is now composed of the following members:

Robert Kleiberg	2yr Term expiring 12/31/24
Jordan Falcone	2yr Term expiring 12/31/24
Jen McDonald	3yr Term expiring 12/31/23
Angela Testa	3yr Term expiring 12/31/23
Andy Judkis	3yr Term expiring 12/31/23
Sara Torbet	1yr Term expiring 12/31/24
Vacant	3yr Term expiring 12/31/24

HISTORICAL COMMITTEE

Frank Baricelli	1yr Term expiring 12/31/22
John Bonforte	1yr Term expiring 12/31/22
Robin Kelly	1yr Term expiring 12/31/22
Rosanne Letson	1yr Term expiring 12/31/22
Paula Lombardo	1yr Term expiring 12/31/22
Mike MacStudy	1yr Term expiring 12/31/22
Debra Sharkey	1yr Term expiring 12/31/22

Barbara Sheppard	1yr Term expiring 12/31/22
Ric Siciliano	1yr Term expiring 12/31/22
Toni Sverapa	1yr Term expiring 12/31/22

RECREATION COMMITTEE

Scott Marcantonio	3yr Term expiring 12/31/24
Greg Lockwood	3yr Term expiring 12/31/24

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

Scott Marcantonio	3yr Term expiring 12/31/24
Greg Lockwood	3yr Term expiring 12/31/24
Alexa Hetzel	3yr Term expiring 12/31/22
Vacant	3yr Term expiring 12/31/22
David Walker	3yr Term expiring 12/31/22
Debbie Peterson	3yr Term expiring 12/31/22
Jay Silverman	3yr Term expiring 12/31/23
Vacant	3yr Term expiring 12/31/23
Jacqueline Patterson	3yr Term expiring 12/31/23
Beth Watkins	3yr Term expiring 12/31/23

WATER WATCH COMMITTEE

Richard Gruskos	Term expiring 12/31/22
Thomas Cox	Term expiring 12/31/22
Kari Martin	Term expiring 12/31/22
Dr. Jessica Gruskos	Term expiring 12/31/22
Joseph Foster	Term expiring 12/31/22
Joseph Stark	Term expiring 12/31/22
Joan T. Cox	Term expiring 12/31/22
Ceil Mancini	Term expiring 12/31/22

**RESOLUTION OF THE BOROUGH OF OCEANPORT
CONFIRMING RE-APPOINTMENT OF DJANGO WIEGERS AS FIRE SUBCODE OFFICIAL**

Resolution

WHEREAS, Django Wiegiers is currently serving as the Borough's Fire Subcode Official in accordance with *N.J.S.A. 52:27D-126 and N.J.A.C. 5:23 et seq.*, having served four consecutive years in the position with term that expired June 1, 2021; and

WHEREAS, pursuant with *N.J.S.A. 52:27D-126(b)*, upon appointment to a second consecutive term of service be granted tenure and shall not be removed from office except for just cause after a fair and impartial hearing.;

NOW, THEREFORE, BE IT RESOLVED by the Oceanport Governing Body of the Borough of Oceanport that Django Wiegiers hereby confirm his re-appointment as the Borough Fire Subcode Official for a four- year term beginning June 1, 2021 with tenure.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the following: Construction Official, Borough Administrator and Django Wiegiers.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
BOROUGH OFFICIALS FOR 2022**

Resolution

BE IT RESOLVED that the following appointments for 2022 by the Mayor are hereby ratified and/or confirmed.

Borough Administrator	Donna M. Phelps	
Borough Clerk	Jeanne Smith	Tenured
Certified Public Works Manager	William White	
Chief Financial Officer	Catherine LaPorta	Tenured
Code Enforcement Officer	Timothy P. Griffin	
Construction Official	John Johnson	(4yr term expiring 11/8/2022)
Court Administrator	Carol Smith	
DPW Superintendent	Steven Briskey	
Finance Personnel Manager	Catherine D. LaPorta	
Fire Official/Marshal	Timothy P. Griffin	(2yr term expiring 12/31/2022)
Flood Plain Manager	William White	
Health Insurance Fund Commissioner	Jeanne Smith	
Health Insurance Fund Commissioner (Alternate)	Donna M. Phelps	
Housing Inspector	Timothy P. Griffin	
IT Coordinator	Jeanne Smith	
Joint Insurance Fund Commissioner	Donna M. Phelps	
Joint Insurance Fund Commissioner (Alternate)	Jeanne Smith	
Municipal Housing Liaison	Donna M. Phelps	
Municipal Court Judge	John A. Patti	(3yr term expiring 12/31/2022)
Qualified Purchasing Agent	Catherine D. LaPorta	
Public Defender	David Gardner, Robert Holden	
Recycling Coordinator	Donna M. Phelps	
Registrar, Vital Statistics	Jason Sutton	(3yr term expiring 12/31/2024)
Registrar, Deputy	Catherine D. LaPorta	
Right to Know Coordinator	Jeanne Smith	
Safety Coordinator	Donna M. Phelps	
Searcher of Tax Liens	Peggy Warren	
Searcher of Assessment Liens	Jeanne Smith	
Tax Assessor	John Butow	Tenured
Tax Collector	Jason Sutton	(4yr term expiring 12/31/2022)
Sewer Authority Commissioner, TRWRA	John Bonforte	(5yr term expiring 01/31/2024)
Sewer Authority Commissioner, TRWRA	Michael MacStudy	(5yr term expiring 01/31/2025)
Subcode Official, Building	Django Wiegers	Tenured
Subcode Official, Electrical	James McCormick	Tenured
Subcode Official, Fire	Django Wiegers	Tenured
Subcode Official, Plumbing	John Palmer	Tenured
Zoning Officer	John Johnson	

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTING A PUBLIC AGENCY COMPLIANCE OFFICER IN ACCORDANCE WITH N.J.A.C.
17:27-3.5**

Resolution

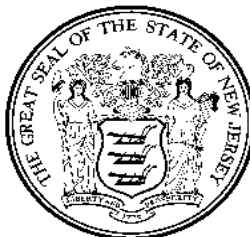
WHEREAS, in accordance with N.J.A.C. 17:27-3.5, each public agency shall annually designate an officer or employee to serve as its Public Agency Compliance Officer; and

WHEREAS, Donna Phelps, Borough Administrator is the appropriate employee of the Borough to serve as the Public Agency Compliance Officer;

NOW, THEREFORE, BE IT RESOLVED by the Oceanport Mayor and Council that the Borough Administrator, Donna Phelps, be designated as the Public Agency Compliance Officer under the Affirmative Action requirements on behalf of the Borough of Oceanport.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the New Jersey Department of the Treasury, Division of Contract Compliance & Equal Employment Opportunity in Public Contracts.

**NEW JERSEY DEPARTMENT OF THE TREASURY
DIVISION OF CONTRACT COMPLIANCE &
EQUAL EMPLOYMENT OPPORTUNITY IN
PUBLIC CONTRACTS**



DESIGNATION OF PUBLIC AGENCY COMPLIANCE OFFICER (P.A.C.O)

The designated Public Agency Compliance Officer (P.A.C.O) is:

Public Agency:	Borough of Oceanport
Name of P.A.C.O.:	Donna Phelps
Title:	Borough Administrator
Business Address:	PO Box 370, Oceanport, NJ 07757
Telephone:	732-222-8221
Fax:	732-222-0904
E-mail:	dphelps@oceanportboro.com
Current Highest Elected or Appointed Official:	Mayor John F. Coffey, II

- ☐ No person currently serving as the P.A.C.O
- ☐ The P.A.C.O. will be appointed at the next Board/Council meeting. A copy of the resolution designating the appointee will be sent to the Division of Contract Compliance & Equal Opportunity Office.
- ☐ Additional technical assistance is requested

PUBLIC AGENCY OFFICIAL'S SIGNATURE

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTMENT OF REPRESENTATIVES TO THE
MONMOUTH COUNTY COMMUNITY DEVELOPMENT PROGRAM**

Resolution

BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that DONNA PHELPS is hereby appointed Community Development Representative and WILLIAM WHITE is appointed as the Alternate for the Monmouth County Community Development Program during calendar year 2022.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTING A CLEAN COMMUNITIES COORDINATOR FOR CY2022**

Resolution

WHEREAS, there is a need for a Clean Communities Coordinator for the Borough of Oceanport; and

WHEREAS, there is also a need for a Clean Communities Coordinator to apply for and submit Clean Communities Grants to various agencies;

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

1. Donna M. Phelps is hereby appointed as Clean Communities Coordinator for the Borough of Oceanport for the period commencing January 1, 2022 and ending December 31, 2022.
2. The Clean Communities Coordinator is authorized to prepare, apply for and submit Clean Communities Grants to any and all applicable state, federal and local agencies.
3. The Mayor and Borough Clerk are hereby authorized to execute any and all documents in furtherance of the aforesaid Clean Communities Grants.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
CONSENT TO THE APPOINTMENT OF ADA COORDINATOR AND DEPUTY ADA
COORDINATOR FOR CY2022**

Resolution

WHEREAS, pursuant to the Code of the Borough of Oceanport there is a need to appoint employees of the Borough to serve as ADA Coordinator and Deputy Coordinator to coordinate Borough efforts to comply with and carry out the responsibilities under ADA and the rules promulgated thereto; and

WHEREAS, the Mayor, with the advice and consent of Council, is authorized to make said appointment pursuant to the Code of the Borough of Oceanport; and

WHEREAS, the Mayor desires to appoint John Johnson to the position of ADA Coordinator and Donna M. Phelps to the position of Deputy Coordinator,

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

1. That pursuant to N.J.S.A. 40:69A-36(B), the Borough Council does hereby consent to the Mayor's appointment of John Johnson as ADA Coordinator and Donna M. Phelps as Deputy Coordinator for the period commencing January 1, 2022 through December 31, 2022.
2. Appointees shall serve without compensation.
3. Copies of this resolution to Municipal Administrator, Appointee and any other interested parties.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTING A DESIGNATED EMPLOYER REPRESENTATIVE FOR CONTROLLED
SUBSTANCES AND ALCOHOL USE AND TESTING POLICIES FOR COMMERCIAL DRIVERS
LICENSES AS PER 49 CFR PART 382**

Resolution

WHEREAS, the United States Department of Transportation and the Federal Motor Carrier Safety Administration as mandated in 49 CFR Part 382, require every entity who employs employees with commercial driver's licenses appoint a Designated Employer Representative who will make formal decisions regarding the approved drug and alcohol testing policy and;

WHEREAS, the Monmouth Municipal Joint Insurance Fund and the Municipal Excess Liability Fund require that the D.E.R. be an employee of the municipality and must have a complete understanding of the commercial driver's license drug and alcohol testing procedures outlined by federal law as well as the employer's policies and procedures and;

WHEREAS, the D.E.R. must be authorized and empowered to take immediate action to remove employees from safety-sensitive duties if test results warrant such action and;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport that Borough Administrator Donna M. Phelps has completed the required training as outlined by the MJIF and MEL and prescribed by the USDOT, FMCSA, and federal law 49 CFR Part 382 and DPW Superintendent Steve Briskey shall complete the next available training through the MEL-JIF.

BE IT FURTHER RESOLVED, that Steve Briskey will serve as the primary D.E.R. and Donna M. Phelps as the secondary D.E.R. as part of their current job duties and responsibilities without additional compensation or remuneration.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTMENTS FOR FIRE POLICE FOR CY2022**

Resolution

BE IT RESOLVED, by John F. Coffey, II, Mayor of the Borough of Oceanport, that the following appointments be made with the advice and consent of Council as recommended by the Fire Police Captain and approved by the Chief of Police:

FIRE POLICE MEMBERS:

Oceanport Hook & Ladder Fire Co.:

Robert Howie
Michael DePonte
Tom Porowski
Roman Lima-Velasquez

Port Au Peck Chemical Hose Co.:

Bill McNish, Captain
Clarence Brocklebank, 1st Lieutenant
Bob D'Agostino
Alfred DeSantis
Frank Lippolis,
Fred Fillippone
Wes Sherman

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTING A MUNICIPAL PROSECUTOR FOR CY2022**

Resolution

WHEREAS, pursuant to N.J.S.A. 2B:25-4 and § 41-9 of the Code of the Borough of Oceanport there exists a need to appoint a qualified attorney as Municipal Prosecutor for the Borough; and

WHEREAS, pursuant to Local Finance Notice 2005-32, such salaried appointed positions are not subject to the Fair and Open Process; and

WHEREAS, the Municipal Prosecutor has made recommendations regarding Alternate Municipal Prosecutors who may be called upon in matters where there may be a potential conflict presented, or due to the Municipal Prosecutor's unavailability.

NOW, THEREFORE, BE IT RESOLVED that the Mayor of the Borough of Oceanport, in the County of Monmouth, State of New Jersey makes the following appointment with the advice and consent of the Borough Council for Municipal Prosecutor to be compensated pursuant to the Borough's applicable salary ordinance:

Municipal Prosecutor: James N. Butler, Esq.

BE IT FURTHER RESOLVED that notice of these appointments shall be published by the Borough Clerk in the Borough's official newspaper.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTMENT OF BOROUGH ATTORNEY FOR THE PERIOD
JANUARY 1, 2022 TO DECEMBER 31, 2022**

Resolution

WHEREAS, the Borough of Oceanport is in need of professional legal services to be rendered to the Borough as Borough Attorney on an as needed basis;

WHEREAS, **Scott C. Arnette, Esq. of The Arnette Law Firm, LLC, 151 Bodman Place, Suite 200, Red Bank, New Jersey 07701** has submitted to the Borough of Oceanport a formal written response to the Borough's Request for Qualifications/Proposals for said professional legal services and is qualified, ready, willing and able to provide said services; and

WHEREAS, this contract constitutes a "Professional Service" contract under the provisions of the Local Public Contracts Law because the service is a recognized profession, licensed and regulated by the State of New Jersey, and therefore, may be awarded without competitive bidding pursuant to N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, this professional services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5

WHEREAS, funds shall be available for the stated purpose in the 2022 municipal budget subject to adoption of the 2022 budget.

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

1. The Mayor and the Borough Clerk are hereby authorized and directed to execute an agreement with **Scott C. Arnette, Esq. of The Arnette Law Firm, 151 Bodman Place, Suite 200, Red Bank, New Jersey 07701** to provide professional legal services to the Borough of Oceanport as Borough Attorney, for a maximum contract amount not to exceed \$75,000.00, at an hourly rate not to exceed \$155.00 per hour for the period January 1, 2022 through December 31, 2022.
2. That the within Resolution shall be subject to the Borough CFO certifying that funds are available for the stated purpose.
3. Said Professional is retained and appointed to the above offices and said Professionals are awarded a contract pursuant to N.J.S.A. 40A:11-5 without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because the service rendered or performed is to be done by a person authorized by law to practice a recognized profession and whose profession and practice is regulated by law & bids are not required per N.J.S.A.40A:5-11.
4. A notice of award shall be published in an official newspaper of the Borough as required by law within ten (10) days of its passage.

CERTIFICATION OF FUNDS

As required by N.J.A.C. 5:34-5.1 et. seq., I, Catherine D. LaPorta, Chief Financial Officer of the Borough of Oceanport, hereby certify sufficient funds are available in Account #01-201-20-155-218 pending adoption of the CY 2022 Budget



Catherine D. LaPorta, CFO

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTMENT OF THE BOROUGH AUDITOR FOR THE PERIOD
JANUARY 1, 2022 TO DECEMBER 31, 2022**

Resolution

WHEREAS, the Borough of Oceanport has a need to retain professional auditor services to prepare the Borough's 2021 annual financial statement, 2021 annual debt statement and any 2022 supplemental(s); perform the 2021 audit; assist in the preparation of the CY2022 budget preparation process, excluding department detail worksheets, to attend Borough Council meetings, as needed; to provide technical advice during the Calendar Year ending December 31, 2022, as needed, and to review the Employee's Deferred Compensation Plan; and

WHEREAS, **Suplee, Clooney & Company, 308 E. Broad St., Westfield, NJ 07090**, has submitted to the Borough of Oceanport a formal written response to the Borough's Request for Qualifications/Proposals for said services and is ready, willing and able to provide said services; and

WHEREAS, this contract constitutes a "Professional Service" contract under the provisions of the Local Public Contracts Law because the service is a recognized profession, licensed and regulated by the State of New Jersey, and therefore, may be awarded without competitive bidding pursuant to N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, this professional services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5

WHEREAS, the Borough of Oceanport desires to retain the services of **Suplee, Clooney & Company, 308 E. Broad St., Westfield, NJ 07090** as Borough Auditor for the period commencing January 1, 2022 and ending December 31, 2022, and

WHEREAS, funds shall be made available for the stated purpose in the 2022 municipal budget subject to adoption of the 2022 budget.

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

1. The Mayor and the Borough Clerk are hereby authorized and directed to execute an agreement with **Suplee, Clooney & Company, 308 E. Broad St., Westfield, NJ 07090** for professional auditor services as Borough Auditor, in an amount not to exceed \$26,025.00 for the period commencing January 1, 2022 and ending December 31, 2022.
2. That the within Resolution shall be subject to the Borough CFO certifying that funds are available for the stated purpose.
3. This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because the service is a recognized profession, licensed and regulated by the State of New Jersey, and bids are not required as per N.J.S.A. 40A:11-1, et seq.
4. A notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the Borough of Oceanport

CERTIFICATION OF FUNDS

As required by N.J.A.C. 5:34-5.1 et. seq., I, Catherine D. LaPorta, Chief Financial Officer of the Borough of Oceanport, hereby certify sufficient funds are available in Account #01-201-20-130-203 pending adoption of the CY 2022 Budget



Catherine D. LaPorta, CFO

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTMENT OF BOND COUNSEL FOR THE PERIOD
JANUARY 1, 2022 TO DECEMBER 31, 2022**

Resolution

WHEREAS, the Borough of Oceanport is in need of professional legal services to act as bond counsel; and

WHEREAS, the law firm of **Archer & Greiner, P.C., Riverview Plaza, 10 Highway 35, Red Bank, NJ 07701**, has submitted a formal written response to the Borough's Request for Qualifications/Proposals for the aforesaid professional legal services to act as bond counsel and is ready, willing and able to provide said services; and

WHEREAS, this contract constitutes a "Professional Service" contract under the provisions of the Local Public Contracts Law because the service is a recognized profession, licensed and regulated by the State of New Jersey, and therefore, may be awarded without competitive bidding pursuant to N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, this professional services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4.5

WHEREAS, the Borough of Oceanport desires to retain the services of **Archer & Greiner, P.C., Riverview Plaza, 10 Highway 35, Red Bank, NJ 07701** as Borough Bond Counsel for the period commencing January 1, 2022 and ending December 31, 2022, and

WHEREAS, funds shall be available for the stated purpose in the 2022 municipal budget subject to adoption of the 2022 budget.

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

1. The Mayor and Borough Clerk are hereby authorized and directed to execute an agreement with the law firm of **Archer & Greiner, P.C., Riverview Plaza, 10 Highway 35, Red Bank, NJ 07701**, to act as bond counsel for the period **January 1, 2022** through **December 31, 2022**, for an amount not to exceed \$20,000.00 at rate schedule in accordance with their Response to the Borough's Request for Qualifications.
2. That the within Resolution shall be subject to the Borough CFO certifying that funds are available for the stated purpose.
3. This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because the service is a recognized profession, licensed and regulated by the State of New Jersey, and bids are not required as per N.J.S.A. 40A:11-1, et seq.
4. A notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the Borough of Oceanport.

CERTIFICATION OF FUNDS

As required by N.J.A.C. 5:34-5.1 et seq., I, Catherine D. LaPorta, Chief Financial Officer of the Borough of Oceanport, hereby certify sufficient funds are available in Account #01-201-20-130-206 pending adoption of the CY 2022 Budget.


Catherine D. LaPorta, CFO

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTMENT OF BOROUGH ENGINEER FOR THE PERIOD
JANUARY 1, 2022 TO DECEMBER 31, 2022**

Resolution

WHEREAS, within the Borough of Oceanport there exists a need for a professional engineering services firm to act as the Borough's Engineer; and

WHEREAS, **Colliers Engineering & Design, 331 Newman Springs Road #203, Red Bank, New Jersey 07701** has submitted a formal written response to the Borough's Request for Qualifications/Proposals for the aforesaid professional engineering services and is qualified, ready and able to provide said services; and

WHEREAS, this contract constitutes a "Professional Service" contract under the provisions of the Local Public Contracts Law because the service is a recognized profession, licensed and regulated by the State of New Jersey, and therefore, may be awarded without competitive bidding pursuant to N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, this professional services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5

WHEREAS, the Borough of Oceanport desires to retain the services of **Colliers Engineering & Design, 331 Newman Springs Road #203, Red Bank, New Jersey 07701** as Borough Engineer for the period commencing January 1, 2022 and ending December 31, 2022, and

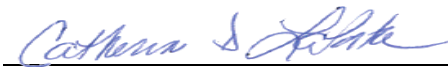
WHEREAS, funds shall be available for the stated purpose in the 2022 municipal budget subject to adoption of the 2022 budget.

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

1. The Mayor and the Borough Clerk are hereby authorized and directed to execute an agreement with **Colliers Engineering & Design, 331 Newman Springs Road #203, Red Bank, New Jersey 07701** for professional engineering services as Borough Engineer, for an amount not to exceed \$64,800.00 at a monthly rate of \$5,400 for the period commencing January 1, 2022 and ending December 31, 2022, in accordance with their Response to the Borough's Request for Qualifications/Proposals.
2. That the within Resolution shall be subject to the Borough CFO certifying that funds are available for the stated purpose.
3. This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because the service is a recognized profession, licensed and regulated by the State of New Jersey, and bids are not required as per N.J.S.A. 40A:11-1, et seq.
4. A notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the Borough of Oceanport.

CERTIFICATION OF FUNDS

As required by N.J.A.C. 5:34-5.1 et. seq., I, Catherine D. LaPorta, Chief Financial Officer of the Borough of Oceanport, hereby certify sufficient funds are available in Account #01-201-20-165-243 pending adoption of the CY 2022 Budget



Catherine D. LaPorta, CFO

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTMENT OF BOROUGH PLANNER FOR THE PERIOD
JANUARY 1, 2022 TO DECEMBER 31, 2022**

Resolution

WHEREAS, within the Borough of Oceanport there exists a need for a professional planning services firm to act as the Borough's Planning Consultant and/or Planner; and

WHEREAS, Kendra Lelie of the firm T&M Associates has submitted a formal written response to the Borough's Request for Qualifications/Proposals for the aforesaid professional planning services and is qualified, ready and able to provide said services; and

WHEREAS, this contract constitutes a "Professional Service" contract under the provisions of the Local Public Contracts Law because the service is a recognized profession, licensed and regulated by the State of New Jersey, and therefore, may be awarded without competitive bidding pursuant to N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, this professional services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5

WHEREAS, the Borough of Oceanport desires to retain the services of Kendra Lelie of the firm T&M Associates as Borough Planner for the period commencing January 1, 2022 and ending December 31, 2022, and

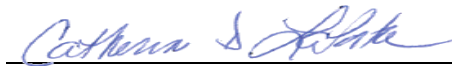
WHEREAS, funds shall be available for the stated purpose in the 2022 municipal budget subject to adoption of the 2022 budget.

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

1. The Mayor and the Borough Clerk are hereby authorized and directed to execute an agreement with Kendra Lelie of the firm T&M Associates for professional planning services as assigned as the Borough Planner, in an amount not to exceed \$25,000.00 for the period commencing January 1, 2022 and ending December 31, 2022.
2. That the within Resolution shall be subject to the Borough CFO certifying that funds are available for the stated purpose.
3. This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because the service is a recognized profession, licensed and regulated by the State of New Jersey, and bids are not required as per N.J.S.A. 40A:11-1, et seq.
4. A notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the Borough of Oceanport.

CERTIFICATION OF FUNDS

As required by N.J.A.C. 5:34-5.1 et. seq., I, Catherine D. LaPorta, Chief Financial Officer of the Borough of Oceanport, hereby certify sufficient funds are available in Account #01-201-21-180-204 and Account #01-201-21-181-205 pending adoption of the CY 2022 Budget


Catherine D. LaPorta, CFO

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTMENT OF SPECIAL PROJECTS ENGINEER(S) FOR THE PERIOD
JANUARY 1, 2022 TO DECEMBER 31, 2022**

Resolution

WHEREAS, the Borough of Oceanport has a need to retain professional engineering services in connection with various special projects being considered for CY2022; and

WHEREAS, a determination has been made by the Borough that the value of the services will exceed \$17,500.00.

WHEREAS, these contracts constitute a "Professional Service" contract under the provisions of the Local Public Contracts Law because the service is a recognized profession, licensed and regulated by the State of New Jersey, and therefore, may be awarded without competitive bidding pursuant to N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, this professional services contract was advertised under the Fair & Open Contracting Requirements pursuant to N.J.S.A.19:44A:20.4.5; and

WHEREAS, the Borough received four (4) formal written responses to the Borough's Request for Qualifications/Proposals for the aforesaid professional engineering services and are qualified, ready and able to provide said services; and

WHEREAS, the Borough of Oceanport desires to appoint all four firms as Borough Special Project Engineers for the period commencing January 1, 2022 and ending December 31, 2022, and

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

1. That the Mayor and Borough Clerk are authorized to execute contracts with the following firms appointed for professional engineering services as Special Project Engineers, for the period commencing January 1, 2022 and ending December 31, 2022, in accordance with their Response to the Borough's Request for Qualifications/Proposals and on an as-needed basis.
 - a. **Colliers Engineering & Design, 331 Newman Springs Road #203, Red Bank, NJ 07701**
 - b. **ENGenuity Infrastructure, 12 Broad St., Ste 203, Red Bank, NJ 07701**
 - c. **Van Cleef Engineering, 1705 Route 37 East, Toms River, NJ 08753**
 - d. **Suburban Consulting Engineers, 2430 Highway 34, Building A, Wall, NJ 08736**
2. Contracts shall be open-ended contracts pursuant to N.J.A.C. 5:34-5.2 (B) contingent upon the availability of funds in the budget year with no firm quantities being guaranteed. Funds will be certified and encumbered by individual purchase order prior to each request for service.
3. This appointment is made without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because the service is a recognized profession, licensed and regulated by the State of New Jersey, and bids are not required as per N.J.S.A. 40A:11-1, et seq.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AWARDING A NON-FAIR AND OPEN CONTRACT FOR LEGAL SERVICES BETWEEN
MCMANIMON, SCOTLAND & BAUMANN, LLC AND THE BOROUGH OF OCEANPORT**

Resolution

WHEREAS, the Borough of Oceanport has a need to retain Legal Counsel in the area of redevelopment 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 may exceed \$17,500.00; and

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, Joseph P. Baumann, Jr. of the firm McManimon, Scotland & Baumann, LLC has completed and submitted a Business Entity Disclosure Certification and statement of compliance with Oceanport's Pay to Play Ordinance which certifies that McManimon, Scotland & Baumann, LLC have 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 McManimon, Scotland & Baumann, LLC from making any reportable contributions through the term of the contract; and

WHEREAS, funds shall be available for the stated purpose in the 2022 municipal budget subject to adoption of the 2022 budget.

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

1. Joseph P. Baumann, Jr. of the firm McManimon, Scotland & Baumann, LLC be and is hereby appointed as Borough Redevelopment Counsel for CY 2022.
2. McManimon, Scotland & Baumann, LLC is prohibited from making any contribution to a political or candidate committee during the term of this appointment.
3. The Mayor and Borough Clerk are hereby authorized to enter into a contract on behalf of the Borough of Oceanport for a maximum contract amount of \$20,000.00 payable at an hourly rate of \$215.00 subject to receipt of a completed Political Contribution Disclosure Form.
4. That the within Resolution shall be subject to the Borough CFO confirming that funds are available for the stated purpose.

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

BE IT FURTHER RESOLVED that a summary of the above shall be published in an official newspaper of the Borough as required by law within 10 days of its passage.

CERTIFICATION OF FUNDS

As required by N.J.A.C. 5:34-5.1 et. seq., I, Catherine D. LaPorta, Chief Financial Officer of the Borough of Oceanport, hereby certify sufficient funds are available in Account #01-201-20-155-220 pending adoption of the CY 2022 Budget



Catherine D. LaPorta, CFO

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTMENT OF SPECIAL AFFORDABLE HOUSING COUNSEL AND AWARD OF A NON-
FAIR AND OPEN CONTRACT BETWEEN PASHMANSTEIN, P.C. AND THE BOROUGH OF
OCEANPORT FOR THE PERIOD JANUARY 1, 2022 TO DECEMBER 31, 2022**

Resolution

WHEREAS, legal services are a professional service as defined in N.J.S.A. 40A:11-5(1)(a)(i) et seq.; and

WHEREAS, the Borough of Oceanport desires to retain the services of Andrew Bayer, Esq. of the firm PashmanStein PC, 28 Leroy Place, Red Bank, NJ 07701 as Borough Special Counsel for Affordable Housing for the period commencing January 1, 2022 and ending December 31, 2022 by means of a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.B; and

WHEREAS, pursuant to Oceanport Borough Code §35-8, the municipality shall award all contracts or agreements for the provision of professional services on the basis of qualification based, competitive negotiation; and

WHEREAS, §35-8(l) of the Oceanport Borough Code allows the Borough Council to waive part or all of the requirements of §35-8 by a majority vote of the full Council in the event compliance with part or all of the requirements delineated in §35-8 is impracticable; and,

WHEREAS, the Borough Council finds that it is in the best interests of the Borough that the requirements set forth in Oceanport Borough Code §35-8 be waived and PashmanStein PC, P.C. be awarded the contract based upon their experience and specialized knowledge of the subject matter; and

WHEREAS, the Borough has determined that the value of the services may exceed \$17,500.00; and

WHEREAS, Andrew Bayer, Esq. of the firm PashmanStein PC, has completed and submitted a Business Entity & Political Contribution Disclosure Certification which certifies that PashmanStein PC 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 PashmanStein PC from making any reportable contributions through the term of the contract; and

WHEREAS, funds shall be available for the stated purpose in the 2022 municipal budget subject to adoption of the 2022 budget.

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

1. Andrew Bayer, Esq. of the firm PashmanStein PC, be and is hereby appointed as Borough Special Counsel for Affordable Housing for CY 2022.
2. Andrew Bayer, Esq. of the firm PashmanStein PC, is prohibited from making any reportable 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 for a maximum contract amount of \$25,000.00 payable at an hourly rate in accordance with the provided 2022 rate schedule.
4. That the within Resolution shall be subject to certification by the Borough CFO that funds are available for the stated purpose.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and Political Contribution Disclosure Form, the contract & resolution shall be placed on file in the office of the Borough Clerk.

BE IT FURTHER RESOLVED that a notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the Borough of Oceanport.

CERTIFICATION OF FUNDS

As required by N.J.A.C. 5:34-5.1 et. seq., I, Catherine D. LaPorta, Chief Financial Officer of the Borough of Oceanport, hereby certify sufficient funds are available in Account #01-201-20-155-219 pending adoption of the CY 2022 Budget.



Catherine D. LaPorta, CFO

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING A WAIVER OF §115-2 ALCHOLIC BEVERAGES/HOURS OF OPERATION FOR
CERTAIN EVENTS BEING HELD AT MONMOUTH PARK**

Resolution

WHEREAS, Monmouth Park annually hosts the Haskell Invitational and other special events; and

WHEREAS, Monmouth Park has requested that the sale and consumption of alcoholic beverages be permitted to commence prior to the hours established by §115-2(A)-2 Alcoholic Beverages, Hours of Operations *No licensee shall sell, serve or deliver or permit, allow or suffer the sale, service or delivery of any alcoholic beverage or allow the consumption of any alcoholic beverage on the licensed premises except as follows...(2) On Sundays between the hours of 12:00 noon and 2:00 a.m. of the following day*

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Oceanport that Monmouth Park is hereby authorized to commence the sale and consumption of alcoholic beverage no earlier than 9:00 a.m. for the 2022 Haskell Invitational event held at Monmouth Park Racetrack and any other special events upon notification to the Borough Administrator.