

R-12-01
1-1-12

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 2012

NOW, THEREFORE, BE IT RESOLVED that the meetings of the Oceanport Mayor and Council are as follows:

WORK SHOP MEETINGS: WILL BEGIN AT 7:00 P.M. WITH REGULAR MEETINGS IMMEDIATELY FOLLOWING THE WORKSHOP MEETINGS.

TIME: 7:00 P.M.
PLACE: BOROUGH HALL, 222 MONMOUTH BLVD., OCEANPORT
DAY: The first and third Thursday of each month with the exception of July 5, 2012 and August 2, 2012 as those meetings will be cancelled due summer schedule, November 15, 2012, as that meeting will be cancelled due to the League of Municipalities Convention,

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, forward a copy of same to the Link Newspaper and the Asbury Park Press as well as in the office of any designated official pursuant to Section 3 (d) of the Act; and

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.

R-12-02
1-1-12

BE IT RESOLVED that the Wells Fargo, Bank of America; Sovereign Bank of New Jersey; the Bank of New York/Mellon, Provident Bank, Valley National Bank; TD Bank, Two River Community Bank, Columbia Bank, Rumson-Fair Haven Bank and Trust, Capital One Bank and the State of New Jersey Cash Management Fund are hereby designated as the official depositories for all Borough funds.

R-12-03
1-1-12

BE IT RESOLVED that Asbury Park Press, Atlanticville/Hub, Star Ledger and the Link News are hereby designated as the official newspapers for all Borough advertising.

R-12-04

1-1-12

WHEREAS, N. J.S.A. 40A: 5-7.1 and 5-7.3 permits public funds of a municipality to be invested in any insured Association, or any Federal Association, whose principal office is located within the State of New Jersey; and

WHEREAS, it is advisable that funds of this municipality on hand and not needed temporarily be invested in such accounts yielding a return on the investment at such time as the Borough may be in a position to do so; and

WHEREAS, N.J.S.A. 40A: 5-14 requires the approval of a cash management plan annual; and

BE IT FURTHER RESOLVED that the CASH MANAGEMENT PLAN as attached is approved; and

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Borough Council of the Borough of Oceanport in the County of Monmouth, New Jersey, that the Borough Chief Financial Officer is hereby authorized and directed to make such investments of public funds of the Borough of Oceanport on hand and not needed temporarily in any insured Association or Federal Association, in such Principle Office, or Branch Office, up to the amount for which such accounts are insured, pursuant to N.J.S.A. 40A: 5-7 and 5-7.3.

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

1. 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 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 (the "Designated Official") is 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 DEPOSITORYES.

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
TWO RIVER COMMUNITY BANK

VALLEY NATIONAL BANK
COLUMBIA BANK

WELLS FARGO
RUMSON-FAIR HAVEN BANK
SOVEREIGN BANK OF NJ
THE BANK OF NEW YORK/MELLON
NJ CASH MANAGEMENT FUND

CAPITAL ONE BANK
TD BANK
PROVIDENT BANK

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. None at this time.

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 managed 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 insure 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, 2012 to December 31, 2012. Attached to this plan is a resolution of the Governing Body of the Borough approving this Plan for such a 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.

R-12-05
1-1-12

BE IT RESOLVED that the Collector of Taxes 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%) for amounts over the first \$1,500 of said delinquent taxes retroactive to the quarterly due date if paid after such ten (10) days.

R-12-06
1-1-12

WHEREAS, NJSA 54:4-67 et seq, permits the governing body to fix the rate of interest to be charged for the nonpayment of taxes, assessments or other municipal charges.

NOW THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Oceanport, that in addition to the interest already provided, the tax collector shall also collect a penalty of six (6) percent of the amount of the current delinquencies in excess of Ten Thousand (\$10,000.00) Dollars, which are not paid prior to the end of the calendar year.

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

R-12-07
1-1-12

BE IT RESOLVED by the Oceanport Mayor and Council that the annual tax sale to be held in 2012 will be for those taxes due on real property that have been delinquent since December 31, 2011.

R-12-08
1-1-12

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE CANCELLING OF SMALL BALANCES**

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 Council of the Borough of Oceanport that 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 2010 in accordance with N.J.S.A. 40A:5-17-1.

R-12-09
1-1-12

BE IT RESOLVED by the Oceanport Mayor and Council that the Borough Clerk is hereby authorized to sign all checks issued against the Borough of Oceanport and the Mayor is authorized to co-sign said checks.

R-12-10
1-1-12

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

NOW, THEREFORE BE IT RESOLVED that the following temporary appropriations be made for the year 2012:

<u>APPROPRIATIONS</u>	<u>SALARIES & WAGES</u>	<u>OTHER EXPENSES</u>
Admin. & Executive	\$ 45,000.00	\$ 15,000.00
Financial Administration	16,000.00	20,000.00
Assessment of Taxes	5,300.00	1,500.00
Collection of Taxes	15,000.00	2,500.00
Legal Services		25,000.00
Municipal Court	35,000.00	2,000.00
Public Defender		1,200.00
Prosecutor's Office	3,000.00	
Engineering Services		10,000.00
Buildings & Grounds		27,000.00
Planning Board	2,000.00	1,500.00
Health Insurance		260,000.00
Dental Insurance		16,000.00
Liability Insurance		50,000.00
Worker's Compensation Insurance		60,000.00
Fire		15,000.00
Fire Hydrant Services		16,000.00
First Aid		20,000.00
Police Department	495,000.00	25,000.00
Emergency Management	750.00	3,000.00
OSHA/Pathogens		125.00
Public Works	85,000.00	35,000.00
Senior Citizens		1,000.00
Shade Tree		2,000.00
Planner Fees		6,500.00
Transp. of High School Students		6,900.00
Street Lighting		22,000.00

Sanitation		50,000.00	
Dumping Fees		80,000.00	
Parks & Recreation	4,000.00	6,000.00	
County Library	500.00	4,000.00	
Social Security System		40,000.00	
Deferred Compensation Ret. Plan		200.00	
Construction Code Enforcement	22,000.00	2,000.00	
Code Enforcement	1,800.00	1,000.00	
Fire Prevention		0.00	
Recycling		7,000.00	
Board of Health	600.00	200.00	
Environmental Commission		500.00	
Electricity		13,000.00	
Water		4,000.00	
Gasoline		18,000.00	
Natural Gas		15,000.00	
Sewer		800.00	
Telephone		6,000.00	
APPROPRIATIONS	SALARIES & WAGES	OTHER EXPENSES	
Celebration of Public Events		1,000.00	
Debt Service; Green Acres		13,486.00	
NJEIT Administrative Fees		20,000.00	
Inter-local Service Agreement Dispatch		50,000.00	
Debt Service; Bond Principal		65,000.00	
Debt Service; Bond Interest		46,100.00	
	\$ 730,950.00	\$ 1,087,511.00	\$1,818,461.00

R-12-11
1-1-12

WHEREAS, the Borough of Oceanport has determined that there is a need to hire a cleaning service for Borough buildings; and

WHEREAS, the Borough has determined that the cost to perform such cleaning services would be below the public bidding threshold of Twenty one Thousand (\$17,500.00) Dollars as provided by law (N.J.S.A. 40A:11-3); and

WHEREAS; the Borough requested proposals to perform said Cleaning Services from Rodini, SSS Cleaning, and United Cleaning and posted on the Borough Website.

WHEREAS, the Borough has received proposals from United Cleaning, SSS Clean, URUCorp and Kaijay C-1 Enterprises; and.

WHEREAS, the lowest responsible proposal was received by United Cleaning in the amount of \$14,290.00

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

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport, in the County of Monmouth and State of New Jersey that the contract for performance of the scope of the work as aforementioned in the total sum of Fourteen thousand two hundred ninety dollars (\$14,290.00) be awarded to United Cleaning and that United Cleaning provide the appropriate certificate of insurance.

CERTIFICATION OF FUNDS

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



GREGORY S. MAYERS, CPA, CFO

R-12-12
1-5-12

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated January 5, 2012.

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

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of January 5, 2012.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated January 19, 2012 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

R-12-13
1-5-12

WHEREAS, the Borough of Oceanport has a need to acquire general legal services for 2012 as a fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and,

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

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

WHEREAS, JOHN O. BENNETT, III 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 John O. Bennett, III from making any reportable contributions through the term of the contract, and;

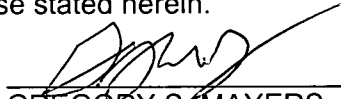
WHEREAS, the Chief Financial Officer has certified that the funds are available for the stated purpose.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oceanport authorizes the Mayor and Clerk to enter into a contract with John O. Bennett, III as described herein; and

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

CERTIFICATION OF FUNDS

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



GREGORY S. MAYERS, CPA, CFO

R-12-14
1-5-12

WHEREAS, the Borough of Oceanport has a need to acquire Special Litigation /Labor Employment legal services for 2012 as fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and,

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

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

WHEREAS, Scott C. Arnette, Arnette Law 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 Scott C. Arnette, Arnette Law from making any reportable contributions through the term of the contract, and;

WHEREAS, the Chief Financial Officer has certified that the funds are available for the stated purpose.

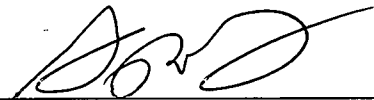
NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oceanport authorizes the Mayor to enter into a contract with Scott C. Arnette and the costs associated with the service are outlined in said contract; and

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

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

CERTIFICATION OF FUNDS

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



GREGORY S. MAYERS, CPA, CFO

R-12-15
1-5-12

WHEREAS, the Borough of Oceanport has a need to acquire engineering services for 2012 thru a fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4.; and,

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

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

WHEREAS, MASER CONSULTING AND WILLIAM WHITE 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 Maser Consulting and William White from making any reportable contributions through the term of the contract, and;

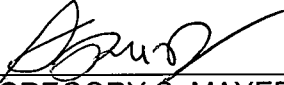
WHEREAS, the Chief Financial Officer has certified that the funds are available for the stated purpose.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oceanport authorizes the Mayor and Clerk to enter into a contract with Maser Consulting and William White as described herein; and

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

CERTIFICATION OF FUNDS

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



GREGORY S. MAYERS, CPA, CFO

R-12-16
1-5-12

WHEREAS, the Borough of Oceanport has a need to acquire special projects engineering services for 2012 thru a fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4.; and,

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

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

WHEREAS, T&M Associates 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 T&M Associates from making any reportable contributions through the term of the contract, and;

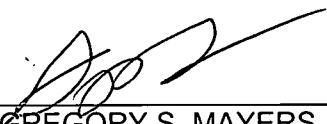
WHEREAS, the Chief Financial Officer has certified that the funds are available for the stated purpose.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oceanport authorizes the Mayor and Clerk to enter into a contract with T&M Associates as described herein; and

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

CERTIFICATION OF FUNDS

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



GREGORY S. MAYERS, CPA, CFO

R-12-17
1-5-12

WHEREAS, the Borough of Oceanport has a need to acquire auditing services for 2012 as a fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and,

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

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

WHEREAS, ROBERT OLIVA has certified that his firm 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 Robert Oliwa from making any reportable contributions through the term of the contract, and;

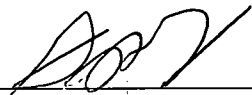
WHEREAS, the Chief Financial Officer has certified that the funds are available for the stated purpose.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oceanport authorizes the Mayor and Clerk to enter into a contract with Robert Oliwa as described herein; and

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

CERTIFICATION OF FUNDS

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



GREGORY S. MAYERS, CPA, CFO

R-12-18
1-5-12

WHEREAS, the Borough of Oceanport has a need to acquire Bond Counsel for 2012 as a fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and,

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

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

WHEREAS, GluckWalrath, LLC 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 GluckWalrath, LLC from making any reportable contributions through the term of the contract, and;

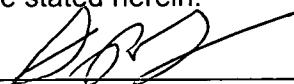
WHEREAS, the Chief Financial Officer has certified that the funds are available for the stated purpose.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oceanport authorizes the Mayor and Clerk to enter into a contract with GluckWalrath, LLC as described herein; and

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

CERTIFICATION OF FUNDS

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



GREGORY S. MAYERS, CPA, CFO

R-12-19
1-5-12

WHEREAS, the Borough of Oceanport has a need to acquire planning services for 2012 as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and,

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

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

WHEREAS, Clarke Caton Hintz has completed and submitted a Business Entity Disclosure Certification and Political Contribution Disclosure Form which certifies that Clarke Caton Hintz 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 Clarke Caton Hintz from making any reportable contributions through the term of the contract, and;

WHEREAS, the Chief Financial Officer has certified that the funds are available for the stated purpose.

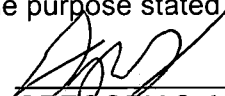
NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oceanport authorizes the Mayor to enter into a contract with Clarke Caton Hintz as described herein; and

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

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

CERTIFICATION OF FUNDS

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



GREGORY S. MAYERS, CPA, CFO

R-12-20
1-5-12

BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that **KIMBERLY A JUNGFER** is hereby appointed Community Development Representative and **GREGORY S. MAYERS** is appointed as the Alternate for the Monmouth County Community Development Program during calendar year 2012.

R-12-21
1-5-12

WHEREAS, the following properties are due a refund for an overpayment of property taxes under the laws of the State of New Jersey (N.J.S.A. 45.5-17.1) and

WHEREAS, the Tax Collector has recommended that the amount of the overpayment be refunded to the property owners.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that the Tax Collector be and is hereby authorized to refund said overpayment for the following properties:

Block 1, Lot 3

\$323.86

R-12-22
1-19-12

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated January 19, 2012.

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

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of January 19, 2012.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated January 19, 2012 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

R-12-23
1-19-12

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, Kimberly A. Jungfer, Administrator/Clerk 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/Clerk, Kimberly A. Jungfer, be designated as the Public Agency Compliance Officer under the Affirmative Action requirements on behalf of the Borough of Oceanport.

R-12-24
1-19-12

WHEREAS, the Borough of Oceanport has determined that there is a need to hire a service for maintenance of floors in Borough buildings; and

WHEREAS, the Borough has determined that the cost to perform such services would be below the public bidding threshold of Twenty one Thousand (\$17,500.00) Dollars as provided by law (N.J.S.A. 40A:11-3); and

WHEREAS; the Borough requested proposals to perform said Services from Rodini, SSS Cleaning, and United Cleaning and posted on the Borough Website.

WHEREAS, the Borough has received proposals from United Cleaning, SSS Clean, URUCorp and Kaijay C-1 Enterprises; and.

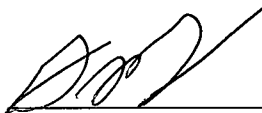
WHEREAS, the lowest responsible proposal was received by Urucorp in the amount of \$2,200.00

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

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport, in the County of Monmouth and State of New Jersey that the contract for performance of the scope of the work as aforementioned in the total sum of Two thousand two hundred dollars (\$2,200.00) be awarded to Urucorp and that Urucorp provide the appropriate certificate of insurance.

CERTIFICATION OF FUNDS

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



GREGORY S. MAYERS, CPA, CFO

R-12-25
1-19-12

WHEREAS, at the Borough Tax Sale held on October 2, 2009 , a lien was sold on Block 140, Lot 1, also as known as 164 Main Street for delinquent sewer; and

WHEREAS, this lien, known as Tax Sale Certificate #08-00014, was sold to KMM Real Estate Investments, LLC, at an interest rate of 0%; and

WHEREAS, TD Bank, Mortgagor, has effected redemption of Certificate #08-00014 in the amount of \$171.92.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$171.92 payable to KMM Real Estate Investments, LLC, 79 Williams Street, Tinton Falls, NJ 07724 for the redemption of Tax Sale Certificate #08-00014.

BE IT FURTHER RESOLVED that the CFO be authorized to issue a check in the amount of \$100.00 (Premium) to the aforementioned lien holder.

R-12-26
1-19-12

WHEREAS, the following properties are due a refund for an overpayment of property taxes under the laws of the State of New Jersey (N.J.S.A. 45.5-17.1) and

WHEREAS, the Tax Collector has recommended that the amount of the overpayment be refunded to the property owners.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that the Tax Collector be and is hereby authorized to refund said overpayment for the following properties:

Block 70, Lot 1.01

\$1,940.35

R-12-27
1/19/2012

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

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

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

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

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

FROM:	
Police S&W	8,500.00
	<u>8,500.00</u>
TO:	
Financial Administration OE	5,000.00
Shade Tree OE	1,500.00
Telephone OE	2,000.00
	<u>8,500.00</u>

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

R-12-28
1-19-12

WHEREAS, there is a need to fulfill the position of Recreation Coordinator; and

WHEREAS, the Governing Body, after recommendation from the Parks and Recreation Committee has agreed that Joanne Hunt is qualified to perform the duties of Recreation Coordinator.

NOW THEREFORE, BE IT RESOLVED that Joanne Hunt shall hereby be appointed Recreation Coordinator beginning February 1, 2012 at a salary to be set forth in the Borough's Salary Ordinance.

R-12-29
1-19-12

WHEREAS, the Governing Body of the Borough of Oceanport has determined that it is in the best interest of the Borough to appoint the following individual as a patrolman to the Oceanport Police Department, which shall be effective as of February 2, 2012;

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

Chrisovalandis Mageros is hereby appointed Patrolman Step 9.

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are authorized to sign any and all documents necessary to effectuate the intentions of this Resolution.

BE IT FURTHER RESOLVED, that a certified true copy of the within Resolution be furnished to the Chief of Police of the Borough of Oceanport, the Chief Financial Officer, the Borough Attorney, and the Oceanport PBA Representative.

R-12-30
2-2-12

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated February 2, 2012.

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

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of February 2, 2012.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated February 2, 2012 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

R-12-31
2-2-12

WHEREAS, pursuant to NJSA 40:18-2 et seq., and Borough Ordinance §295-39, any costs incurred by the Borough for the maintenance of properties including but not limited to property maintenance, property cleaning, yard upkeep, beautification, improvements to property any other expenses incurred in maintaining structural integrity or safety, abatement of a public hazard or nuisance or the improvement of the general appearance of any such property, shall become a lien on that property as of the time such cost is incurred; and

WHEREAS premises known and designated below has overgrowth of vegetation, dead and leaning evergreen trees, disrepair of fence panels; and

Block 83, Lot 6 - 2 Bradley Avenue

WHEREAS, after proper notice to the property owner by certified mail to remedy the violation and allowing for the 10 day abatement period with no response by the registered property owners nor the lienholder of record, U.S. Bank N.A. and/or its representatives, Oceanport Public Works abated the violation.

WHEREAS, in accordance with Borough Ordinance the cost of such clean up was as follows:

Block 83, Lot 6 – 2 Bradley Ave	January 18, 2012	\$184.00
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NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport that the Tax Collector is hereby directed to place a lien against the aforementioned property in the amounts noted above, and such lien shall become a part of the taxes levied upon such property.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the owner of record of said property.

R-12-32
2-2-12

WHEREAS, the following properties are due a refund for an overpayment of property taxes under the laws of the State of New Jersey (N.J.S.A. 45.5-17.1) and

WHEREAS, the Tax Collector has recommended that the amount of the overpayment be refunded to the property owners.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that the Tax Collector be and is hereby authorized to refund said overpayment for the following properties:

Block 27, Lot 12.01	\$10,115.07
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R-12-33
2-2-12

WHEREAS, a request has been made from the owner of property know as the "Village Center" for Borough consent to apply of an extension of a Treatment Works Permit 05-0108

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Oceanport grant their consent of the application for the extension of the Treatment Works Permit 05-0108.

R-12-34
2-2-12

WHEREAS, two (2) independent scientific studies in 1990 confirmed that Wampum Lake posed health problems due to the determination that heavy metals and chlordane were found in lake samplings and in the tissue of fish from Wampum Lake, Eatontown, New Jersey; and

WHEREAS, there is abundant evidence available already that the contamination poses a health risk and that Wampum Lake was tested not only positive for all contaminants generally found in investigative studies involved in environmental contamination but that 10 of 13 contaminants exceeded the Severe Effects Level and that cumulatively Wampum Lake was measured by the Monmouth County Health Department as having the highest level of contaminants in Monmouth County; and

WHEREAS, the environmental condition of property sediment testing over 20 heavy metals and contaminants were found the entire length of the Wampum Brook ,within the Charles Wood area borders and also drains into Oceanport Creek ; and

WHEREAS, sediment samples indicated heavy contamination at the Charles wood area eastern border, namely the north branch and the south branch of the Wampum Brook and are consistent with the type of activities determined to exist when the Charles Wood area was active as part of Fort Monmouth; and

WHEREAS, additional testing is needed especially sediment testing upstream from Wampum Lake and to discover is contamination has migrated downstream from the Lake to other areas of Eatontown and possible Oceanport, as well as further investigative work as to eliminating all alternative sources of contamination and discovering if any new sources of contamination in addition to those already determined to exist within Fort Monmouth and to expand on the Environmental Condition of the Property and Baseline Ecological Evaluation of the issues of health; and

WHEREAS, grant and other monies may be available for further independent investigative study and remediation, the Oceanport Environmental Commission in concert with the Eatontown Environmental Commission is authorized to form partnerships and/or coalitions in order to best position itself to obtain funding from a variety of sources.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Oceanport, herby authorizes the Oceanport Environmental Commission to apply for and seek and provide sources of grant funds presently available through the federal, state and county governments, and other private and public sources so as to provide further independent site and remedial investigation and testing analysis of the entire Wampum Lake area and watershed in order to determine all sources of contamination of the Wampum Lake and contributory areas the extent of contamination and through the use of scientific "forensic" methodologies identify all responsible parties with the intent of eventually obtaining a remediation plan and monies to clean up all contaminated areas identified.

R-12-33
2-2-12

WHEREAS, a request has been made from the owner of property know as the "Village Center" for Borough consent to apply of an extension of a Treatment Works Permit 05-0108

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Oceanport grant their consent of the application for the extension of the Treatment Works Permit 05-0108.

R-12-34
2-2-12

WHEREAS, two (2) independent scientific studies in 1990 confirmed that Wampum Lake posed health problems due to the determination that heavy metals and chlordane were found in lake samplings and in the tissue of fish from Wampum Lake, Eatontown, New Jersey; and

WHEREAS, there is abundant evidence available already that the contamination poses a health risk and that Wampum Lake was tested not only positive for all contaminants generally found in investigative studies involved in environmental contamination but that 10 of 13 contaminants exceeded the Severe Effects Level and that cumulatively Wampum Lake was measured by the Monmouth County Health Department as having the highest level of contaminants in Monmouth County; and

WHEREAS, the environmental condition of property sediment testing over 20 heavy metals and contaminants were found the entire length of the Wampum Brook ,within the Charles Wood area borders and also drains into Oceanport Creek ; and

WHEREAS, sediment samples indicated heavy contamination at the Charles wood area eastern border, namely the north branch and the south branch of the Wampum Brook and are consistent with the type of activities determined to exist when the Charles Wood area was active as part of Fort Monmouth; and

WHEREAS, additional testing is needed especially sediment testing upstream from Wampum Lake and to discover is contamination has migrated downstream from the Lake to other areas of Eatontown and possible Oceanport, as well as further investigative work as to eliminating all alternative sources of contamination and discovering if any new sources of contamination in addition to those already determined to exist within Fort Monmouth and to expand on the Environmental Condition of the Property and Baseline Ecological Evaluation of the issues of health; and

WHEREAS, grant and other monies may be available for further independent investigative study and remediation, the Oceanport Environmental Commission in concert with the Eatontown Environmental Commission is authorized to form partnerships and/or coalitions in order to best position itself to obtain funding from a variety of sources.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Oceanport, herby authorizes the Oceanport Environmental Commission to apply for and seek and provide sources of grant funds presently available through the federal, state and county governments, and other private and public sources so as to provide further independent site and remedial investigation and testing analysis of the entire Wampum Lake area and watershed in order to determine all sources of contamination of the Wampum Lake and contributory areas the extent of contamination and through the use of scientific "forensic" methodologies identify all responsible parties with the intent of eventually obtaining a remediation plan and monies to clean up all contaminated areas identified.

R-12-35
2-16-12

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated February 16, 2012.

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

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of February 16, 2012.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated February 16, 2012 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

R-12-36
2-16-12

WHEREAS, at the Borough Tax Sale held on October 7, 2011, a lien was sold on Block 14, Lot 23 as known as 97 Monmouth Blvd. for delinquent sewer; and,

WHEREAS, this lien, known as Tax Sale Certificate #10-00004, was sold to FNA Jersey BOI, LLC at an interest rate of 0%; and

WHEREAS, Hudson City Savings, owner, has effected redemption of Certificate #10-00004 in the amount of \$6502.87.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$6502.87 payable to FNA Jersey BOI, LLC, P.O. Box 1030, Brick, NJ 08723 for the redemption of Tax Sale Certificate #10-00004.

BE IT FURTHER RESOLVED, that the CFO be authorized to issue a check in the amount of \$4100.00 (Premium) to the aforementioned lienholder.

R-12-37
2-16-12

WHEREAS, at the Borough Tax Sale held on October 7, 2011, a lien was sold on Block 142, Lot 12 as known as 153 South Pemberton Ave. for delinquent sewer; and,

WHEREAS, this lien, known as Tax Sale Certificate #10-00013, was sold to FNA Jersey BOI, LLC at an interest rate of 18%; and

WHEREAS, CitiMortgage, Mortgagor, has effected redemption of Certificate #10-00013 in the amount of 293.01.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$293.01 payable to FNA Jersey BOI, LLC, P.O. Box 1030, Brick, NJ 08723, for the redemption of Tax Sale Certificate #10-00013.

R-12-38
2-16-12

WHEREAS, the following properties are due a refund for an overpayment of property taxes under the laws of the State of New Jersey (N.J.S.A. 45.5-17.1) and

WHEREAS, the Tax Collector has recommended that the amount of the overpayment be refunded to the property owners.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that the Tax Collector be and is hereby authorized to refund said overpayment for the following properties:

Block 34, Lot 5

\$709.15

R-12-39
2-16-12

WHEREAS, the Plan Administrator is in receipt of the certified LOSAP lists for 2011 from:

Oceanport First Aid
Oceanport Hook and Ladder Fire Company

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

R-12-40
2-16-12

WHEREAS, there is a need to appoint a Recycling Coordinator; and

WHEREAS, Marc Hunter, Foreman, Public Works has completed the necessary certification classes to be appointed to such position.

NOW, THEREFORE, BE IT RESOLVED by the Oceanport Governing Body that the above named individual is hereby appointed Recycling Coordinator.

R-12-41
3-15-12

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated March 15, 2012.

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

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of March 15, 2012.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated March 15, 2012 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

R-12-42
3-15-12

WHEREAS, at the Borough Tax Sale held on October 7, 2011, a lien was sold on Block 8, Lot 26 as known as 47 Tecumseh Avenue for delinquent sewer; and,

WHEREAS, this lien, known as Tax Sale Certificate #10-00001, was sold to US Bank-Cust/Pro Capital 1, LLC at an interest rate of 0%; and

WHEREAS, GMAC, Mortgagor, has effected redemption of Certificate #10-00001 in the amount of 517.13.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$517.13 payable to US Bank-Cust/ProCapital 1, LLC and forward to 2 Liberty Place, 50 South 16th Street, Suite 1950, Philadelphia, PA 19102 for the redemption of Tax Sale Certificate #10-00001.

R-12-43
3-15-12

WHEREAS, at the Borough Tax Sale held on October 7, 2011, a lien was sold on Block 55, Lot 4 as known as 44 Manitto Place for delinquent sewer; and,

WHEREAS, this lien, known as Tax Sale Certificate #10-00007, was sold to US Bank-Cust/Pro Capital 1, LLC at an interest rate of 18%; and

WHEREAS, GMAC, Mortgagor, has effected redemption of Certificate #10-00007 in the amount of 553.25.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$553.25 payable to US Bank-Cust/ProCapital 1, LLC and forward to 2 Liberty Place, 50 South 16th Street, Suite 1950, Philadelphia, PA 19102 for the redemption of Tax Sale Certificate #10-00007.

R-12-44
3-15-12

WHEREAS, at the Borough Tax Sale held on October 7, 2011, a lien was sold on Block 142, Lot 1 as known as 114 Main Street for delinquent sewer; and

WHEREAS, this lien, known as Tax Sale Certificate #10-00012, was sold to US Bank-Cust/ProCapital 1 LLC at an interest rate of 16%; and

WHEREAS, Wells Fargo, owner, has effected redemption of Certificate #10-00012 in the amount of \$2,651.30..

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$2,651.30 payable to US Bank-Cust/ProCapital 1, LLC and forward to 2 Liberty Place, 50 South 16th Street, Suite 1950, Philadelphia, PA 19102 for the redemption of Tax Sale Certificate #10-00013.

R-12-45
3-15-12

WHEREAS, the following properties are due a refund for an overpayment of property taxes under the laws of the State of New Jersey (N.J.S.A. 45.5-17.1) and

WHEREAS, the Tax Collector has recommended that the amount of the overpayment be refunded to the property owners.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that the Tax Collector be and is hereby authorized to refund said overpayment for the following properties:

Block 17, Lot 3.01	\$2,759.44
Block 102, Lot 1.24 Qual CD024	\$1,724.55
Block 100, Lot 1.17 Qual CC017	\$1,878.74
Block 135, Lot 15.03	\$3,088.25
Block 57, Lot 8	\$2,315.67
Block 139, Lot 20	\$ 866.15

2.

R-12-46

3-15-12

WHEREAS, The James J. Howard Marine Sciences Laboratory at Sandy Hook, known as Marine Labs, has been in operation since 1961; and

WHEREAS, Marine Labs was the first federal scientific laboratory in the United States devoted to researching marine recreational species, and now has an international reputation in the scientific community; and

WHEREAS, Marine Labs has been instrumental in successful efforts over the past several decades to clean up the ocean waters in a critical region extending from Long Island south to Cape May, including the New York Bight and coastal Monmouth County; and

WHEREAS, the current federal administration proposes to close Marine Labs and reassign its staff to other National Oceanic and Atmospheric Administration facilities located in other states; and

WHEREAS, the Borough of Oceanport recognizes that Marine Labs is important to the intellectual, economic and oceanic health and well-being of the region, and believes that the proposed closure is detrimental and unnecessary; and

WHEREAS, the Borough of Oceanport further recognizes that Marine Labs is important to the education of the region's students, including those from Little Silver and others attending the Marine Academy of Science and Technology, a premier Monmouth County high school whose campus neighbors Marine Labs and benefits from the facility and its scientist's expertise; and

WHEREAS, Marine Labs was recently rebuilt following a devastating fire, and subsequently improved at great expense to include multiple state of the art laboratories and a massive salt water aquarium;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oceanport respectfully urges the current administration to reconsider the proposed closure, saving it from the fate suffered by Fort Monmouth felt throughout the region, and to instead preserve the revered institution for the benefit of generations to come.

R-12-47
3-15-12

WHEREAS, based on After Action Reports of the Hurricane Irene event, Corrective Actions are needed; and

WHEREAS the Oceanport Office of Emergency Management would like to submit an Emergency Management Preparedness Grant for a mobile Toughbook computer, Personal Protective Equipment for OEM/CERT members, roadside flood staff gauges, IPAD 2 for damage assessment and a Rescue One Connector Boat based on the recommendations of the Corrective Actions; and

WHEREAS, the Borough has made the in-kind match.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Oceanport that the Oceanport Office of Emergency Management is hereby authorized to submit the aforementioned grant application for the purposes stated above.

R-12-48
3-15-12

WHEREAS, the Parks and Recreation Committee has recommended the following groups be approved for use of a Borough Field as follows:

Spanish Soccer League – Maria Gatta Community Park (Spring term)
Peninsula Soccer Club – Maria Gatta Community Park (Spring term)
Jersey Shore Thunder – Blackberry Bay Park (Spring term)
Shore Spartans/Deutsch – Community Center (Spring term)
Oceanport Spartans/Murphy – Community Center (Spring term)
Shore Spartans/Barnwell – Blackberry Bay Park (Spring term)

WHEREAS, as required by ordinance the Borough Council has considered the recommendations of said committee.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that field usage by the aforementioned groups is hereby approved on the dates, fields and times so indicated on the applications submitted

R-12-49
3-15-12

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Borough of Oceanport strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, the Borough of Oceanport is certified and participating in the Sustainable Jersey Program; and

WHEREAS, one important aspect of sustainability is to have an Environmental Resource Inventory of the Borough which is supported by the Environmental Commission and Governing Body of the Borough of Oceanport.

WHEREAS, grant funding is available for such a study through ANJEC, with a 50% in-kind and cash match up to \$3,500.00 if the project is funded by ANJEC.

NOW, THEREFORE, BE IT RESOLVED, the Governing Body of the Borough of Oceanport hereby authorizes the submission of a grant application to ANJEC for an Environmental Resource Inventory of the Borough of Oceanport.

R-12-50
3-15-12

WHEREAS, the Plan Administrator is in receipt of the certified LOSAP lists for 2011 from:

Port-Au-Peck Chemical Hose Co.

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

R-12-51
3-15-12

WHEREAS, the public hearing for 2012 Municipal Budget is scheduled for April 19, 2012; and

WHEREAS, the Governing Body of the Borough of Oceanport desires to read the 2012 Municipal Budget by title only at the time of the public hearing and adoption of said budget; and

WHEREAS, the Governing Body of the Borough of Oceanport has caused or will cause the 2012 Municipal Budget to be posted in a public place in the Borough Hall of the Borough of Oceanport at least seven (7) days prior to the date of the public hearing; and

WHEREAS, said budget is or will be made available to any person requesting to review same at least, seven (7) days prior to the public hearing scheduled for the 2012 budget; and

WHEREAS, the Municipal Clerk, Kimberly A. Jungfer, has certified she has complied with N.J.S.A. 40A:4-8.1a and 1b. (copy of Certification attached hereto as Exhibit A);

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council shall read the 2012 Municipal Budget by its title only at the public hearing at the time of the adoption of the budget and hereby declares that the conditions set forth in N.J.S.A. 40A:4-8, Subsection 1.a and 1.b have been met therewith.

Exhibit A

CERTIFICATION

I, Kimberly Jungfer, Borough Clerk of the Borough of Oceanport do hereby certify that I will cause to be posted in the Borough Hall and delivered to the Free County Library a copy of the 2012 Municipal Budget at least seven days prior to the public hearing of April 19, 2012. I further certify that I will make the 2012 Municipal Budget available to any person requesting same least seven days prior to the public hearing of April 19, 2012



KIMBRLY A. JUNGFER
BOROUGH CLERK

R-12-52
3-15-12

BE IT RESOLVED that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2012; and

BE IT FURTHER RESOLVED that said budget shall be published in summary in The Link News in the issue of March 22, 2012 and the public hearing on the 2012 Municipal Budget will be held at the meeting of the Mayor and Council scheduled to be held on April 19, 2012 at the regular meeting which is immediately following the workshop meeting which begins at 7 p.m.

R-12-53
3-15-12

RESOLUTION
AUTHORIZING THE BOROUGH OF OCEANPORT
TO ENTER INTO A COLLECTIVE BARGAINING
AGREEMENT WITH THE BOROUGH OF OCEANPORT
P.B.A. LOCAL 364

WHEREAS, the Borough of Oceanport has entered into negotiations with the Borough of Oceanport Policemen's Benevolent Association, Local 364 regarding a contract between the parties, which expired December 31, 2011; and

WHEREAS, the parties have conducted said negotiations in good faith and have reached an Agreement, which has been or is about to be ratified by members of P.B.A. Local 364; and

WHEREAS, a copy of said Agreement, which the parties have negotiated, and which the P.B.A. has or is about to ratify and will be on file in the Borough Clerk's Office; and

WHEREAS, the Borough of Oceanport has determined it is in the best interest of the Borough to enter into said Agreement for a period of four (4) years commencing January 1, 2012 through and including December 31, 2015 and

NOW, THEREFORE, be it resolved that the Mayor and Clerk are hereby authorized to execute the Collective Bargaining Agreement between the Borough of Oceanport and the Borough of Oceanport P.B.A. Local 364; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer of the Borough of Oceanport has certified that there are sufficient funds available in the Municipal Budget to meet contractual obligations for 2012; and

BE IT FURTHER RESOLVED, that this Resolution is conditioned upon the appropriate representatives from the P.B.A. Local 364 executing said Agreement.

R-12-54
3-15-12

WHEREAS, there is a need to hire Class II Special Officers for the Police Department on a temporary basis; and

WHEREAS, following the interview process, the following have been recommended to fill the position:

Kelly Liemburg and Thomas Manzo.

NOW, THEREFORE, BE IT RESOLVED, by the Oceanport Governing Body that the above named persons are hereby appointed to said position on a temporary basis and that a certified copy of this resolution be forwarded to both the Chief Financial Officer and the Payroll Department.

R-12-55
3-15-12

WHEREAS in accordance with resolution R-09-149 adopted by the Governing Body on October 15, 2009 attorney fees for former Councilman Hugh Sharkey would be paid at a rate equal to that of the Borough Attorney for matters related to Johnson vs. Oceanport, GRC 2008-141, should the former Councilman be found not to willfully withhold records; and

WHEREAS, the former Councilman was found by the GRC not to have willfully withheld records in GRC 2008-141.

NOW THEREFORE BE IT RESOLVED, be it resolved that the Borough of Oceanport finds the invoices as presented by the former Councilman's attorney, William Leurs, to be acceptable; and

BE IT FURTHER RESOLVED, that Borough Counsel, John O Bennett, III is hereby authorized to execute a settlement with Counsel for the former Councilman on the Borough's behalf and to forward same to the Borough for payment.

R-12-56
3-27-12

WHEREAS the infield, pitcher's mound and batter's box on the 90' base ball field at Blackberry Bay Park is presently in a condition not optimal for practice nor game play; and

WHEREAS quotes to correct the deficiencies were sought; and

WHEREAS after review of the quotes received Sports Field Solutions, LLC was found to provide the lowest quote for the work needed at Twelve thousand five hundred eighty five dollars and 50 cents (\$12,585.50).

NOW THEREFORE BE IT RESOLVED that the Mayor and Council hereby award a contract to the above named contractor at the price indicated for the refurbishment of the 90' baseball field at Blackberry Bay Park.

R-12-57
4-5-12

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated April 5, 2012.

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

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of April 5, 2012.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated April 5, 2012 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

R-12-58
4-5-12

WHEREAS, the following properties are due a refund for an overpayment of property taxes under the laws of the State of New Jersey (N.J.S.A. 45.5-17.1) and

WHEREAS, the Tax Collector has recommended that the amount of the overpayment be refunded to the property owners.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that the Tax Collector be and is hereby authorized to refund said overpayment for the following properties:

Block 126, Lot 11

\$507.51

R-12-59
4-5-12

**CDBG BLOCK GRANT RESOLUTION AUTHORIZING THE MAYOR
TO SIGN A CERTIFICATION PROHIBITING THE USE
OF EXCESSIVE FORCE AND A CERTIFICATION PROHIBITING
THE USE OF FEDERAL FUNDS FOR LOBBYING**

WHEREAS, certain federal funds are potentially available to Monmouth County through the Housing and Community Development Act of 1974, as amended; and

WHEREAS, the United States Department of Housing and Urban Development has allocated funding to the County of Monmouth for FY 2012; and

WHEREAS, the County is making some of these funds available to certain participating municipalities and non-profit agencies; and

WHEREAS, it is required that the Borough of Oceanport execute a project agreement with Monmouth County to undertake a project known as Accessibility Improvements; and

WHEREAS, the U.S. Department of Housing and Urban Development is requiring that the Mayor of the Borough of Oceanport sign additional certifications in order to received these funds; and

WHEREAS, the Borough of Oceanport has adopted a policy prohibiting the use of excessive force by its law enforcement agency (police force) within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

WHEREAS, a copy of that policy is attached to and made part of this resolution.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Oceanport has met the conditions of receiving a FY 2012 allocation by adopting a policy prohibiting the use of excessive force and by not using federal funds for lobbying or by disclosing that funds have been used for lobbying.

BE IT FURTHER RESOLVED, that the Mayor of the Borough of Oceanport is hereby authorized to sign the attached certifications, which will become part of the FY 2012 Project Agreement.

R-12-60
4-5-12

**CDBG BLOCK GRANT RESOLUTION AUTHORIZING THE MAYOR
AND CLERK TO EXECUTE A PROJECT AGREEMENT WITH MONMOUTH COUNTY FOR
PERFORMANCE AND DELIVERY OF FY 2008
COMMUNITY DEVELOPMENT PROJECTS**

WHEREAS, certain federal funds are potentially available to Monmouth County under the Housing and Community Development Act of 1974, as amended; and

WHEREAS, the County of Monmouth expects to received an allocation for FY 2012 from the United States Department of Housing and Urban Development; and

WHEREAS, the County of Monmouth has submitted its Annual Plan for FY2012 to the U.S. Department of Housing and Urban, which included a project hereinafter referred to as Borough of Oceanport with a grant allocation of \$121,016; and

WHEREAS, the Borough of Oceanport hereby met all the requirements for the release of funds to begin incurring costs for this project; and

WHEREAS, the Borough of Oceanport has filed with the Monmouth County Community Development Program as acceptable "TIMETABLE FOR PROJECT COMPLETION AND EXPENDTURE OF GRANT FUNDS," which is included as Appendix I of the Project Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Clerk of the Borough of Oceanport authorized to execute with the County of Monmouth the attached Project Agreement.

R-12-61
4-5-12

WHEREAS based on the investigation of the State Bureau of Traffic Engineering it is recommended that the centerline pavement markings be a "No Passing Zone" along Route NJ71 throughout the entire length of Oceanport; and

WHEREAS, a review has been done by both the Borough Engineer and the Traffic Safety Bureau of the Oceanport Police Department, who concur with the recommendation of the Bureau of Traffic Engineering.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport that they support the "No Passing Zone" along Route NJ71 throughout the entire length of the Borough of Oceanport.

WHEREAS, an emergent condition has arisen wherein the appropriations set forth in the 2012 temporary budget are insufficient to meet the financial obligations as set forth below

WHEREAS, the permanent budget for the year 2012 has not yet been adopted, and

WHEREAS, the total emergency temporary appropriations adopted in the year 2012 pursuant to the provisions of N.J.S.A. 40A:4-20 included in this resolution total \$1,745,219.00

NOW, THEREFORE BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the aforementioned statute the 2012 temporary fiscal budget be and the same is hereby amended to provide for an emergency temporary appropriation in the amount of \$1,745,219.00, said appropriations are as follows:

<u>APPROPRIATIONS</u>	<u>SALARIES & WAGES</u>	<u>OTHER EXPENSES</u>
Admin. & Executive	\$ 30,000.00	\$ 20,000.00
Financial Administration	15,000.00	15,000.00
Assessment of Taxes	4,000.00	1,000.00
Collection of Taxes	11,000.00	1,000.00
Legal Services		20,000.00
Municipal Court	33,000.00	1,500.00
Public Defender		300.00
Prosecutor's Office	3,000.00	
Engineering Services		25,000.00
Buildings & Grounds		5,000.00
Planning Board	1,000.00	0.00
Health Insurance		175,000.00
Dental Insurance		15,000.00
Liability Insurance		25,000.00
Worker's Compensation Insurance		35,000.00
Fire		15,000.00
Fire Hydrant Services		15,000.00
First Aid		5,000.00
Police Department	400,000.00	25,000.00
Emergency Management	750.00	2,000.00
OSHA/Pathogens		125.00
Public Works	60,000.00	20,000.00
Senior Citizens		1,000.00
Shade Tree		1,500.00
Planner Fees		10,000.00
Transp.of High School Students		3,500.00
Street Lighting		15,000.00
Sanitation		15,000.00
Dumping Fees		35,000.00
Parks & Recreation	2,000.00	10,000.00
County Library	500.00	0.00
Social Security System		30,000.00
Construction Code Enforcement	18,000.00	1,000.00
Code Enforcement	1,000.00	500.00
Recycling		8,000.00
Board of Health	600.00	100.00

<u>APPROPRIATIONS</u>	<u>SALARIES & WAGES</u>	<u>OTHER EXPENSES</u>	
Environmental Commission		100.00	
Electricity		15,000.00	
Water/Sewer		3,800.00	
Gasoline		15,000.00	
Natural Gas		1,000.00	
Interlocal Agreement; Dispatch Svcs.		25,000.00	
Telephone		5,000.00	
Public Employees Retirement System		116,989.00	
Police & Fire Retirement System		348,855.00	
NJEIT Administrative Fees		20,000.00	
Celebration of Public Events		100.00	
9-1-1		14,000.00	
Capital Improvement Fund		20,000.00	
Debt Service; Bond Interest		29,000.00	
	\$ 579,850.00	\$ 1,165,369.00	1,745,219.00

R-12-63
4-5-12

WHEREAS, at the Borough Tax Sale held on October 7, 2011, a lien was sold on Block 49, Lot 1 as known as 101 Smith Street for 2010 delinquent sewer; and,

WHEREAS, this lien, known as Tax Sale Certificate #10-00006, was sold to US Bank-Cust/ATRFund NJ & CapOne at an interest rate of 0%; and

WHEREAS, Wells Fargo Bank, Mortgagor, has effected redemption of Certificate #10-00006 in the amount of \$921.73

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$921.73, payable to US Bank-Cust/ATRFUND NJ & CapOne and forward to 2 Liberty Place, 50 South 16th Street – Suite 1950, Philadelphia, PA 19102, for the redemption of Tax Sale Certificate #10-00006.

BE IT FURTHER RESOLVED, that the CFO be authorized to issue a check in the amount to f \$300.00 (Premium) to the aforementioned lienholder.

R-12-64
4-5-12

Resolution Opposing Senate Bill 1451

WHEREAS, legislation has been introduced to reform and modernize the Open Public Meetings Act (S-1451); and

WHEREAS, the governing body of the Borough of Oceanport agrees with and supports the statement that "the right of the public to be present at all meetings of public bodies, and to witness in full detail all phases of the deliberation, policy formulation, and decision making of public bodies, is vital to the enhancement and proper functioning of the democratic process"; and

WHEREAS, the changes, however, proposed in S-1451 will not only be a cost driver for local and State government but make government less effective; and

WHEREAS, S-1451 includes a number of proposed requirements which involve costly unfunded mandates, impractical requirements and impediments to the democratic process, including the following:

- A new definition of subcommittees that expands subcommittees to be overly inclusive so that, for example, even research projects assigned to one member of a public body could be covered; and
- A new requirement that all subcommittees meetings include notice of their meeting and the preparation of minutes, which would, among other things, necessitate additional administrative support for all meetings of subcommittees as well as increased legal advertising cost; and
- A new requirement that agendas provide a description of all agenda items, including the names of parties to and approximate dollar amounts of any contracts to be acted upon, which will delay the award of contracts and could lead to the loss of grant monies; and
- A new requirement that the governing body may discuss, but not act upon, an item brought up by a citizen at a public meeting if it was not published as an agenda item, that not only runs contrary to the time honored tradition of holding a public meeting for the very purpose of soliciting such input and acting upon it but is impractical, ineffective and unnecessarily inhibits the operations of municipal government; and

- A new requirement for advance notification of estimated start times for the public portion of the meeting and the portion of the meeting from which the public is to be excluded that is unworkable and disruptive; and
- A new requirement that recordings of meetings become a part of the minutes that renders the recordings a permanent municipal record and is not only counter to the already-established records retention schedule of Division of Archive and Records Management for such records but which will be costly to preserve the records to ensure that they are permanent; and
- A new requirement that electronic communications, such as e-mails and text messages, concerning public business among an effective majority of the members that occurred prior to a meeting become part of the minutes and renders the recordings a permanent municipal record, is unworkable and unmanageable as the technology does not always exist to make "hard copies" or digital copies of text messages and the records custodian does not always have access to them, and which is an unprecedented expansion of the meeting concept; and
- A new requirement that public bodies be permitted to exclude the public from discussion of personnel matters only with the written consent of the employee and potentially affected employees which will inhibit the public bodies' ability to take necessary actions on personnel matters and could lead to costly litigation; and
- A new requirement that comprehensive minutes that must include each member's stated reason for their actions or vote, the identity of each member of the public who spoke, and summary of what was said, be made available to the public as soon as possible but no later than 45 days after the meeting that will not only be costly but the historical value of minutes will be lost in order to meet an arbitrary deadline; and

WHEREAS, the provisions of S-1451 place financial, time, manpower and other burdens on municipalities at a time when municipalities are forced to layoff municipal employees, impose furloughs and reduce departmental budgets so that municipalities can meet the strict CAP requirements with decreased revenues and increasing operating expense; and

WHEREAS, the totality of the new requirements of S-1451 will be a significant cost driver for local and State government with no known appropriation contemplated or any alternate means to offset these costs, such a reasonable increase in fees; and

WHEREAS, while the governing body of the Borough of Oceanport strives for and agrees that open and transparent government is essential to the democratic process, the provisions of S-1451 will make government inefficient;

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Borough of Oceanport, County of Monmouth, and State of New Jersey for reasons stated above, does hereby oppose S-1451, as currently drafted, and strongly urges the State Senate and Assembly to oppose these bills; and

BE IT FURTHER RESOLVED that a copy of this duly adopted resolution be forwarded to Senate President Stephen Sweeney, Senator Loretta Weinberg, Assembly Speaker Shelia Oliver, Assemblyman Gordon Johnson, Assemblyman Upendra Chivukula, the legislators of the 13th State Legislative District, Governor Chris Christie, the New Jersey State League of Municipalities and the Municipal Clerks' Association of New Jersey.

R-12-65

4-5-12

Resolution Opposing Senate Bill 1452

WHEREAS, legislation has been introduced to reform and modernize the Open Public Records Act (S-1452); and

WHEREAS, the governing body of the Borough of Oceanport agrees that government records should be readily accessible and transparent but there must be an appropriate balance between the need for openness and transparency in government and citizens' reasonable expectation of privacy; and

WHEREAS, among the costly unfunded mandates and impractical new requirements of S-1452 are the following:

- The expansion of the definition of government record to include records that are required by law to be made, maintained or kept on file by any public agency that will lead to a records custodians to be in violation of OPRA for the non-existence of a government records created before their tenure with the public body; and
- The creation of a definition for "advisory, consultative or deliberative" material that may be contrary to the well established definition in case law leading to costly litigation; and
- The expanding of the definition of government record to include electronic communications, such as e-mails and text messages, concerning public business among an effective majority of the members that occurred prior to a meeting that is unworkable and unmanageable as the technology does not always exist to make "hard copies" or digital copies of text messages, the records custodian does not always have access to the electronic communications and certain cell phone carriers will not provide this information without a subpoena; and
- The inclusion of a subjective definition for "reasonable" that may be contrary to the well established definition in case law leading to costly litigation; and
- A new requirement that any video or audio recordings or public meetings should be available in unedited form will be in direct violation of the Open Public Meetings Act requirement that requires the redacting of discussions in closed session until the matter can legally be released; and
- A new requirement on how to handle redactions and special services fees is time consuming and costly, especially considering that the Government Records Council has already addressed these procedures in their Custodians' Toolkit, which should be codified; and
- A provision that permits the records custodian to advise a requestor that a government record is readily available on the public agency's website; however, the bill requires the records custodian to directly provide the records to the requestor if they do not have access to a computer but does not define what is meant by "access to a computer"; and

- A new costly requirement that when there is a special service charge the requestor must be provided, at no cost, an index generally describing the responsive government records to be provided and to the greatest extent possible the index shall include the name of each record or brief description of the record or general categories of records, a detailed breakdown of how the special charges were assessed and if records are exempt or redacted, the records custodian must provide a description of those records; and
- A provision that prohibits the assessment of a special service charge for requests for budgets, bills, vouchers, contracts and public employee salaries and overtime unless the request is deemed voluminous, which is undefined and subjective; and

WHEREAS, the provisions of S-1452 place financial, time, manpower and other burdens on municipalities at a time when municipalities are forced to layoff municipal employees, impose furloughs and reduce departmental budgets so that municipalities can meet the strict CAP requirements with decreased revenues and increasing operating expense; and

WHEREAS, the totality of the new requirements of S-1452 will be a significant cost driver for local and State government with no known appropriation contemplated or any alternate means to offset these costs, such a reasonable increase in fees; and

WHEREAS, while the governing body of the *(insert name of municipality)* strives for and agrees that open and transparent government is essential to the democratic process, the provisions of S-1452 will make government inefficient;

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Borough of Oceanport, County of Monmouth, and State of New Jersey for reasons stated above, does hereby oppose S-1452, as currently drafted, and strongly urges the State Senate and Assembly to oppose these bills; and

BE IT FURTHER RESOLVED that a copy of this duly adopted resolution be forwarded to Senate President Stephen Sweeney, Senator Loretta Weinberg, Senator Barbara Buono, Senator Shirley Turner, Assembly Speaker Shelia Oliver, Assemblyman Gordon Johnson, the legislators of the 13th State Legislative District, Governor Chris Christie, the New Jersey State League of Municipalities and the Municipal Clerks' Association of New Jersey.

R-12-66
4-19-12

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated April 19, 2012.

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

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of April 19, 2012.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated April 19, 2012 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

R-12-67
4-19-12

WHEREAS, the Borough of Oceanport has determined that there is a need for services to process and market the Borough's Recycling Center "Class A" recyclables; and

WHEREAS; the Borough solicited proposals for performance of said work through the Borough's website; and

WHEREAS, the Borough has received proposals from Greenstar Recycling, Republic Services and Tri-State Carting, Inc. wherein Greenstar Recycling proposes the lowest costs and the highest reimbursement value; and

WHEREAS, the Borough of Oceanport desires to enter into a contract with Greenstar Recycling, the purpose of which is to provide recycling services for the Borough's Recycling Center Class "A" Recyclables Purchases and Sales. Said contract will permit Greenstar to purchase from the Borough and the Borough agreeing to sell to Greenstar for the period March 2012 to December 31, 2017 upon fully executed contract for "Class A" recyclables for processing and marketing; and

WHEREAS, as a result of entering into this agreement with Greenstar Recycling it is anticipated that the Borough of Oceanport will save significant sums of money for the disposal/reuse of the Class A recyclable materials; and

WHEREAS, N.J.S.A. 40A:11-5 provides that in part that recycling contracts of this nature may be negotiated and awarded by the Governing Body without public advertising for bids and bidding.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Oceanport, County of Monmouth and State of New Jersey that the contract for performance of the scope of the work as aforementioned shall be awarded to Greenstar Recycling.

R-12-68

4-19-12

WHEREAS, the Monmouth County Mosquito Extermination Commission conducts an aerial surveillance and treatment program;

WHEREAS, FAA regulations require the Commission receive written approval from the local governing body over which the aircraft is operated.

NOW, THEREFORE, BE IT RESOLVED BY the Council of the Borough of Oceanport that the Mayor and Borough Clerk are hereby authorized to sign a memorandum of understanding with the Monmouth County Mosquito Extermination Commission for their surveillance and treatment program.

R-12-69

4-19-12

WHEREAS, the Mandatory Source Separation and Recycling Act, (P.L. 1987, c.102) has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the Oceanport Mayor and Council to the efforts undertaken by the Borough and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Oceanport Mayor and Council that Oceanport hereby endorses the submission of the 2011 Recycling Tonnage Grant application to the New Jersey Department of Environmental Protection and designates Marc Hunter, Recycling Coordinator to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

R-12-70
4-19-12

WHEREAS, on Tuesday, January 24, the Commander-in-Chief of our Armed Forces reminded all Americans that, "Above all, our freedom endures because of the men and women in uniform who defend it," and that " ... this generation of heroes has made the United States safer and more respected around the world."; and

WHEREAS, the President, further, promised, "As they come home, we must serve them as well as they've served us. That includes giving them the care and the benefits they have earned ... And it means enlisting our veterans in the work of rebuilding our nation."; and

WHEREAS, National Guard and Reserve forces today total over 1 million service members and represent 48 percent of our total military force; while every day around the globe, thousands of men and women in uniform, including dedicated members of the National Guard and Reserves, risk their lives and make great sacrifices to defend our national interests, serving extended tours away from their homes, families and jobs; and

WHEREAS, at the same time, we are now seeing unprecedented levels of unemployment and underemployment among members of the Guard and Reserve, as up to 22 percent of Guard and Reserve members face unemployment; and

WHEREAS, in this time of economic uncertainty, the Employer Support Guard and Reserve (ESGR) is focusing on connecting employers with the talented pool of service members and their spouses, with the intent of facilitating meaningful employment opportunities; and

WHEREAS, to further this goal, the New Jersey ESGR has launched an Employment Initiative Program (EIP), which is a collaborative effort with federal agencies including the Department of Labor (Veterans Affairs), the Department of Veterans, the Small Business Administration and the Office of Personnel Management; and

WHEREAS, the goal is to enhance the employment process and serve as an effective resource for service members and employers. ESGR is also partnering with Employer Partnership of the Armed Forces (EPAF) through EIP with a high-tech and high-touch approach; and

WHEREAS, for almost a year, now, the United States Chamber of Commerce has also endeavored to find employment for our returning veterans and the spouses of those who continue to serve, at home and abroad, with its Hiring Our Heroes program; and

WHEREAS, the Hiring Our Heroes program is a nationwide effort to help veterans and military spouses find meaningful employment, in partnership with the Department of Labor Veterans Employment and Training Service (DOL VETS), to improve public-private sector coordination in local communities, where veterans and their families are returning every day; and

WHEREAS, despite those efforts, the unemployment rate for veterans of our Armed Forces in our Nation and in our State continues to exceed the over-all rate; and

WHEREAS, in order to take the lead on advancing the EIP to the next level, the New Jersey ESGR has enlisted strong and positive support from corporate leaders, the New Jersey State Chamber of Commerce, US Dept. of Labor/VETS and the New Jersey League of Municipalities; and

WHEREAS, it is incumbent on all of us to prove that New Jersey cares for the men and women in uniform who risk their lives and make great sacrifices to defend our national interests; and

WHEREAS, this employment initiative can be New Jersey's way of saying thank you to the men and women who made great sacrifices to protect our nation's freedom; and

WHEREAS, local officials throughout the State of New Jersey, working together through the League of Municipalities, and with the New Jersey ESGR, their local and State Chambers of Commerce, and local business leaders can help to advance basic fairness to our vets and their families by pursuing one simple goal: to allow America's over one million unemployed veterans and military spouses to follow their dreams, instead of spending their lives just trying to catch up;

NOW, THEREFORE BE IT RESOLVED, on this 19th day of April that the Mayor and Council of the Borough of Oceanport recognizes that we will never be able to repay the debt we owe to all members of our armed forces; and

BE IT FURTHER RESOLVED, that in gratitude, the Borough of Oceanport pledges its enthusiastic and unqualified support for the Employment Initiative Program of the New Jersey Employer Support Guard and Reserves; and

BE IT FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the New Jersey State League of Municipalities.

R-12-71
4-19-12

WHEREAS, the following properties are due a refund for an overpayment of property taxes under the laws of the State of New Jersey (N.J.S.A. 45.5-17.1) and

WHEREAS, the Tax Collector has recommended that the amount of the overpayment be refunded to the property owners.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that the Tax Collector be and is hereby authorized to refund said overpayment for the following properties:

Block 122, Lot 4

\$1,265.09

R-12-72
4-19-12

**RESOLUTION DETERMINING THE FORM AND OTHER
DETAILS OF GENERAL OBLIGATION REFUNDING BONDS OF
THE BOROUGH OF OCEANPORT, IN THE COUNTY OF
MONMOUTH, NEW JERSEY, AND PROVIDING FOR THE SALE
AND THE DELIVERY OF SUCH GENERAL OBLIGATION
REFUNDING BONDS TO THE MONMOUTH COUNTY
IMPROVEMENT AUTHORITY**

WHEREAS, the Borough Council of the Borough of Oceanport, in the County of Monmouth, New Jersey (the "Borough"), has heretofore adopted a refunding bond ordinance (defined below) authorizing the sale and issuance of refunding bonds to effectuate a refunding plan (defined below); and

WHEREAS, on March 15, 2012 The Monmouth County Improvement Authority (the "Authority") adopted its 2012 Governmental Pooled Loan Revenue Refunding Bond Resolution authorizing, among other things, the issuance of its revenue bonds (the "Authority Bonds") in order to effectuate a refunding on behalf of certain municipalities and a school district (the "Authority Refunding Program"); and

WHEREAS, the Borough desires to participate in the Authority Loan Program, and pursuant to the Authority Loan Program, to issue and sell its bonds pursuant to the refunding bond ordinance (defined below);

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. (a) General Obligation Refunding Bonds, Series 2012A, in an amount not exceeding \$582,000 (the "Refunding Bonds") of the Borough of Oceanport, in the County of Monmouth, New Jersey (the "Borough"), are hereby authorized to be issued and sold as "Refunding Bonds" (or sometimes referred to herein as the "Bonds").

(b) In order to effectuate the Refunding Plan (defined herein), the Mayor or the Business Administrator or the Chief Financial Officer shall determine the actual aggregate principal amount of the Refunding Bonds to be issued; provided that such determination shall be consistent with the refunding bond ordinance finally adopted by the Borough Council on October 21, 2010 and entitled, "REFUNDING BOND ORDINANCE OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF THE BOROUGH'S GENERAL OBLIGATION BONDS, SERIES 2002, HERETOFORE ISSUED TO FINANCE CAPITAL IMPROVEMENTS, APPROPRIATING AN AMOUNT NOT EXCEEDING \$582,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$582,000 GENERAL OBLIGATION REFUNDING BONDS OF THE BOROUGH OF OCEANPORT FOR FINANCING THE COST THEREOF" (the "Refunding Bond Ordinance") and be within the parameters set forth in Section 2 of this resolution. The signature of the Mayor or Chief Financial Officer on the Purchase Contract (defined herein) authorized in Section 2 hereof shall constitute evidence of the approval of such actual principal amounts.

Section 2. The Refunding Bonds are hereby authorized to be sold to the Authority in accordance with a purchase contract to be entered into by and between the Authority and the Borough. The Mayor or the Chief Financial Officer are hereby authorized to execute and, on behalf of the Borough, negotiate a purchase contract substantially in the form attached hereto as Exhibit A (the "Purchase Contract") with the Authority in the form satisfactory to bond counsel and upon terms satisfactory to the Mayor or the Chief Financial Officer for the sale of the Refunding Bonds to the Authority in accordance with the provisions of this resolution, provided that (i) the sale of the Refunding Bonds results in a net present value savings to the Borough of at least 2.50% of the aggregate par amounts of the refunded bonds, namely, the Borough's General Obligation Bonds, Series 2002, maturing on December 1, in each of the years 2013 through 2019, inclusive (the "Refunded Bonds"); (ii) the purchase price paid by the Authority shall be an amount sufficient to enable the refunding of the Refunded Bonds and all costs associated therewith (including the Authority and the Borough); and (iii) the terms of the sale of the Refunding Bonds are otherwise in accordance with the terms provided in the approval of the Local Finance Board of the Department of Community Affairs of the State of New Jersey (the "Local Finance Board") granted on March 14, 2012 (the "Local Finance Board Approval"). The signature of the Mayor or the Chief Financial Officer on the Purchase Contract shall be conclusively presumed to evidence any necessary approvals.

Section 3. (a) The Refunding Bonds shall be issued in the par amounts, determined by the Mayor or the Chief Financial Officer to be necessary to (collectively, the "Refunding Plan") provide a deposit to one or more escrow funds that, when invested, will be sufficient to refund the Refunded Bonds and to pay costs of issuance of the Refunding Bonds.

(b) The Refunding Bonds shall bear interest at rates agreed to by the Mayor or Chief Financial Officer as provided in the Purchase Contract, such rates to be set to assure that the Borough achieves at least a 2.50% net present value debt service savings measured against the Refunded Bonds.

(c) The Refunding Bonds are not subject to redemption prior to maturity.

(d) The Refunding Bonds shall mature in the principal amounts as may be determined by the Mayor or Chief Financial Officer and set forth in the Purchase Contract.

(e) The Refunding Bonds will be issued in fully registered form to the Authority. The Refunding Bonds shall be executed in the name of the Borough by the manual or facsimile signatures of the Mayor and the Chief Financial Officer and the corporate seal of the Borough shall be affixed thereto, or imprinted or reproduced thereon and shall be attested by the manual or facsimile signature of the Clerk or Deputy Clerk of the Borough.

(f) The Refunding Bonds as to principal, will be paid at the corporate trust office of US Bank, National Association as more particularly described in the Purchase Contract.

Section 4. The Refunding Bonds shall be substantially in the following form with such additions, omissions, insertions and variations as are properly required:

No.

\$ _____

UNITED STATES OF AMERICA
STATE OF NEW JERSEY
COUNTY OF MONMOUTH

BOROUGH OF OCEANPORT
GENERAL OBLIGATION REFUNDING BOND, SERIES 2012A

DATE OF
ORIGINAL ISSUE:

The Borough of Oceanport, in the County of Monmouth, New Jersey (the "Borough"), hereby acknowledges itself indebted and for value received promises to pay to

THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY (the "Authority")
c/o US BANK, NATIONAL ASSOCIATION (the "Trustee")

Account No. _____

the principal sums on the dates and in the amounts set forth on Schedule A attached hereto and made a part hereof and to pay interest on such sum from the DATE OF ORIGINAL ISSUE of this bond until payment in full at the interest rates per annum and in the amounts shown on Schedule A attached hereto and made a part hereof. Interest is payable to the Authority at the corporate trust office of the Trustee on the _____ and _____ prior to each _____ and _____, commencing _____, 20____, in an amount equal to the interest accruing to each such _____ and _____. This bond as to principal will be on the fifteenth day of the month immediately preceding the due date therefor at the corporate trust office of the Trustee. Amounts not paid when due hereunder shall bear interest at the Late Payment Rate until paid. This bond shall be prepayable as set forth in Section 1303 of the bond resolution adopted by the Authority on March 15, 2012 (as the same may be supplemented and amended, the "Bond Resolution").

Both principal of and interest on this bond is payable in lawful money of the United States of America and in immediately available funds.

As used herein, "Business Day" shall mean any day that is not a Saturday, a Sunday or a legal holiday in the State of New Jersey or the State of New York or a day on which the Trustee is legally authorized to close. "Late Payment Rate" shall mean a rate per annum equal to the lower of (i) three percent above the interest rate that _____ publicly announces from time to time as its prime lending rate, such interest rate to change on the effective date of each announced change in such rate and (ii) the maximum interest rate allowed by law.

This bond is one of an authorized issue of bonds and is issued pursuant to the Local Bond Law of New Jersey, and is one of the Bonds referred to in a resolution of the Borough adopted on April _____, 2012 and entitled "_____ " and

the bond ordinance(s) referred to therein, (each) in all respects duly approved and published as required by law.

The full faith and credit of the Borough of are hereby irrevocably pledged for the punctual payment of the principal of and the interest on, and all other amounts due under, this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed and that the issue of bonds of which this is one, together with all other indebtedness of the Borough of Oceanport, in the County of Monmouth, New Jersey, is within every debt and other limit prescribed by such Constitution or statutes.

The Borough agrees to pay (i) all costs and expenses (including legal fees) in connection with the administration and enforcement of this bond and (ii) its share of the amounts payable pursuant to Section ()() of the Bond Purchase Agreement between the Borough and The Monmouth County Improvement Authority.

IN WITNESS WHEREOF, the Borough of Oceanport, in the County of Monmouth, New Jersey has caused this bond to be executed in its name by the manual or facsimile signatures of its Mayor or Deputy Mayor and its Chief Financial Officer, its corporate seal to be hereunto imprinted or affixed, this bond and the seal to be attested by the manual signature of its Borough Clerk, and this bond to be dated the DATE OF ORIGINAL ISSUE as specified above.

BOROUGH OF OCEANPORT, IN THE
COUNTY OF MONMOUTH, NEW JERSEY

ATTEST:

Clerk

By: _____
Mayor

By: _____
Chief Financial Officer

(Assignment Provision on Back of Bond)

ASSIGNMENT

FOR VALUE RECEIVED _____ hereby sells, assigns and transfers unto _____. (Please Print or Type Name and Address of Assignee) the within bond and irrevocably appoints _____ as Attorney to transfer this bond on the registration books of the _____ with full power of substitution and revocation.

NOTICE

The signature of this assignment must correspond with the name as it appears on the face of the within bond in every particular.

Dated:

Signature of Guarantee:

SCHEDULE A

BOROUGH OF OCEANPORT, IN THE
COUNTY OF MONMOUTH, NEW JERSEY

GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012A

Schedule of Principal and Interest Payments

Maturity Date (_____)	<u>Principal Amount</u>	<u>Interest</u>
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Section 5. The law firm of GluckWalrath LLP is authorized to arrange for the printing of the Refunding Bonds. The proper officials of the Borough are hereby authorized and directed to execute the Refunding Bonds and to deliver them to or upon the order of the Authority upon receipt of payment therefor.

Section 6. By purchasing the Refunding Bonds pursuant to the Purchase Contract, the Authority shall agree that payment shall be in immediately available funds.

Section 7. US Bank, National Association, is hereby appointed to serve as escrow agent for the Refunded Bonds (the "Escrow Agent").

Section 8. To effectuate the Refunding Plan, the Borough hereby approves the preparation and the execution of an escrow agreement by and between the Borough and the Escrow Agent, said escrow agreement to be in substantially such form, with such insertions and changes therein as the Mayor or Chief Financial Officer may approve (the "Escrow Agreement"), such approval to be evidenced by his or her execution thereof, and the Mayor or Chief Financial Officer is hereby authorized and directed to execute and deliver the Escrow Agreement on behalf of the Borough. The Escrow Agreement may also provide for the payment of costs of issuance of the Refunding Bonds. The Mayor or Chief Financial Officer is hereby authorized to direct the Escrow Agent, if necessary, to pay the costs incurred in connection with the sale and the issuance of the Refunding Bonds from the proceeds derived from the sale of the Refunding Bonds in accordance with the terms of a certificate of the Mayor or Chief Financial Officer to be executed upon delivery of the Refunding Bonds. If necessary, the Escrow Agent is hereby authorized to purchase United States Treasury Securities - State and Local Government Series with the proceeds of the Refunding Bonds in accordance with the Escrow Deposit Agreement.

Section 9. The Borough hereby covenants that it will comply with any conditions imposed by the Internal Revenue Code of 1986, as amended (the "Code") in order to preserve the exemption from taxation of interest on the Refunding Bonds, including the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Refunding Bonds, and that it will refrain from taking any action that would adversely affect the tax exemption of the Refunding Bonds under the Code.

Section 10. The Borough will make no use of the proceeds of the Refunding Bonds which would cause the Refunding Bonds to be arbitrage bonds; and the Borough hereby imposes on itself and all officers having custody or control of the proceeds of the Refunding Bonds, throughout the term of the Refunding Bonds, the obligation to comply with applicable requirements of Section 148 of the Code and Regulations Sections 1.148-0 through 1.148-11 and 1.150-1 and 1.150-2, and all other applicable regulations of the Internal Revenue Service, so that the Refunding Bonds will not be or become arbitrage bonds.

Section 11. (a) In order to maintain the exclusion from gross income for federal income tax purposes of interest on the Refunding Bonds and the Authority Bonds, and for no other purpose, the Borough covenants to comply with each applicable requirement of the Code, applicable to the Refunding Bonds, and the Borough covenants not to take any action or fail to take any action which would cause the interest on the Refunding Bonds or the Authority Bonds to lose the exclusion from gross income for federal income taxation purposes under Section 103 of the Code.

(b) The Borough covenants and agrees with the Authority that the Borough shall not take any action or omit to take any action, which action or omission, if reasonably expected on

the date of initial issuance and delivery of the Bonds, would cause the Bonds or the Authority Bonds to be "private activity bonds" or "arbitrage bonds" within the meaning of Sections 141(a) and 148, respectively, of the Code, or any successor provision.

(c) The Borough covenants that it will take no action which would cause the Bonds to be federally guaranteed (within the meaning of Section 149(b) of the Code).

Section 12. Upon the date of issue of the Refunding Bonds, the Business Administrator and/or the Chief Financial Officer are hereby authorized and directed as of said date of issue, to execute and deliver to the Authority (a) an arbitrage certification with respect to the Refunding Bonds under and for the purpose of Section 148 of the Code, and (b) an accompanying opinion of GluckWalrath LLP, Bond Counsel to the Borough as of said date of issue with respect to said arbitrage certification for the purposes of said Section 148.

Section 13. The Refunding Bonds are being issued to effectuate the Refunding Plan.

Section 14. The Mayor, the Business Administrator and/or the Chief Financial Officer and other appropriate representatives of the Borough are hereby authorized to take all steps necessary to provide for the issuance of the Refunding Bonds and the refunding of the Refunded Bonds, including preparing and executing such agreements and documents on behalf of the Borough and taking all steps necessary or desirable to implement the terms of this resolution, such agreements and documents as may be necessary and appropriate and the transactions contemplated thereby.

Section 15. The Mayor, the Business Administrator, the Chief Financial Officer, as well as the Borough Clerk or Deputy Clerk, auditor, bond counsel and other officers, agents and employees of the Borough are authorized, if necessary, to prepare and distribute information (the "Disclosure Information") with respect to the Borough for use by the Authority in connection with the issuance and sale of the Authority Bonds in such form as may be approved by the Mayor (Deputy Mayor), the Business Administrator and/or the Chief Financial Officer. The Business Administrator and /or Chief Financial Officer is hereby authorized to deem final the Disclosure Information provided to the Authority for inclusion in the Preliminary Official Statement for purposes of Rule 15c2-12 of the Securities and Exchange Commission.

Section 16. The full faith and credit of the Borough, is hereby pledged for the payment of the principal of and interest on the Refunding Bonds and said Refunding Bonds shall be general obligations of the Borough payable as to principal and interest from *ad valorem* taxes which may be assessed on the taxable property within said Borough without limitation as to rate or amount.

Section 17. This resolution shall take effect immediately.

Adopted: April 19, 2012

R-12-73
4-19-12

WHEREAS, the Borough of Oceanport desires to amend the approved 2012 Capital Budget of said municipality, as introduced on March 15, 2012; and,

WHEREAS, it is desired to amend said approved capital budget section,

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Oceanport, in the County of Monmouth, that the following amendments to the approved 2012 capital budget be made:

Capital Budget of the
Borough of Oceanport
(Current Year Action)
2012

<u>Project Title</u>	<u>Project Number</u>	<u>Estimated Total Cost</u>	<u>Capital Improvement Fund</u>	<u>Grants in Aid and Other Funds</u>	<u>Debt Authorized</u>
2012 Road Program	G-1		\$10,000.00	\$350,000.00	\$190,000.00
Building Improvements and Tank Removal	G-3	\$171,200.00	2,000.00		
Totals - All Projects		<u>\$743,800.00</u>	<u>\$12,000.00</u>	<u>\$509,800.00</u>	<u>\$222,000.00</u>

Capital Budget of the
Borough of Oceanport
3 Year Capital Budget
Anticipated Project Schedule and Funding Requirements
2012 - 2014

<u>Project Title</u>	<u>Project Number</u>	<u>Estimated Total Cost</u>	<u>Estimated Completion Time</u>	<u>Budget Year 2012</u>
Building Improvements and Tank Removal	G-3	\$171,200.00	2012	\$171,200.00
Totals - All Projects		<u>\$743,800.00</u>	-	<u>\$743,800.00</u>

Capital Budget of the
Borough of Oceanport
3 Year Capital Budget
Summary of Anticipated Funding Sources and Amounts
2012 - 2014

<u>Project Title</u>	<u>Project Number</u>	<u>Estimated Total Cost</u>	<u>Capital Improvement Fund</u>	<u>Bonds and Notes General</u>	<u>Grants in Aid and Other Funds</u>
2012 Road Program	G-1		\$10,000.00	\$190,000.00	\$350,000.00
Building Improvements and Tank Removal	G-3	\$171,200.00	2,000.00		
Totals - All Projects		<u>\$743,800.00</u>	<u>\$12,000.00</u>	<u>\$222,000.00</u>	<u>\$509,800.00</u>

The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after adoption for the approved 2012 Capital Budget, to be included in the 2012 Permanent Capital Budget as adopted.

R-12-74
4-19-12

RESOLUTION FOR ADOPTION OF MUNICIPAL BUDGET 2012

BE IT RESOLVED by the Governing Body of the Borough of Oceanport, County of Monmouth, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes of the sums therein as set forth as appropriations, and authorization of the amount of \$5,334,980.00 for municipal purposes, and \$210,038.46 for the open space trust fund levy.

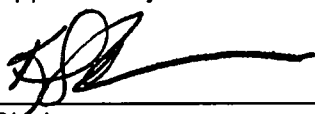
SUMMARY OF REVENUES

1. General Revenues	
Surplus Anticipated	\$495,000.00
Miscellaneous Revenues Anticipated	969,526.00
Receipts from Delinquent Taxes	174,658.00
2. Amount to be Raised by Taxation for Municipal Purposes	5,334,980.00
TOTAL REVENUES	\$6,974,164.00

SUMMARY OF APPROPRIATIONS

5. General Appropriations:	
Within "CAPS"	
Operations Including Contingent	\$4,929,391.00
Deferred Charges and Statutory Expenditures - Municipal	605,944.00
Excluded from "CAPS"	
Operations - Total Operations Excluded from "CAPS"	303,320.00
Capital Improvements	25,000.00
Municipal Debt Service	710,509.00
Reserve for Uncollected Taxes	400,000.00
TOTAL APPROPRIATIONS	\$6,974,164.00

IT IS HEREBY CERTIFIED that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 19th day of April, 2012. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2012 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.



Municipal Clerk

Certified by me this 19th day of April, 2012

R-12-75
5-3-12

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated May 3, 2012.

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

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of May 3, 2012.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated May 3, 2012 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

R-12-76
5-3-12

WHEREAS, the following properties are due a refund for an overpayment of property taxes under the laws of the State of New Jersey (N.J.S.A. 45.5-17.1) and

WHEREAS, the Tax Collector has recommended that the amount of the overpayment be refunded to the property owners.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that the Tax Collector be and is hereby authorized to refund said overpayment for the following properties:

Block 12, Lot 8

\$ 856.91

R-12-77
5-3-12

WHEREAS the Borough has a 2012 Road program.

NOW THEREFORE BE IT RESOLVED that Maser Consulting is hereby authorized to act on behalf of the Borough in all phases of the project in accordance with a proposal dated April 30, 12 for said work provided to the Borough.

R-12-78
5-3-12

WHEREAS, at the regular meeting of the Mayor and Council held on March 15, 2012 the Council adopted resolution R-12-54 appointing two Class II Special Officers on a temporary basis.

NOW THEREFORE BE IT RESOLVED, that resolution R-12-54 is hereby rescinded.

R-12-79
5-17-12

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated May 17, 2012.

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

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of May 17, 2012.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated May 17, 2012 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

R-12-80
5-17-12

WHEREAS, the Borough of Oceanport has determined that there is a need to repair the Tennis Court at Community Center; and

WHEREAS, the Borough has determined that the cost to perform such renovations will not exceed the public bidding threshold of Seventeen Thousand Five Hundred (\$17,500) Dollars as provided by law (N.J.S.A. 40A:11-3); and

WHEREAS; the Borough Engineer sought proposals to perform said renovations to the Community Center Tennis Courts; and

WHEREAS, the Borough has received proposals from American Tennis Courts, Inc., F7P Contractors, Inc. and All Star Tennis Court Co; and

WHEREAS, the said contract sum does not exceed the statutory threshold amount and therefore there is no requirement to publicly advertise for bids as provided in the Local Public Contracts Law (N.J.S.A. 40A:11-3); and

WHEREAS, after reviewing the scope of work it was determined that although a proposal was received for \$2,520 lower then All Star Tennis Court Co. All Star Tennis Court Co. was the only company offering ARMOR Crack Repair System for a total cost of work in the amount of \$17,500.00

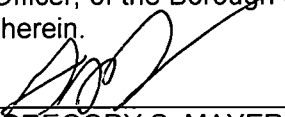
WHEREAS, there is no negative history associated with the contractor which would necessitate reasons not to award said contract to All Star Tennis Court Co.; and

WHEREAS, the funds are available in the Open Space Trust Account as evidenced by the Chief Financial Officer's certification;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport, in the County of Monmouth and State of New Jersey that the contract for performance of the scope of the work as aforementioned in the total sum of Seventeen thousand Five hundred (\$17,500.00) dollars be awarded to All Star Tennis Court Co. and that All Star Tennis Court Co. provide the appropriate certificate of insurance.

CERTIFICATION OF FUNDS

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



GREGORY S. MAYERS, CPA, CFO

R-12-81
5-17-12

WHEREAS, the term of the previous tax assessor expires on June 30, 2013, not 2012 as originally stated in resolution R-11-143 approved by the Governing Body on September 28, 2011

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Oceanport that Veronica Schenk, is hereby appointed Tax Assessor to fill the unexpired term ending June 30, 2013 effective upon passage of this resolution and pursuant to law (N.J.S.A. 40A:9-146 and N.J.S.A. 40A:9-148).

BE IT FURTHER RESOLVED that the salary will be in accordance with the Borough Salary Ordinance and that a copy of the resolution be forwarded to the CFO for payroll purposes.

R-12-82
5-17-12

Requesting Approval of the
Director of the Division of Local Government Services
Amending the 2012 Municipal Budget per NJSA 40A:4-87 for Clean Communities

WHEREAS, N.J.S.40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount, and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oceanport hereby request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of \$10,381.68 which item is now available as a revenue from Clean Communities pursuant to the provisions of statute, and

BE IT FURTHER RESOLVED, that a like sum of \$10,381.68 be and the same is hereby appropriated under the caption of Clean Communities, \$10,381.68.

BE IT FURTHER RESOLVED, that the Borough Clerk forward two copies of this resolution with enclosures to the Director of Local Government Services.

R-12-83
5-17-12

WHEREAS, the Borough of Oceanport has determined that there is a need to repair damage to the façade of the Port-Au-Peck Firehouse; and

WHEREAS, the Borough has determined that the cost to perform such renovations will not exceed the public bidding threshold of Seventeen Thousand Five Hundred (\$17,500) Dollars as provided by law (N.J.S.A. 40A:11-3); and

WHEREAS, the Borough Engineer sought proposals to perform said repairs to the façade of the Port-Au-Peck Firehouse; and

WHEREAS, the Borough has received proposals from MV Construction Inc. and F&P Contractors, Inc.

WHEREAS, the said contract sum does not exceed the statutory threshold amount and therefore there is no requirement to publicly advertise for bids as provided in the Local Public Contracts Law (N.J.S.A. 40A:11-3); and

WHEREAS, after reviewing the scope of work it was determined that although a proposal was received for \$\$180.00 lower then MV Construction Inc., MV Construction Inc. provided a more comprehensive quote for a total cost of work in the amount of \$5,680.00. .

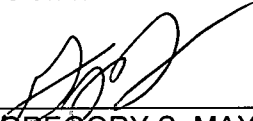
WHEREAS, there is no negative history associated with the contractor which would necessitate reasons not to award said contract to MV Construction Inc.; and

WHEREAS, the funds are available in the Operating Budget as evidenced by the Chief Financial Officer's certification;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport, in the County of Monmouth and State of New Jersey that the contract for performance of the scope of the work as aforementioned in the total sum of Five thousand six hundred eighty (\$5,680.00) dollars be awarded to MV Construction Inc. and that MV Construction Inc. provide the appropriate certificate of insurance.

CERTIFICATION OF FUNDS

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



GREGORY S. MAYERS, CPA, CFO

R-12-84

5-17-12

WHEREAS, the Borough of Oceanport has determined that there is a need to replace the Backboard assemblies at Blackberry Bay Park Basketball Court; and

WHEREAS, the Borough has determined that the cost to perform such renovations will not exceed the public bidding threshold of Seventeen Thousand Five Hundred (\$17,500) Dollars as provided by law (N.J.S.A. 40A:11-3); and

WHEREAS; the Borough Engineer sought proposals to perform said replacement to the backboard assemblies at the Blackberry Bay Park Basketball Court; and

WHEREAS, the Borough has received proposals from Whirl Construction, Inc., F&P Contractors, Inc and KL Services LLC; and

WHEREAS, the said contract sum does not exceed the statutory threshold amount and therefore there is no requirement to publicly advertise for bids as provided in the Local Public Contracts Law (N.J.S.A. 40A:11-3); and

WHEREAS, after reviewing the scope of work it was determined that the lowest responsible proposal was received from Whirl Construction, Inc. in the amount of \$15,990.00; and

WHEREAS, there is no negative history associated with the contractor which would necessitate reasons not to award said contract to Whirl Construction Inc; and

WHEREAS, the funds are available in the Open Space Trust Account as evidenced by the Chief Financial Officer's certification;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport, in the County of Monmouth and State of New Jersey that the contract for performance of the scope of the work as aforementioned in the total sum of Fifteen thousand nine hundred ninety (\$15,990.00) dollars be awarded to Whirl Construction Inc. and that Whirl Construction Inc. provide the appropriate certificate of insurance.

CERTIFICATION OF FUNDS

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



GREGORY S. MAYERS, CPA, CFO

R-12-85
5-17-12

WHEREAS, the Governing Body of the Borough of Oceanport in the County of Monmouth deems it appropriate to enhance the recruitment and retention of volunteer firefighters and emergency medical volunteers in the Borough of Oceanport; and

WHEREAS, the State of New Jersey has enacted P.L. 1998, c. 145 which permits municipal governments to allow their firefighting and emergency medical volunteers to take advantage of the Volunteer Tuition Credit Program at no cost to the municipal government;

NOW THEREFORE, BE IT RESOLVED that the Borough Administrator/Clerk is herewith delegated the responsibility to administer the program and is authorized to enter into all agreements and to maintain files of all documents as may be required under the P.L. 1998, c. 145, a copy of which is herewith made part of this resolution.

R-12-86
5-17-12

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

WHEREAS, the rate for said part time help shall be \$12.00 per hour, one seasonal employee paid from funding providing in the operating budget and one seasonal employee whose work assignment shall be exclusively to Borough parks shall be paid from the Open Space Trust Fund.

NOW THEREFORE BE IT RESOLVED, by the Borough Council that Broderick D. Heron and Adam Herbert be appointed as Seasonal Public Works employees at the aforementioned mentioned salary.

R-12-87
6-7-12

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated June 7, 2012.

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

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of June 7, 2012.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated June 7, 2012 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

R-12-88
6-7-12

WHEREAS, at the Borough Tax Sale held on October 7, 2011 a lien was sold on Block 44, Lot 15, also known as 62 Wardell Circle for delinquent sewer; and

WHEREAS, this lien, known as Tax Sale Certificate #10-00005, was sold to FNA Jersey BOI, LLC, at an interest rate of 0%; and

WHEREAS, Keith N. Arcomano, attorney for Jeffrey Dispensa, owner, has effected redemption of Certificate #10-00005 in the amount of \$5775.26.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$5775.26 payable to FNA Jersey BOI, LLC, P.O. Box 1030, Brick, NJ 08723 the redemption of Tax Sale Certificate #10-00005.

BE IT FURTHER RESOLVED, that the CFO be authorized to issue a check in the amount of \$2,000.00 (Premium) to the aforementioned lienholder.

R-12-89
6-7-12

WHEREAS, at the Borough Tax Sale held on October 7, 2011 a lien was sold on Block 110, Lot 6, also known as 93 Main Street for delinquent sewer; and

WHEREAS, this lien, known as Tax Sale Certificate #10-00010, was sold to FNA Jersey BOI, LLC, at an interest rate of 18%; and

WHEREAS, Aurora Loan Services, the mortgagor, has effected redemption of Certificate #10-00010 in the amount of \$1017.17.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$1017.17 payable to FNA Jersey BOI, LLC, P.O. Box 1030, Brick, NJ 08723 the redemption of Tax Sale Certificate #10-00010.

R-12-90
6-7-12

WHEREAS, the following property owners are disabled veterans and under the laws of the State of New Jersey (N.J.S.A 54:4-3.31) have filed an application for tax exemption status; and

WHEREAS, the Tax Assessor has recommended the approval of this request.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that the application referenced above is hereby approved to the following property owners:

Solomon C. Clark Block 54, Lot 4

BE IT FURTHER RESOLVED that the Tax Collector be authorized to cancel taxes for 2012 as follows:

As of June 1, 2012 and all taxes thereafter.

R-12-91
6-7-12

WHEREAS the Oceanport Office of Emergency Management submitted an Emergency Management Preparedness Grant for a Message Board, Light Tower and Traffic Control Equipment; and

WHEREAS FY2012 EMPG Exercise Pass Through Grant from the NJ State Police Office of Emergency Management 2010-EMPG 330-17 has been awarded to the Oceanport Office of Emergency Management in the amount of \$40,000.00 with an in kind match of \$40,000.00.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Oceanport that the Borough hereby accepts the aforementioned grant the match for which will be in kind.

R-12-92
6-7-12

**Requesting approval of the Director of the Division of Local Government Services
Amending the 2012 Municipal Budget per NJSA 40A:4-87 for
Emergency Management Exercise Improvement Grant**

WHEREAS, N.J.S.40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount, and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oceanport hereby request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of \$40,000.00 which item is now available as a revenue from Emergency Management Exercise Improvement Grant pursuant to the provisions of statute, and

BE IT FURTHER RESOLVED, that a like sum of \$40,000.00 be and the same is hereby appropriated under the caption of Emergency Management Exercise Improvement Grant, \$10,000.00.

BE IT FURTHER RESOLVED, that the Borough Clerk forward two copies of this resolution with enclosures to the Director of Local Government Services.

R-12-93

6-7-12

WHEREAS, pursuant to Borough Ordinance §295-15, a notice of violation and a summons was issued for the premises known and designated below for heavy growth of weeds, grass and debris, thereon; and

Block 84, Lot 10 13 Belmar Avenue

WHEREAS, the property owner of record, Sara and Andrew Bell and lienholder of record, Bank of America, have not responded to verbal nor written notification; and

WHEREAS, Borough Ordinance §295-16, states no second notice required and the property continues to be unmaintained

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport that Public Works is hereby authorized to service the property in accordance with §295-21.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the owner of record of said property.

R-12-94

6-7-12

WHEREAS, Oceanport Spirits, Inc. has made proper application pursuant to law (N.J.S.A. 33:1 et. Seq.) for the renewal of Liquor License **#1338-44-005-002**;

NOW, THEREFORE, BE IT RESOLVED by the Oceanport Governing Body that the license of Oceanport Spirits, Inc. be renewed for one year effective July 1, 2012.

R-12-95

6-7-12

WHEREAS Arthur & Alvina, Inc. has made proper application pursuant to law (N.J.S.A. 33:1 et. seq.) for the renewal of liquor license #1338-33-001-003 which is presently being held as a pocket license due to the sale of the premises formerly know as the Dug Out Tavern; and

WHEREAS, the Division of Alcoholic Beverage Control has issued a special ruling to permit renewal of an inactive license pursuant to N.J.S.A. 33:1-12.39 for the 2012 - 2013 license term.

NOW, THEREFORE, BE IT RESOLVED, by the Oceanport Governing Body that the license of Arthur & Alvina, Inc. be renewed for one year effective July 1, 2012 .

R-12-96
6-7-12

WHEREAS, there were funds appropriated in the 2011 Capital budget for the purchase of digital video equipment for the Police Department.

NOW THEREFORE BE IT RESOLVED that the above listed equipment is hereby authorized for purchase through state contract A81311 vendor Mobile-Vision, Inc.

BE IT FURTHER RESOLVED that the cost for the above listed equipment will not exceed \$50,000.00

R-12-97
6-7-12

WHEREAS, there is a need to hire Class II Special Officers for the Police Department on a temporary basis; and

WHEREAS, following the interview process, the following individuals have been recommended to fill the position:

Kelly Liemburg and William R. Resnyk, III

NOW, THEREFORE, BE IT RESOLVED, by the Oceanport Governing Body that the above named persons are hereby appointed to said position on a temporary basis, such appointment expiring December 31, 2012 and that a certified copy of this resolution be forwarded to both the Chief Financial Officer and the Payroll Department.

R-12-98
6-21-12

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated June 21, 2012.

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

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of June 21, 2012.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated June 21, 2012 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

R-12-99

6-21-12

WHEREAS, the following properties are due a refund for an overpayment of property taxes under the laws of the State of New Jersey (N.J.S.A. 45.5-17.1); and

WHEREAS, the Tax Collector has recommended that the amount of the overpayment be refunded to the property owners.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that the Tax Collector be and is hereby authorized to refund said overpayment for the following properties:

Block 54, Lot 4

\$1,637.99

R-12-100

6-21-12

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that based upon the recommendation of the Chief of Police, Jake Pascucci is hereby appointed a permanent police officer effective May 16, 2012.

R-12-101

6-21-12

WHEREAS, COAH's current regulations N.J.A.C. 5:94-6.12(e), allow 20 percent of monies deposited in a municipal housing trust fund account to be expended on administrative costs, which includes, but is not limited to, consultant fees necessary to develop or implement a Housing Element and Fair Share Plan in accordance with COAH's proposed third round; and

WHEREAS, Borough Planners, Clark Caton Hintz have invoiced \$7,755.51 for work on the Borough's Housing Element and Fair Share Plan.

NOW THEREFORE BE IT RESOLVED that the Borough hereby authorizes the aforementioned invoice be paid from the municipal housing trust fund in accordance with N.J.A.C. 5:94-6.12(e).

R-12-102
6-21-12

WHEREAS there were funds appropriated in the 2012 Operating budget for the purchase of two police patrol vehicles; and

WHEREAS, said patrol vehicles, Dodge Charger Pursuit through state contract #A79009 with Winner Ford.

NOW THEREFORE BE IT RESOLVED that the purchase of the aforementioned vehicles for a total price of \$44,819.38 is hereby authorized.

R-12-103
6-21-12

WHEREAS, the Parks and Recreation Committee has recommended the following groups be approved for use of a Borough Field as follows:

Jersey Native Lacrosse, LLC – Maria Gatta Community Park

WHEREAS, as required by ordinance the Borough Council has considered the recommendations of said committee.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that field usage by the aforementioned groups is hereby approved on the dates, fields and times so indicated on the applications submitted

R-12-104
6-21-12

WHEREAS, pursuant to NJSA 40:18-2 et seq., and Borough Ordinance §295-39, any costs incurred by the Borough for the maintenance of properties including but not limited to property maintenance, property cleaning, yard upkeep, beautification, improvements to property any other expenses incurred in maintaining structural integrity or safety, abatement of a public hazard or nuisance or the improvement of the general appearance of any such property, shall become a lien on that property as of the time such cost is incurred; and

WHEREAS premises known and designated below has overgrowth of vegetation, grass, dead leaves and branches; and

Block 84, Lot 10 - 13 Belmar Avenue

WHEREAS, after proper notice to the property owner by certified mail to remedy the violation and allowing for the 10 day abatement period with no response by the registered property owners; and

WHEREAS, the lienholder of record, Bank of America and/or its representatives has responded that they do not have legal possession of the property on which to enter and service and therefore Oceanport Public Works abated the violation.

WHEREAS, in accordance with Borough Ordinance the cost of such clean up was as follows:

Block 84, Lot 10 – 13 Belmar Ave	June 20, 2012	\$202.00
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NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport that the Tax Collector is hereby directed to place a lien against the aforementioned property in the amounts noted above, and such lien shall become a part of the taxes levied upon such property.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the owner and/or lienholder of record of said property.

R-12-105
6-21-12

WHEREAS the Oceanport Fire Department would like to submit a Federal Grant Application which requires a Five (5) percent Borough funding match.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Oceanport that the Oceanport Fire Department is hereby authorized to submit the aforementioned grant application for SCBA equipment.

R-12-106
7-19-12

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated July 19, 2012.

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

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of July 19, 2012.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated July 19, 2012 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

R-12-107
7-19-12

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Borough of Oceanport strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, the Borough of Oceanport is certified and participating in the Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called 2012 Sustainable Jersey Small Grant Program fund by the PSE&G Foundation

THEREFORE, the Governing Body of the Borough of Oceanport has determined that application be made for the aforementioned Grant.

THEREFORE, BE IT RESOLVED, that Mayor and Council of the Borough of Oceanport, State of New Jersey, authorize the submission of the aforementioned Sustainable Jersey Grant funded by the PSE&G Foundation.

R-12-108
7-19-12

WHEREAS, the following properties are due a refund for an overpayment of property taxes under the laws of the State of New Jersey (N.J.S.A. 45.5-17.1) and

WHEREAS, the Tax Collector has recommended that the amount of the overpayment be refunded to the property owners.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that the Tax Collector be and is hereby authorized to refund said overpayment for the following properties:

Block 127, Lot 9	\$1,796.41
Block 110, Lot 22	2,099.04
Block 131, Lot 13	1,188.62
Block 117, Lot 27.155 CO 155	1,603.72
Block 77, Lot 4	1,634.33
Block 109, Lot 20	4,953.90
Block 8, Lot 19	2,601.77
Block 12, Lot 1	1,940.99
Block 15, Lot 6.01	2,575.23
Block 52, Lt 8	3,398.26
Block 33, Lot 5	2,193.05
Block 102, Lot 1.18 Qual CDo18	1,728.22
Block 88, Lot 9.03	1,878.74
Block 117, Lot 27.134 Qual CM 134	1,649.64

R-12-109

7-19-12

WHEREAS, the Oceanport Governing Body desires to enter into an Interlocal Services Agreement with the Borough of Eatontown for the storage of seized or impounded motor vehicles.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Oceanport enter into an agreement with the Borough of Eatontown for the storage of seized or impounded motor vehicles.

BE IT FURTHER RESOLVED that Mayor and Borough Clerk are hereby authorized to sign an Interlocal Services Agreement between the Borough of Oceanport and the Borough of Eatontown for the aforementioned services.

R-12-110

7-19-12

**Requesting approval of the Director of the Division of Local Government Services
Amending the 2012
Municipal Budget per NJSA 40A:4-87 for
Alcohol Education & Rehabilitation**

WHEREAS, N.J.S.40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount, and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oceanport hereby request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of \$269.82 which item is now available as a revenue from Alcohol Education & Rehabilitation pursuant to the provisions of statute, and

BE IT FURTHER RESOLVED, that a like sum of \$269.82 be and the same is hereby appropriated under the caption of Alcohol Education & Rehabilitation, \$269.82.

BE IT FURTHER RESOLVED, that the Borough Clerk forward two copies of this resolution with enclosures to the Director of Local Government Services.

R-12-111
7-19-12

WHEREAS, the Parks and Recreation Committee has recommended the following groups be approved for use of a Borough Field as follows:

Spanish Soccer League – Maria Gatta Community Park

WHEREAS, as required by ordinance the Borough Council has considered the recommendations of said committee.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that field usage by the aforementioned groups is hereby approved on the dates, fields and times so indicated on the applications submitted

R-12-113
7-19-12

BE IT RESOLVED by the Mayor and Council that Jason Sutton be appointed to the position of Registrar of the Borough of Oceanport for the term ending December 31, 2012.

BE IT FURTHER RESOLVED that Mary Jane Yorg be appointed Deputy Registrar for a term ending December 31, 2012.

R-12-114
12-19-12

BE IT RESOLVED by the Mayor and Council that per the signed Continuation of Employment Agreement with employee Marc Hunter, Marc Hunter is hereby terminated per said agreement effective immediately

RESOLUTION AMENDING 2012 CAPITAL BUDGET

WHEREAS, the 2012 capital budget of the Borough of Oceanport was adopted on April 19, 2012;
and,

WHEREAS, it is desired to amend said adopted capital budget section.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Oceanport of the County of Monmouth, that the following amendments to the adopted 2012 capital budget be made:

Capital Budget of the
Borough of Oceanport
(Current Year Action)
2012

<u>Project Title</u>	<u>Project Number</u>	<u>Estimated Total Cost</u>	<u>Capital Improvement Fund</u>	<u>Debt Authorized</u>
Improvements to Boro Grounds To include a Monument for the World Trade Center				
Steel	G-4	\$ 14,000.00	\$14,000.00	\$0
Totals - All Projects		\$757,800.00	\$26,000.00	\$0

Capital Budget of the
Borough of Oceanport
3 Year Capital Program
Anticipated Project Schedule and Funding Requirements
2012 – 2014

<u>Project Title</u>	<u>Project Number</u>	<u>Estimated Total Cost</u>	<u>Estimated Completion Time</u>	<u>Budget Year 2012</u>
Improvements to Boro Grounds To include a Monument from the World Trade Center				
Steel	G-4	\$ 14,000.00	2012	\$14,000.00
Totals - All Projects		\$757,800.00	-	\$757,800.00

Capital Budget of the
Borough of Oceanport
3 Year Capital Program
Summary of Anticipated Funding Sources and Amounts
2012 – 2014

<u>Project Title</u>	<u>Project Number</u>	<u>Estimated Total Cost</u>	<u>Capital Improvement Fund</u>	<u>Bonds and Notes General</u>
Improvements to Boro Grounds To Include a Monument for the World Trade Center				
Steel	G-4	\$ 14,000.00	\$14,000.00	\$0
Totals - All Projects		\$757,800.00	\$26,000.00	\$0

BE IT FURTHER RESOLVED, the Municipal Clerk of the Borough of Oceanport is hereby directed to forward a copy of this Resolution to the Director of the Division of Local Government Services within three days of adoption.

R-12-113
8-14-12

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated August 14, 2012.

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

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of August 14, 2012.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated August 14, 2012 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

R-12-114
8-14-12

WHEREAS, pursuant to NJSA 40:18-2 et seq., and Borough Ordinance §295-39, any costs incurred by the Borough for the maintenance of properties including but not limited to property maintenance, property cleaning, yard upkeep, beautification, improvements to property any other expenses incurred in maintaining structural integrity or safety, abatement of a public hazard or nuisance or the improvement of the general appearance of any such property, shall become a lien on that property as of the time such cost is incurred; and

WHEREAS premises known and designated below has overgrowth of grass; and

Block 84, Lot 10 - 13 Belmar Avenue

WHEREAS, after proper notice to the property owner by certified mail to remedy the violation and allowing for the 10 day abatement period with no response by the registered property owners; and

WHEREAS, the lienholder of record, Bank of America and/or its representatives has responded that they do not have legal possession of the property on which to enter and service and therefore Oceanport Public Works abated the violation.

WHEREAS, in accordance with Borough Ordinance the cost of such clean up was as follows:

Block 84, Lot 10 – 13 Belmar Ave	July 31, 2012	\$150.00
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NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport that the Tax Collector is hereby directed to place a lien against the aforementioned property in the amounts noted above, and such lien shall become a part of the taxes levied upon such property.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the owner and/or lienholder of record of said property.

R-12-115

8-14-12

WHEREAS, pursuant to Borough Ordinance §295-15, a notice of violation and a summons was issued for the premises known and designated below for heavy growth of weeds, grass and debris, thereon; and

Block 30, Lot 10 17 Genesse Avenue

WHEREAS, the property owner of record, David & Wendie Horowitz and lienholder of record, Wells Fargo Bank, have not responded to verbal nor written notification; and

WHEREAS, Borough Ordinance §295-16, states no second notice required and the property continues to be unmaintained

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport that Public Works is hereby authorized to service the property in accordance with §295-21.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the owner of record of said property.

R-12-116

8-14-12

A RESOLUTION GRANTING TEMPORARY PERMISSION FOR THE POSSESSION AND CONSUMPTION OF ALCOHOLIC BEVERAGES ON OCEANPORT BOROUGH PROPERTY

WHEREAS, the New Jersey Alcoholic Beverage Control Act Title 33 provides for the regulation of alcoholic beverage within the State of New Jersey; and

WHEREAS, the Alcoholic Beverage Control Law provides for an Issuing Authority in each municipality, to issue, renew and transfer retail licenses and provide for enforcement of the alcoholic beverage law, ABC rules and regulations and local Ordinances pertaining to the control of alcoholic beverages; and

WHEREAS, the Issuing Authority in the Borough of Oceanport is the Governing Body of the municipality, which is vested with the authority to enforce the ABC rules and regulations and the local Ordinances pertaining to the control of alcoholic beverages within the Borough of Oceanport and has the authority to grant temporary permission for the possession and consumption of alcoholic beverages on Borough property; and

WHEREAS, the Borough of Oceanport has enacted Ordinances under Chapter 115, entitled "Alcoholic Beverages" dealing with the distribution and consumption of alcoholic beverage within the Borough; and

WHEREAS, the Borough is desirous allowing the limited private possession and consumption of alcoholic beverages at the Summer's End Festival, sponsored by the Oceanport Parks and Recreation Committee, within the Borough of Oceanport; and,

WHEREAS, the Summer's End Festival will be held upon the property and lands owned by the Borough of Oceanport known as Blackberry Bay Park, and the temporary permission for possession and consumption of alcoholic beverages for this event on Borough property will be during the hours of 3:00 p.m. to 11:00 p.m. only, by those individuals who are over the age of 21 and would otherwise be lawfully allowed to consume alcohol in a public licensed premises;

R-12-116 (cont'd)
8-14-12

NOW THEREFORE BE IT, RESOLVED, that the Mayor and Council of the Borough of Oceanport hereby approve and give temporary permission for the possession and consumption of alcoholic beverages at the Summer's End Festival to be held on the land and property of the Borough of Oceanport known as Blackberry Bay Park on September 8, 2012 (rain date September 9, 2012), with the hours of possession and consumption within and upon the property of Blackberry Bay Park being between 3:00 p.m. and 11:00 p.m., by individuals of lawful drinking age; and

BE IT FURTHER, RESOLVED, that nothing contained herein nor the issuance of this temporary permission for the possession and consumption of alcoholic beverages at Blackberry Bay Park shall in any way hinder or inhibit the Borough of Oceanport Police or other law enforcement agencies from their lawful duties in keeping peace and order, only that it shall be lawful to have open containers of alcohol in an individuals' possession for personal consumption at Blackberry Bay Park during the time period outlined within this Resolution.

R-12-117
8-14-12

WHEREAS, the Mayor and Council of the Borough of Oceanport hereby authorize a fireworks display to be held at the Summer's End Festival sponsored by the Oceanport Parks and Recreation Committee scheduled to be held on September 8, 2012 or on September 9, 2012, if a rain date is needed; and

WHEREAS, Garden State Fireworks, Inc. is the company responsible for the fireworks and in accordance with Borough regulations, must secure a Fire Permit from the Oceanport Fire Marshal prior to said event.

NOW, THEREFORE, BE IT RESOLVED that the Oceanport Governing Body hereby authorize the fireworks to be held on the above mentioned date subject to Garden State Fireworks, Inc. securing the necessary permits and that a copy of this resolution be forwarded to the Fire Marshal and the Parks and Recreation Committee.

R-12-118
8-14-12

WHEREAS Block 27, Lot 31, Ithaca Avenue, was originally heard and denied a variance application by the Oceanport Planning Board, which denial was reversed in Superior Court granting relief sought ; and

WHEREAS as part said relief the property owner received approval to construct a 21 foot wide compacted gravel roadway; and

WHEREAS the Mayor and Council expressed concern with a gravel roadway being able to withstand weight of large vehicles especially emergency vehicles; and

WHEREAS, the property owner then received approval from the New Jersey Department of Environmental Protection to pave a 21foot wide roadway.

NOW THEREFORE BE RESOLVED by the Governing Body that the property owner of Block 27, Lot 31 be permitted to pave a 21foot wide section of unimproved Ithaca Avenue to allow access to said lot.

BE IT FURTHER RESOLVED that such road improvements must be reviewed and approved by the Borough Engineer prior to said improvement.

R-12-119
8-14-12

WHEREAS, the Parks and Recreation Committee has recommended the following groups be approved for use of a Borough Field as follows:

Spanish Soccer League – Maria Gatta Community Park (Fall term)
Shore Youth Football & Cheer – Blackberry Bay Park
Peninsula Soccer League – Maria Gatta Community Park (Fall term)

WHEREAS, as required by ordinance the Borough Council has considered the recommendations of said committee.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that field usage by the aforementioned groups is hereby approved on the dates, fields and times so indicated on the applications submitted

R-12-120
9-6-12

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated September 6, 2012.

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

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of September 6, 2012.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated September 6, 2012 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

R-12-121
9-6-12

WHEREAS, the following properties are due a refund for an overpayment of property taxes under the laws of the State of New Jersey (N.J.S.A. 45.5-17.1) and

WHEREAS, the Tax Collector has recommended that the amount of the overpayment be refunded to the property owners.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that the Tax Collector be and is hereby authorized to refund said overpayment for the following properties:

Block 54, Lot 4

\$4,952.98

R-12-122

9-6-12

WHEREAS, at the Borough Tax Sale held on October 7, 2011, a lien was sold on Block 14, Lot 6.02 as known as 90 Hiawatha Avenue for delinquent taxes; and

WHEREAS, this lien, known as Tax Sale Certificate #10-00003, was sold to ATR Fund – NJ & CapOne at an interest rate of 0%; and

WHEREAS, Jo Ann Angelucci, owner, has effected redemption of Certificate #10-00003 in the amount of \$15,508.71.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$15,508.71 payable to US Bank-Cust/ATR Fund-NJ and CapOne, 50 South 16th Street, Suite 1950, Philadelphia, PA 19102-2513 for the redemption of Tax Sale Certificate #10-00003.

BE IT FURTHER RESOLVED, that the CFO be authorized to issue a check in the amount of \$16,500.00 (premium) to the aforementioned lienholder.

R-12-123

9-6-12

WHEREAS, pursuant to NJSA 40:18-2 et seq., and Borough Ordinance §295-39, any costs incurred by the Borough for the maintenance of properties including but not limited to property maintenance, property cleaning, yard upkeep, beautification, improvements to property any other expenses incurred in maintaining structural integrity or safety, abatement of a public hazard or nuisance or the improvement of the general appearance of any such property, shall become a lien on that property as of the time such cost is incurred; and

WHEREAS premises known and designated below has overgrowth of grass; and

Block 84, Lot 10 - 13 Belmar Avenue

WHEREAS, after proper notice to the property owner by certified mail to remedy the violation and allowing for the 10 day abatement period with no response by the registered property owners; and

WHEREAS, the lienholder of record, Bank of America and/or its representatives has responded that they do not have legal possession of the property on which to enter and service and therefore Oceanport Public Works abated the violation.

WHEREAS, in accordance with Borough Ordinance the cost of such clean up was as follows:

Block 84, Lot 10 – 13 Belmar Ave August 28, 2012 \$150.00

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport that the Tax Collector is hereby directed to place a lien against the aforementioned property in the amounts noted above, and such lien shall become a part of the taxes levied upon such property.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the owner and/or lienholder of record of said property.

R-12-124
9-6-12

WHEREAS, the Borough of Oceanport requested proposals for a non-skid flooring for the meeting rooms, ramp and hallways of the Old Wharf House; and

WHEREAS, the Borough has received proposals from Georgiano Flooring, Atlantic Flooring and Floor Coverings International; and

WHEREAS, the lowest responsible quote was submitted by Georgiano Flooring hereinafter referred to as "Contractor" in the sum of \$4,550.00

WHEREAS, awarding such a Contract to Georgiano Flooring will be in the best interest of the Borough and its residents;

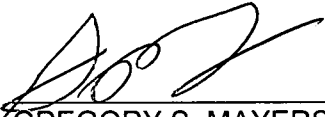
WHEREAS, the funds are available in the trust account established for the Old Wharf House as evidenced by the Chief Financial Officer's certification;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport as follows that a contract for the non-skid flooring for the meeting rooms, ramp and hallways of the Old Wharf House be awarded to Georgiano Flooring.

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

CERTIFICATION OF FUNDS

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



GREGORY S. MAYERS, CPA, CFO

R-12-125

9-6-12

WHEREAS, certain equipment owned by the Borough of Oceanport is no longer required for the operations of the Borough per a letter received from the Chief of Police; and

WHEREAS, N.J.S.A. 40A:11-36 requires approval of the Governing Body for the disposal of personal property belonging to the Borough; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that the Borough Clerk be and is hereby authorized to give to Middletown Township Fire Department the following equipment that the Borough originally acquired at no cost:

1. 1998 Chevy Pick Up Truck
-

R-12-126

9-6-12

WHEREAS the Monmouth County Planning Board provided the Borough with a Preliminary Draft Monmouth County Road Plan requesting review and comments; and

WHEREAS, a review was done by both the Oceanport Planning Board and the Borough Engineer with comments provided to the Governing Body; and

WHEREAS, after review by the Governing Body of said comments regarding the Draft Plan, the Governing Body concurred with both the Planning Board and Borough Engineer regarding the proposed realignment of Oceanport Avenue as it would have an adverse affect on the local business district as traffic would be directed away from the Village Center District that the Borough has worked to redevelop and expand.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council cannot support a plan that could negatively impact local business by the proposed rerouting of Oceanport Avenue without providing a continuation of East Main Street to the south.

R-12-127

9-6-12

WHEREAS, the Borough of Oceanport Environmental Commission in conjunction with the Sustainable Jersey Team will be preparing an Environmental Resource Inventory for the Borough; and

WHEREAS, the Borough was awarded a \$3,500 grant for the study from ANJEC with an in-kind and cash match of \$3,500; and

WHEREAS, the ERI Committee has determined that there is a need for professional services to perform GIS mapping and consulting for the project; and

WHEREAS, the Borough solicited three (3) proposals for performance of said work and received 2 responsive proposals from Envirotactics and Maser Consulting and one proposal from T&M Associates that was not responsive; and

WHEREAS, the ERI Committee has recommended that the project be awarded to Maser Consulting as their proposal provided the most services within the constraints of the allocated funding and were best suited for the project based on their knowledge of the Borough; and

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

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport that a contract for the GIS mapping and consulting services for preparation of the ERI be awarded to Maser Consulting.

R-12-128

9-6-12

WHEREAS the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County parks, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

WHEREAS, the Governing Body of the Borough of Oceanport desires to obtain County Open Space Trust Funds in the amount of \$204,00 to fund the Site Work, Storm Drainage, Parking Area, Basketball Court, Tennis Court, Walkways, Park Appurtenances, Landscaping & Restoration and Utilities at Trinity located at the end of Trinity Place (Block 115, Lot 13), and;

WHEREAS, the total cost of the project including all matching funds is \$408,000 and

WHEREAS, the Borough of Oceanport is the owner of and controls the project site.

NOW, THEREFORE, BE IT RESOLVED by the Oceanport Governing Body that:

1} The Borough Administrator of the Borough of Oceanport is authorized to (a) make an application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (c) act as the principal contact person and correspondent of the above named municipality; and

2} The Borough of Oceanport is committed to this project and will provide the balance of funding necessary to complete the project in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and

3} If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program and the Policy and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state and local government rules, regulations and statutes thereto; and

4} The Mayor and Clerk are hereby authorized to sign and execute any required documents, agreements and amendments thereto with the County of Monmouth for the approved Open Space Trust Funds; and

5} This resolution shall take effect immediately.

R-12-129
09-06-12

WHEREAS, a Qualified Purchasing Agent is a recommended position by the Division of Local Government Services; and

WHEREAS, it would be highly beneficial and cost effective to appoint a Qualified Purchasing Agent for the Borough; and

WHEREAS, Gregory Mayers has successfully completed all the requirements and passed the examination thereby obtaining his certification as a Qualified Purchasing Agent.

NOW, THEREFORE, BE IT RESOLVED by the Oceanport Governing Body that Gregory Mayers be appointed to said position at an annual stipend of \$1,500.00

BE IT FURTHER RESOLVED, that with this appointment the Bid Threshold for the Borough of Oceanport shall be \$36,000.00

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Division of Local Government Services.

R-12-130
9-20-12

WHEREAS, the Governing Body of the Borough of Oceanport has determined that it is in the best interest of the Borough to promote the following individual in the Oceanport Police Department, which shall be effective as of September 20, 2012.

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

Michael S. Chenoweth is hereby promoted to the rank of Lieutenant.

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are authorized to sign any and all documents necessary to effectuate the intentions of this Resolution.

BE IT FURTHER RESOLVED, that a certified true copy of the within Resolution be furnished to the Chief of Police of the Borough of Oceanport, the Chief Financial Officer, the Borough Attorney, and the Oceanport PBA Representative.

R-12-131
9-20-12

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated September 20, 2012.

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

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of September 20, 2012.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated September 20, 2012 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

R-12-132
9-20-12

WHEREAS, the Parks and Recreation Committee has recommended the following groups be approved for use of a Borough Field as follows:

Shore Spartans/Ed Barnwell – Blackberry Bay Park (Fall term)
Shore Spartans/Michael Deusch – Community Center Park (Fall term)

WHEREAS, as required by ordinance the Borough Council has considered the recommendations of said committee.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that field usage by the aforementioned groups is hereby approved on the dates, fields and times so indicated on the applications submitted.

R-12-133
9-20-12

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Oceanport have reviewed and discussed the Best Practices Worksheet for 2012.

R-12-134

9-20-12

WHEREAS, Steven Briskey has been unable to perform his duties as a police officer since filing for Worker's Compensation approximately one year ago; and

WHEREAS, evaluations completed as part of the Worker's Compensation claim have confirmed that Officer Briskey is and will be unable to return to his employment duties and responsibilities as a police officer.

NOW THEREFORE BE IT RESOLVED, that based on the three evaluations of Officer Steven Briskey, completed in conjunction with the Worker's Compensation claim, and in reliance upon those evaluations and the conclusions contained there in, Borough Officials are hereby instructed to coordinate and file an involuntary Disability Retirement Application on behalf of Steven Briskey; and

BE IT FURTHER RESOLVED, that the Disability Retirement of Officer Steven Briskey is to commence October 1, 2012; and

BE IT FURTHER RESOLVED, that should Officer Steven Briskey decide to cooperate with the Borough's filing of the involuntary Disability Retirement, it will be modified to a voluntary application for Disability Retirement to commence on that same date, October 1, 2012; and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the following;

1. Officer Steven Briskey
2. Borough Chief of Police
3. Borough Attorney
4. Borough Clerk

R-12-135
9-20-12

WHEREAS, pursuant to NJSA 40:18-2 et seq., and Borough Ordinance §295-39, any costs incurred by the Borough for the maintenance of properties including but not limited to property maintenance, property cleaning, yard upkeep, beautification, improvements to property any other expenses incurred in maintaining structural integrity or safety, abatement of a public hazard or nuisance or the improvement of the general appearance of any such property, shall become a lien on that property as of the time such cost is incurred; and

WHEREAS premises known and designated below has overgrowth of grass; and

Block 84, Lot 10 - 13 Belmar Avenue

WHEREAS, after proper notice to the property owner by certified mail to remedy the violation and allowing for the 10 day abatement period with no response by the registered property owners; and

WHEREAS, the lienholder of record, Bank of America and/or its representatives has responded that they do not have legal possession of the property on which to enter and service and therefore Oceanport Public Works abated the violation.

WHEREAS, in accordance with Borough Ordinance the cost of such clean up was as follows:

Block 84, Lot 10 – 13 Belmar Ave	September 14, 2012	\$150.00
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NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport that the Tax Collector is hereby directed to place a lien against the aforementioned property in the amounts noted above, and such lien shall become a part of the taxes levied upon such property.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the owner and/or lienholder of record of said property.

R-12-136
10-4-12

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated October 4, 2012.

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

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of October 4, 2012.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated October 4, 2012 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

R-12-137
10-4-12

WHEREAS, after review of the Personnel Policy and Employee Handbook the following amendments to both are as follows:

Page 31, Personnel Policy, Page 34, Employee Handbook:

WORKERS COMPENSATION POLICY:

An employee suffering a work related injury or illness and being unable to perform their prescribed job due to said injury or illness, will receive Worker's Compensation loss income at one hundred percent (100%) of their salary for a six month period from the date of the occurrence . If the employee has not been released to return to work due to this occurrence after the six month period has expired, loss income will be replaced as prescribed by Law. The Borough in accordance with law will continue to report and submit all required pension payments during such time. The Employee will be responsible for his/her required health benefits premium contribution.

NOW, THEREFORE BE IT RESOLVED BY THE Mayor and Council of the Borough of Oceanport that the above referenced amendments will take effective immediately upon passage by the Council.

R-12-138
10-4-12

WHEREAS, the Borough has received notice form the State of New Jersey Division of Pensions and Benefits dated September 25, 2012 that Steven Briskey has submitted an application for Disability Retirement effective October 1, 2012.

NOW THEREFORE BE IT RESOLVED, that the Borough of Oceanport hereby accepts the application of retirement, with said retirement effective October 1, 2012 for Steven Briskey.

R-12-139
10-4-12

**Approval to submit a grant application and execute
a grant contract with the New Jersey Department of Transportation
for the Port Au Peck Avenue Phase 3 project**

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Oceanport formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2013-Oceanport Borough-00096 to the New Jersey Department of Transportation on behalf of the Borough of Oceanport.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Oceanport and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

R-12-140
10-4-12

**Approval to submit a grant application and execute
a grant contract with the New Jersey Department of Transportation
for the Port Au Peck Avenue Phase 4 project**

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Oceanport formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2013-Oceanport Borough-00284 to the New Jersey Department of Transportation on behalf of the Borough of Oceanport.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Oceanport and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

R-12-141
10-4-12

**Approval to submit a grant application and execute
a grant contract with the New Jersey Department of Transportation
for the Port Au Peck Avenue Sidewalk - Phase 2 project**

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Oceanport formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as SST-2013-Oceanport Borough-00018 to the New Jersey Department of Transportation on behalf of the Borough of Oceanport.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Oceanport and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

R-12-142
10-4-12

WHEREAS, the Borough publicly advertised for the 2012 Road Program; and

WHEREAS, on September 28, 2012 the Borough received two bids for the project; and

WHEREAS, both bids exceeded the amount appropriated for the project.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport that the bids received on September 28, 2012 for the aforementioned project are hereby rejected and bid bonds are to be returned; and

BE IF FURTHER RESOLVED that the Borough Engineer is hereby authorized to go out to bid again for the aforementioned project with the base bid of Comanche Drive and all other items listed as alternates.

R-12-143
10-4-12

WHEREAS, the Borough has received a letter of resignation from Chrisovalandis Mageros, dated October 4, 2012 effective immediately.

NOW THEREFORE BE IT RESOLVED, that the Borough of Oceanport hereby accepts the resignation effective October 4, 2012 for Chrisovalandis Mageros.

R-12-144
10-18-12

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated October 18, 2012.

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

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of October 18, 2012.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated October 18, 2012 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

R-12-139
10-4-12

**Approval to submit a grant application and execute
a grant contract with the New Jersey Department of Transportation
for the Port Au Peck Avenue Phase 3 project**

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Oceanport formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2013-Oceanport Borough-00096 to the New Jersey Department of Transportation on behalf of the Borough of Oceanport.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Oceanport and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

R-12-140
10-4-12

**Approval to submit a grant application and execute
a grant contract with the New Jersey Department of Transportation
for the Port Au Peck Avenue Phase 4 project**

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Oceanport formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2013-Oceanport Borough-00284 to the New Jersey Department of Transportation on behalf of the Borough of Oceanport.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Oceanport and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

R-12-141
10-4-12

**Approval to submit a grant application and execute
a grant contract with the New Jersey Department of Transportation
for the Port Au Peck Avenue Sidewalk - Phase 2 project**

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Oceanport formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as SST-2013-Oceanport Borough-00018 to the New Jersey Department of Transportation on behalf of the Borough of Oceanport.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Oceanport and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

R-12-142
10-4-12

WHEREAS, the Borough publicly advertised for the 2012 Road Program; and

WHEREAS, on September 28, 2012 the Borough received two bids for the project; and

WHEREAS, both bids exceeded the amount appropriated for the project.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport that the bids received on September 28, 2012 for the aforementioned project are hereby rejected and bid bonds are to be returned; and

BE IF FURTHER RESOLVED that the Borough Engineer is hereby authorized to go out to bid again for the aforementioned project with the base bid of Comanche Drive and all other items listed as alternates.

R-12-143
10-4-12

WHEREAS, the Borough has received a letter of resignation from Chrisovalandis Mageros, dated October 4, 2012 effective immediately.

NOW THEREFORE BE IT RESOLVED, that the Borough of Oceanport hereby accepts the resignation effective October 4, 2012 for Chrisovalandis Mageros.

R-12-144
10-18-12

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated October 18, 2012.

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

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of October 18, 2012.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated October 18, 2012 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

R-12-145

10-18-12

WHEREAS, the following property is due a refund due to an appeal judgment; and

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

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

Block 61, Lot 7.04	\$5,106.58
Block 61, Lot 7.04	\$5,126.60

R-12-146

10-18-12

WHEREAS, at the Borough Tax Sale held on October 8, 2012, a lien was sold on Block 122, Lot 6 also known as 17 Elliot Place, delinquent taxes; and

WHEREAS, this lien, known as Tax Sale Certificate #09-00018, was sold to Culmac Investors, Inc. at an interest rate of 0%; and

WHEREAS, Linda Fitzgerald, owner, has effected redemption of Certificate #09-00018 in the amount of \$16,183.38

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$16,183.38, payable to Culmac Investor Inc., P.O. Box 251 Monmouth Beach, NJ, for the redemption of Tax Sale Certificate #09-00018.

WHERE IT FURTHER RESOLVED, that the CFO be authorized to issue a check in the amount of \$6,200.00 (premium) to the aforementioned lienholder.

R-12-147

10-18-12

WHEREAS, at the Borough Tax Sale held on October 5, 2012, a lien was sold on Block 129, Lot 8, also known as 25 Massaro Street for delinquent sewer; and,

WHEREAS, this lien, known as Tax Sale Certificate #11-00019, was sold to ProCapital 1, LLC at an interest rate of 0%; and

Whereas, Trudy Kinsey, owner, has effected redemption of Certificate #11-00019 in the amount of \$77.78

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$77.78, payable to US Bank-ProCapital 1, LLC, 50 South 16th Street – Suite 1950, Philadelphia, PA 19102, for the redemption of Tax Sale Certificate #11-00019.

WHEREAS the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County parks, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

WHEREAS, the Governing Body of the Borough of Oceanport desires to obtain County Open Space Trust Funds in the amount of \$204,00 to fund the Site Work, Storm Drainage, Parking Area, Basketball Court, Tennis Court, Walkways, Park Appurtenances, Landscaping & Restoration and Utilities at Trinity located at the end of Trinity Place (Block 115, Lot 13), and;

WHEREAS, the total cost of the project including all matching funds is \$408,000 and

WHEREAS, the Borough of Oceanport is the owner of and controls the project site.

NOW, THEREFORE, BE IT RESOLVED by the Oceanport Governing Body that:

1} The Borough Administrator, Kimberly A. Jungfer, of the Borough of Oceanport is authorized to (a) make an application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (c) act as the principal contact person and correspondent of the above named municipality; and

2} The Borough of Oceanport is committed to this project and will provide the balance of funding necessary to complete the project in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and

3} If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program and the Policy and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state and local government rules, regulations and statutes thereto; and

4} The Mayor, Michael J. Mahon, is hereby authorized to sign and execute any required documents, agreements and amendments thereto with the County of Monmouth for the approved Open Space Trust Funds; and

5} This resolution shall take effect immediately.

WHEREAS, N.J.S.A. 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2011 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the Governing Body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments
Recommendations
Auditors' Opinion

and;

WHEREAS, the members of the Governing Body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments
Recommendations
Auditors' Opinion

as evidenced by the group affidavit form of the Governing Body; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgation of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - "A local officer or member of a local Governing Body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oceanport hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of the resolution and the required affidavit to said Board to show evidence of said compliance

R-12-150

10-18-12

WHEREAS, the Oceanport Governing Body desires to enter into an Interlocal Services Agreement with the Borough of Eatontown for the purpose of dropping off brush at the Eatontown Compost Facility by the Borough of Oceanport; and

WHEREAS, the Borough of Eatontown will charge the Borough of Oceanport \$9.25 per cubic yard of brush for the first one thousand cubic yards for 2013 and \$9.50 per cubic yard of brush for the first one thousand cubic yards for 2014. \$7.75 per cubic yard thereafter for 2013 and \$8.00 per cubic yard thereafter in 2014 delivered to the Borough of Eatontown facility.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Oceanport enter into an agreement with the Borough of Eatontown for the disposal of brush; and

BE IT FURTHER RESOLVED that Mayor and Borough Clerk are hereby authorized to sign an Interlocal Services Agreement between the Borough of Oceanport and the Borough of Eatontown for brush disposal.

R-12-151

10-18-12

WHEREAS, after review of the Personnel Policy the following amendments are as follows:

1. Page 33 Personnel Policy, Section entitled Interviews shall be replaced with the following:

Interview Process:

Police Department

1. Applications received and preliminary background checks done on all applications by Detective and findings so noted on each application.
2. Applications reviewed by Chief of Police and Borough Administrator for those applications deemed complete, accurate and truthful a first interview is scheduled.
3. 1st interview: The Sergeants of the department conduct the first interview which is recorded. A fifth officer sits in and scores applicant based on observation only. The questions asked during this first interview will be promulgated by the Chief of Police with concurrence by the Borough Administrator. The same questions are asked to each applicant. The five officers then score each application and rank the interviewees. The Chief and Borough Administrator review the recorded interviews and make the final determination as to the ranking of the applicants.
4. After Step 3 is complete those candidates ranked in the top 20% will be scheduled for a second interview with the Police Chief, Borough Administrator and Council Committee for Public Safety. Of those interviewed a list will be formulated for recommendation to the full Governing Body.
5. A recommendation will then be made to the Mayor and Council for appointment.
6. Upon the need to hire a replacement or additional officers within a twelve month period from the date of acceptance of the list by the Borough Council, the Borough shall hire from the initially ranked officers, 1 through 5, that remain available and interested in a position with the Borough of Oceanport Police Department.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport that the above referenced amendments will take effective immediately

R-12-152
10-18-12

WHEREAS, the Borough has received notice from the State of New Jersey Division of Pensions and Benefits dated October 18, 2012 that Harold Sutton has submitted an application for Retirement effective March 1, 2013.

NOW THEREFORE BE IT RESOLVED, that the Governing Body of the Borough of Oceanport hereby accepts the application of retirement of Harold Sutton, March 1, 2013.

R-12-153
11-01-12

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

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

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

NOW, THEREFORE BE IT RESOLVED the following transfers between appropriations be authorized pursuant to N.J.S.A. 40A:4-58:

FROM:

Sanitation Dumping Fees OE	600.00
Health Insurance OE	30,000.00
Borough Property Planner Services & Fees OE	8,500.00
Salary Adjustment Account	<u>17,500.00</u>
	56,600.00

TO:

Administrative & Executive S&W	4,500.00
Financial Administration S&W	3,500.00
Collection of Taxes S&W	3,000.00
Collection of Taxes OE	500.00
Legal Services OE	22,000.00
Engineer OE	8,000.00
Prosecutor S&W	4,500.00
Construction Code S&W	1,000.00
Health Insurance Opt Out	5,000.00
Sanitation Trash Removal OE	600.00
Library S&W	500.00
Gasoline	3,000.00
Municipal Court S&W	<u>500.00</u>
	56,600.00

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

R-12-154
11-01-12

WHEREAS, it has been found necessary to make an emergency appropriation to meet certain extraordinary expenses incurred or to be incurred by Hurricane Sandy; and

WHEREAS, N.J.S.A. 40:4-54 provides that it shall be lawful to make such appropriation which appropriation and/or the "special emergency notes" issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth or one-third of the amount authorized pursuant to this act.

NOW, THEREFORE, BE IT RESOLVED, (by not less than two-thirds of all governing body members affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-55:

1. An emergency appropriation is hereby made for Hurricane Sandy Expenses in the total amount of \$500,000.00.
2. That the emergency appropriation shall be provided for in the budgets of the next succeeding years by the inclusion of not less than \$100,000.00 (must be at least one-fifth of the total amount).
3. That an emergency note not in excess of the amount authorized pursuant to law be provided.
4. That such notice shall be executed by Gregory Mayers, CFO and Kimberly A. Jungfer, Borough Administrator.
5. Such note shall be dated 12-20, 2012 may be renewed from time to time provided that such note and any renewals shall mature and be paid in the amount of not less than one-fifth of the total amount appropriated by this resolution in each year after the authorization.
6. That the statement required by the Local Finance Board has been filed with the Clerk and a copy will be transmitted to the Director of Local Government Services.
7. That 2 certified copies of this resolution will be filed with the Director of Local Government Services, however, no approval is required from the Director.

R-12-155
11-01-12

WHEREAS devastating damage was suffered throughout the Borough and its residents as a result of Hurricane Sandy on October 29, 2012 including rendering the Borough offices uninhabitable; and

WHEREAS the grace period for the 4th quarter real estate tax payment was November 13, 2012.

NOW, THEREFORE BE IT RESOLVED, that due to the devastation sustained by the Borough and its residents the grace period for the 4th quarter tax payment be extended to November 30, 2012.

R-12-156
11-15-2012

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated November 15, 2012.

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

WHEREAS. The Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of November 15, 2012.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated November 15, 2012 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

R-12-157
11-15-2012

WHEREAS, certain equipment owned by the Borough of Oceanport is no longer required for the operations of the Borough per a letter received from the General Foreman of Public Works, and

WHEREAS, N.J.S.A. 40A:11-36 requires approval of the Governing Body for the disposal of personal property belonging to the Borough; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that the Borough Clerk be and is hereby authorized to give to Monmouth County Highway Department the following equipment that the Borough originally acquired at a cost of \$500.00:

1. 1989 5 Ton BMY Model M92

R 12-158
11-15-2012

**Requesting approval of the Director of the Division of Local Government Services
Amending the 2012
Municipal Budget per NJSA 40A: 4-87 for
Sustainable Jersey Small Grant**

WHEREAS, N.J.S. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount, and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oceanport hereby request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of \$2,000 which item is now available as a revenue from Sustainable Jersey Small Grant pursuant to the provisions of statute, and

BE IT FURTHER RESOLVED, that a like sum of \$2,000.00 be and the same is hereby appropriated under the caption of Sustainable Jersey Small Grant, \$2,000.00

BE IT FURTHER RESOLVED, that the Borough Clerk forward two copies of this resolution with enclosures to the Director of Local Government Services.

R 12-159
11-15-2012

**Requesting approval of the Director of the Division of Local Government Services
Amending the 2012
Municipal Budget per NJSA 40A: 4-87 for
Sustainable Land Use Planning Grant**

WHEREAS, N.J.S. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount, and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oceanport hereby request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of \$3,500 which item is now available as a revenue from Sustainable Land Use Planning Grant pursuant to the provisions of statute, and

BE IT FURTHER RESOLVED, that a like sum of \$3,500.00 be and the same is hereby appropriated under the caption of Sustainable Jersey Small Grant, \$3,500.00

BE IT FURTHER RESOLVED, that the Borough Clerk forward two copies of this resolution with enclosures to the Director of Local Government Services.

R 12-160
11-15-2012

**RESOLUTION AUTHORIZING REFUND OF REDEMPTION
MONIES TO OUTSIDE LEINHOLDER**

WHEREAS, at the Municipal Tax Sale held on October 5, 2012, a lien ws sold on Block 92, Lot 23, also known as 26 Asbury Avenue, for delinquent sewer, and

WHEREAS, this lien, known as Tax Sale Certificate 11-00013, was sold to Ridgeback Ventures LLC at an interest rate of 0% and,

WHEREAS, Homeward Residential, mortgager, has effected redemption of Certificate #11-00013 in the amount of \$410.24.

NOW, THEREFOR, BE IT RESOLVED, that the CFO be authorized to issue a check in the amount of \$410.24 payable to Ridgeback Ventures, LLC PO Box 503, Mount Freedom, NJ 07970 for the redemption of Tax Sale Certificate #11-00013.

BE IT FURTHER RESOLVED, that the CFO be authorized to issue a check in the amount of \$300.00 (Premium) to the aforementioned lien holder.

R-12-161
11-15-2012

BE IT RESOLVED that resolution R-12-154 adopted November 1, 2012 authorizing emergency appropriations is hereby rescinded

RESOLUTION OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-54 TO PROVIDE FUNDS FOR RESPONSE TO THE EXTRAORDINARY EXPENSES RESULTING FROM DAMAGE CAUSED BY SUPER STORM SANDY AND FURTHER AUTHORIZING THE ISSUANCE OF SPECIAL EMERGENCY NOTES TO FUND SUCH SPECIAL EMERGENCY APPROPRIATION

WHEREAS, it has been found necessary to make a special emergency appropriation to meet certain expenses incurred or to be incurred as a result of the extraordinary damage to the streets, roads and other public property caused by Super Storm Sandy (the "Recovery") requiring the appropriation of funds of the Borough of Oceanport, in the County of Monmouth, State of New Jersey (the "Borough"), in the amount of \$700,000; and

WHEREAS, N.J.S.A 40A:4-54 provides that it shall be lawful to make such appropriation, which appropriation and special emergency notes issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth of the amount authorized pursuant to this act:

NOW, THEREFORE BE IT RESOLVED (by not less than two-thirds of the full membership of the governing body affirmatively concurring) as follows:

1. Pursuant to N.J.S.A. 40A:4-54, a special emergency appropriation is hereby made in the amount of \$700,000 for the Recovery from Super Storm Sandy. The \$700,000 appropriated herein is sufficient to fund the special emergency.
2. The special emergency appropriation set forth in Section 1 hereof shall be provided for in the budgets of the succeeding years by the inclusion of not less than \$140,000 annually in each of the next five years' succeeding budgets.
3. Special Emergency Notes not in excess of \$700,000 are hereby authorized to be issued by the Borough.
4. Such Notes shall be executed by the Mayor and the Chief Financial Officer of the Borough and the official seal shall be thereunto affixed and attested to by the Clerk of the Borough.
5. All Notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. It is hereby delegated to the Chief Financial Officer of the Borough the authority to determine all matters in connection with the Notes issued, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. The Chief Financial Officer is also hereby authorized to sell part or all of the Notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this resolution is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the Notes so sold, the price obtained and the name of the purchaser.
6. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on the Notes issued under this resolution.
7. The Borough reasonably expects to reimburse the expenditures toward the costs of the Recovery described in this resolution incurred and paid for by the Borough prior to the issuance of the Notes authorized by this resolution with the proceeds of such Notes. No funds from sources other than the Notes have been or are reasonably expected to be

reserved or allocated on a long-term basis or otherwise set aside by the Borough, or any member of the same "controlled group" as the Borough, within the meaning of Treasury Regulation Section 1.150-1(e), pursuant to its budget or financial policies with respect to expenditures of the Borough to be reimbursed. This paragraph 7 is intended to be and hereby is a declaration of the Borough's official intent to reimburse the expenditures toward the costs of the Recovery described in this resolution incurred and paid for prior to the issuance of the Notes with the proceeds of such issuance of the Notes by the Borough, in accordance with Treasury Regulation Section 1.150-2(e)(1), and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section 1.148-10 to avoid, in whole or in part, arbitrage yield restrictions or arbitrage rebate requirements or to avoid restrictions under Sections 142 through 147 of the Code. The proceeds of the Notes used by the Borough to reimburse itself for expenditures towards the Recovery described in this resolution incurred and paid for, will not be used directly or indirectly (i) to "refund" an issue of governmental obligations within the meaning of Section 148 of the Code, (ii) to create or increase the balance of a "sinking fund" within the meaning of Treasury Regulation Section 1.148-1(c)(2) with respect to any obligation of the Township, or to replace funds that have been, are being or will be used for sinking fund purposes, (iii) to create or increase the balance in a "reserve or replacement fund" within the meaning of Section 148(d) of the Code and Treasury Regulation Section 1.148-2(f) with respect to any obligation of the Borough or to replace funds that have been, are being or will be so used for reserve or replacement fund purposes, or (iv) to reimburse the Borough for any expenditure or payment that was originally paid with the proceeds of any obligation of the Borough (other than borrowing by the Borough from one of its own funds or the funds of a member of the same "controlled group" within the meaning of Treasury Regulation Section 1.150-1(e)). The Notes to be issued by the Borough to finance those expenditures towards the Recovery described in this resolution to be reimbursed will be issued in an amount not to exceed \$700,000 which moneys shall be expended from a fund of the Borough, entitled "Current Fund," which fund contains moneys which can be expended for any lawful project of the Borough. That the expenditures incurred and paid towards the Recover described in this resolution to be reimbursed with the proceeds of the Notes will be "capital expenditures" in accordance with the meaning of Treasury Regulation Section 1.150-2(d)(3).

1. Two certified copies of this resolution shall be filed with the Director of the Division of Local Government Services.
2. This resolution shall take effect immediately.

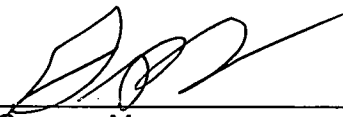
CERTIFICATION OF CHIEF FINANCIAL OFFICER

Purpose of special emergency appropriation: To provide funds to promote the public's health and safety and to provide funds for the repair and reconstruction of the streets, roads and other public property in response to the extraordinary damage caused by Hurricane Sandy.

Date(s) of occurrence: October 29, 2012

Have any **contracts** been awarded or purchase orders placed in connection with this emergency appropriation? Yes.

IN WITNESS WHEREOF, I have hereunto set my hand as of this 15th day of November, 2012.



Gregory Mayers
Chief Financial Officer
Borough of Oceanport

11-15-2012

RESOLUTION NO. 12-163

**RESOLUTION AUTHORIZING STORM MATERIAL PICK UP SERVICES OF
ANGELO'S PAVING, INC. IN CONNECTION WITH RECOVERY EFFORTS
RESULTING FROM DAMAGES CAUSED BY SUPER STORM SANDY IN THE
BOROUGH OF OCEANPORT**

WHEREAS, there exists a need for the Borough of Oceanport to retain the storm material pick up services in connection with recovery efforts in connection with the damage caused by Super Storm Sandy; and

WHEREAS, the services to be provided are to be contracted as an "Emergency Contract" pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-6*; and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a contract without public advertising for bids and bidding therefore, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

WHEREAS, the Governing Body, having considered the same, now wishes to authorize Angelo's Paving, Inc. to provide the aforesaid services with regard to the recovery efforts in response to the damages caused by Super Storm Sandy.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Mayor and Council as follows:

1. That the Mayor, or his designee, is authorized to execute and the Borough Administrator to attest to an agreement in a form acceptable to the Borough Attorney between the Borough of Oceanport and Angelo's Paving, Inc., with regard to the aforesaid services.
2. That this contract is awarded without competitive bidding or advertisement, as an "Emergency Contract", in accordance with *N.J.S.A. 40A:11-6*, of the Local Public Contracts Law of New Jersey, because an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and
3. That Notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the Borough.
4. That a certified copy of this Resolution shall be provided to each of the following:
 - a. Angelo's Paving, Inc.
 - b. Borough Chief Financial Officer
 - c. Borough Attorney

11-15-2012

RESOLUTION NO. R 12-164

**RESOLUTION AUTHORIZING STORM MATERIAL PICK UP SERVICES OF
STAVOLA, INC. IN CONNECTION WITH RECOVERY EFFORTS RESULTING
FROM DAMAGES CAUSED BY SUPER STORM SANDY IN THE BOROUGH OF
OCEANPORT**

WHEREAS, there exists a need for the Borough of Oceanport to retain the storm material pick up services in connection with recovery efforts in connection with the damage caused by Super Storm Sandy; and

WHEREAS, the services to be provided are to be contracted as an "Emergency Contract" pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-6*; and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a contract without public advertising for bids and bidding therefore, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

WHEREAS, the Governing Body, having considered the same, now wishes to authorize Stavola, Inc. to provide the aforesaid services with regard to the recovery efforts in response to the damages caused by Super Storm Sandy.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Mayor and Council as follows:

1. That the Mayor, or his designee, is authorized to execute and the Borough Administrator to attest to an agreement in a form acceptable to the Borough Attorney between the Borough of Oceanport and Stavola, Inc., with regard to the aforesaid services.
2. That this contract is awarded without competitive bidding or advertisement, as an "Emergency Contract", in accordance with *N.J.S.A. 40A:11-6*, of the Local Public Contracts Law of New Jersey, because an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and.
3. That Notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the Borough.
4. That a certified copy of this Resolution shall be provided to each of the following:
 - a. Mazza and Stavola, Inc.
 - b. Borough Chief Financial Officer
 - c. Borough Attorney

11-15-2012

RESOLUTION NO. 165

**RESOLUTION AUTHORIZING STORM MATERIAL PICK UP SERVICES OF
MAZZA AND SONS, INC. IN CONNECTION WITH RECOVERY EFFORTS
RESULTING FROM DAMAGES CAUSED BY SUPER STORM SANDY IN THE
BOROUGH OF OCEANPORT**

WHEREAS, there exists a need for the Borough of Oceanport to retain the storm material pick up services in connection with recovery efforts in connection with the damage caused by Super Storm Sandy; and

WHEREAS, the services to be provided are to be contracted as an "Emergency Contract" pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-6*; and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a contract without public advertising for bids and bidding therefore, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

WHEREAS, the Governing Body, having considered the same, now wishes to authorize Mazza and Son, Inc. to provide the aforesaid services with regard to the recovery efforts in response to the damages caused by Super Storm Sandy.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Mayor and Council as follows:

1. That the Mayor, or his designee, is authorized to execute and the Borough Administrator to attest to an agreement in a form acceptable to the Borough Attorney between the Borough of Oceanport and Mazza and Sons, Inc., with regard to the aforesaid services.

2. That this contract is awarded without competitive bidding or advertisement, as an "Emergency Contract", in accordance with *N.J.S.A. 40A:11-6*, of the Local Public Contracts Law of New Jersey, because an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and.

3. That Notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the Borough.

4. That a certified copy of this Resolution shall be provided to each of the following:
- a. Mazza and Sons, Inc.
 - b. Borough Chief Financial Officer
 - c. Borough Attorney

11-15-2012

RESOLUTION NO. 12-166

**RESOLUTION AUTHORIZING THE DEBRIS REMOVAL SERVICES OF
FIORE PAVING, INC. IN CONNECTION WITH RECOVERY EFFORTS
RESULTING FROM DAMAGES CAUSED BY SUPER STORM SANDY IN THE
BOROUGH OF OCEANPORT**

WHEREAS, there exists a need for the Borough of Oceanport to retain the debris removal services in connection with recovery efforts in connection with the damage caused by Super Storm Sandy; and

WHEREAS, the services to be provided are to be contracted as an "Emergency Contract" pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-6*; and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a contract without public advertising for bids and bidding therefore, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

WHEREAS, the Governing Body, having considered the same, now wishes to authorize Fiore Paving, Inc. to provide the aforesaid services with regard to the recovery efforts in response to the damages caused by Super Storm Sandy.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Mayor and Council as follows:

1. That the Mayor, or his designee, is authorized to execute and the Borough Administrator to attest to an agreement in a form acceptable to the Borough Attorney between the Borough of Oceanport and Fiore Paving, Inc., with regard to the aforesaid services.
2. That this contract is awarded without competitive bidding or advertisement, as an "Emergency Contract", in accordance with *N.J.S.A. 40A:11-6*, of the Local Public Contracts Law of New Jersey, because an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and
3. That Notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the Borough.
4. That a certified copy of this Resolution shall be provided to each of the following:
 - a. Fiore Paving, Inc.
 - b. Borough Chief Financial Officer
 - c. Borough Attorney

11-15-2012

RESOLUTION NO. R12-167

RESOLUTION AUTHORIZING DEBRIS PICK UP SERVICES OF CELTIC CONCEPTS, INC. IN CONNECTION WITH RECOVERY EFFORTS RESULTING FROM DAMAGES CAUSED BY SUPER STORM SANDY IN THE BOROUGH OF OCEANPORT

WHEREAS, there exists a need for the Borough of Oceanport to retain the storm material pick up services in connection with recovery efforts in connection with the damage caused by Super Storm Sandy; and

WHEREAS, the services to be provided are to be contracted as an "Emergency Contract" pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-6*; and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a contract without public advertising for bids and bidding therefore, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

WHEREAS, the Governing Body, having considered the same, now wishes to authorize Celtic Concepts, Inc. to provide the aforesaid services with regard to the recovery efforts in response to the damages caused by Super Storm Sandy.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Mayor and Council as follows:

1. That the Mayor, or his designee, is authorized to execute and the Borough Administrator to attest to an agreement in a form acceptable to the Borough Attorney between the Borough of Oceanport and Celtic Concepts, Inc., with regard to the aforesaid services.
2. That this contract is awarded without competitive bidding or advertisement, as an "Emergency Contract", in accordance with *N.J.S.A. 40A:11-6*, of the Local Public Contracts Law of New Jersey, because an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and
3. That Notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the Borough.
4. That a certified copy of this Resolution shall be provided to each of the following:
 - a. Celtic Concepts, Inc.
 - b. Borough Chief Financial Officer
 - c. Borough Attorney

11-15-2012

RESOLUTION NO. 168

**RESOLUTION AUTHORIZING THE DEMOLITION AND CLEANING SERVICES OF
SERVPRO IN CONNECTION WITH RECOVERY EFFORTS RESULTING FROM DAMAGES
CAUSED BY HURRICANE SANDY IN THE BOROUGH OF OCEANPORT**

WHEREAS, there exists a need for the Borough of Oceanport to retain the demolition and cleaning services in connection with recovery efforts in connection with the damage caused by Super Storm Sandy; and

WHEREAS, the services to be provided are to be contracted as an "Emergency Contract" pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-6*; and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a contract without public advertising for bids and bidding therefore, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

WHEREAS, the Governing Body, having considered the same, now wishes to authorize SERVPRO INC. to provide the aforesaid services with regard to the recovery efforts in response to the damages caused by Hurricane Sandy.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Mayor and Council as follows:

1. That the Mayor, or his designee, is authorized to execute and the Borough Administrator to attest to an agreement in a form acceptable to the Borough Attorney between the Borough of Oceanport and Servpro Inc., with regard to the aforesaid services.

2. That this contract is awarded without competitive bidding or advertisement, as an "Emergency Contract", in accordance with *N.J.S.A. 40A:11-6*, of the Local Public Contracts Law of New Jersey, because an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and.

3. That Notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the Borough.

4. That a certified copy of this Resolution shall be provided to each of the following:
- a. Servpro Inc.
 - b. Borough Chief Financial Officer
 - c. Borough Attorney

RESOLUTION NO. 12-169

11-15-2012

**RESOLUTION AUTHORIZING THE PACKING AND STORAGE SERVICES OF PATRIOT
RELOCATION SERVICE IN CONNECTION WITH RECOVERY EFFORTS RESULTING FROM
DAMAGES CAUSED BY HURRICANE SANDY IN THE BOROUGH OF OCEANPORT**

**WHEREAS, THERE EXISTS A NEED FOR THE BOROUGH OF OCEANPORT TO RETAIN
THE PACKING AND STORAGE SERVICES IN CONNECTION WITH RECOVERY EFFORTS
IN CONNECTION WITH THE DAMAGE CAUSED BY HURRICANE SANDY; AND**

WHEREAS, the services to be provided are to be contracted as an "Emergency Contract" pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-6*; and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a contract without public advertising for bids and bidding therefore, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

WHEREAS, the Governing Body, having considered the same, now wishes to authorize Patriot Relocation Service to provide the aforesaid services with regard to the recovery efforts in response to the damages caused by Hurricane Sandy.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Mayor and Council as follows:

1. That the Mayor, or his designee, is authorized to execute and the Borough Administrator to attest to an agreement in a form acceptable to the Borough Attorney between the Borough of Oceanport and Patriot Relocation Service, with regard to the aforesaid services.

2. That this contract is awarded without competitive bidding or advertisement, as an "Emergency Contract", in accordance with *N.J.S.A. 40A:11-6*, of the Local Public Contracts Law of New Jersey, because an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and.

3. That Notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the Borough.

4. That a certified copy of this Resolution shall be provided to each of the following:

- a. Patriot Relocation Service
- b. Borough Chief Financial Office
- c. Borough Attorney

R-12-170
11-15-2012

BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport in accordance with the regulations stated in the Uniform Construction Code, (N.J.A.C. 5:23) hereby agree to waive all construction fees relative to any repairs or equipment replacement as a result of Super Storm Sandy for a period not to exceed 45 business days from the date of the storm, October 29, 2012.

BE IT FURTHER RESOLVED that all necessary inspections must be made in accordance with all code requirements and a copy of this resolution forwarded to the Construction Office.

BE IT FURTHER RESOLVED that any reconstruction requiring plan review by Borough Officials and Borough Professionals as a result of Superstorm Sandy will be eligible for a 20% reduction of permit fees.

R 12-171
11-15-2012

WHEREAS, flooding from Super Storm Sandy caused flooding to numerous residences within the Borough; and

WHEREAS, homeowners may wish to raise their homes so as the first floor elevation will prevent future flooding; and

WHEREAS, in order to accomplish the aforementioned the height of some homes may exceed the height requirement per the Borough Zoning Ordinance.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council that the Planning and Development Committee of the Borough Council will confer with Borough Professional including the Engineer and Construction Official to ascertain if an amendment to the Zoning Ordinance would be appropriate for homes located in the Flood Hazard Zone be afforded relief from the height restrictions if presently at maximum height per said ordinance and experienced flooding as a result of Super Storm Sandy.

BE IT FURTHER RESOLVED that such findings and recommendations will be reported back to the Governing Body.

11-15-2012

RESOLUTION NO. 12-172

RESOLUTION AUTHORIZING FEMA ASSISTANCE SERVICES OF WITT ASSOCIATES IN CONNECTION WITH RECOVERY EFFORTS RESULTING FROM DAMAGES CAUSED BY SUPER STORM SANDY IN THE BOROUGH OF OCEANPORT

WHEREAS, there exists a need for the Borough of Oceanport to retain Witt Associates for FEMA Assistance in connection with recovery efforts in connection with the damage caused by Super Storm Sandy; and

WHEREAS, the services to be provided are to be contracted as an "Emergency Contract" pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-6*; and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a contract without public advertising for bids and bidding therefore, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

WHEREAS, the Governing Body, having considered the same, now wishes to authorize Millennium Strategies to provide the aforesaid services with regard to the recovery efforts in response to the damages caused by Super Storm Sandy.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Mayor and Council as follows:

1. That the Mayor, or his designee, is authorized to execute and the Borough Administrator to attest to an agreement, in a form acceptable to the Borough Attorney between the Borough of Oceanport and Witt Associates, not to exceed \$50,000.00 with regard to the aforesaid services.

2. That this contract is awarded without competitive bidding or advertisement, as an "Emergency Contract", in accordance with *N.J.S.A. 40A:11-6*, of the Local Public Contracts Law of New Jersey, because an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and.

3. That Notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the Borough.

4. That a certified copy of this Resolution shall be provided to each of the following:
- a. Witt Associates
 - b. Borough Chief Financial Officer
 - c. Borough Attorney

R-12-173
12-5-2012

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated December 5, 2012.

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

WHEREAS. The Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of December 5, 2012.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated December 5, 2012 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

R-12-174
12-05-2012

WHEREAS, the following properties are due a refund for an overpayment of property Taxes under the laws of the State of New Jersey (N.J.S.A. 45.5-17.1) and

WHEREAS, the Tax Collector has recommended that the amount of the overpayment be refunded to the property owners.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that the Tax Collector be and is hereby authorized to refund said overpayment for the following properties:

Block 65, Lot 23	\$1,985.01
Block 83, Lot 8	\$1,548.61

R12-175
12-05-2012

**Requesting approval of the Director of the Division of Local Government Services
Amending the 2012 Municipal Budget per NJSA 40A:4-87 for
Body Armor Replacement Fund Program**

WHEREAS, N.J.S.40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount, and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oceanport hereby request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of \$1,725.92 which item is now available as a revenue from Body Armor Replacement Fund Program pursuant to provisions of statute, and

BE IT FURTHER RESOLVED, that a like sum of \$1,725.92 be and the same is Hereby appropriated under the caption of Body Armor Replacement Fund Program, \$1,725.92.

BE IT FURTHER RESOLVED, that the Borough Clerk forward two copies of this resolution with enclosures to the Director of Local Government Services.

RESOLUTION OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-54 TO PROVIDE FUNDS FOR RESPONSE TO THE EXTRAORDINARY EXPENSES RESULTING FROM DAMAGE CAUSED BY SUPER STORM SANDY AND FURTHER AUTHORIZING THE ISSUANCE OF SPECIAL EMERGENCY NOTES TO FUND SUCH SPECIAL EMERGENCY APPROPRIATION

WHEREAS, it has been found necessary to make a special emergency appropriation to meet certain expenses incurred or to be incurred as a result of the extraordinary damage to the streets, roads and other public property caused by Super Storm Sandy (the "Recovery") requiring the appropriation of funds of the Borough of Oceanport, in the County of Monmouth, State of New Jersey (the "Borough"), in the amount of \$700,000; and

WHEREAS, N.J.S.A. 40A:4-54 provides that it shall be lawful to make such appropriation, which appropriation and special emergency notes issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth of the amount authorized pursuant to this act:

NOW, THEREFORE BE IT RESOLVED (by not less than two-thirds of the full membership of the governing body affirmatively concurring) as follows:

1. Pursuant to N.J.S.A. 40A:4-54, a special emergency appropriation is hereby made in the amount of \$700,000 for the Recovery from Super Storm Sandy. The \$700,000 appropriated herein is sufficient to fund the special emergency.
2. The special emergency appropriation set forth in Section 1 hereof shall be provided for in the budgets of the succeeding years by the inclusion of not less than \$140,000 annually in each of the next five years' succeeding budgets.
3. Special Emergency Notes not in excess of \$700,000 are hereby authorized to be issued by the Borough.
4. Such Notes shall be executed by the Mayor and the Chief Financial Officer of the Borough and the official seal shall be thereunto affixed and attested to by the Clerk of the Borough.
5. All Notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. It is hereby delegated to the Chief Financial Officer of the Borough the authority to determine all matters in connection with the Notes issued, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. The Chief Financial Officer is also hereby authorized to sell part or all of the Notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this resolution is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the Notes so sold, the price obtained and the name of the purchaser.
6. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on the Notes issued under this resolution.
7. The Borough reasonably expects to reimburse the expenditures toward the costs of the Recovery described in this resolution incurred and paid for by the Borough prior to the issuance of the Notes authorized by this resolution with the proceeds of such Notes. No funds from sources other than the Notes have been or are reasonably expected to be reserved or allocated on a long-term basis or otherwise set aside by the Borough, or any member of the same "controlled group" as the Borough, within the meaning of Treasury

Regulation Section 1.150-1(e), pursuant to its budget or financial policies with respect to expenditures of the Borough to be reimbursed. This paragraph 7 is intended to be and hereby is a declaration of the Borough's official intent to reimburse the expenditures toward the costs of the Recovery described in this resolution incurred and paid for prior to the issuance of the Notes with the proceeds of such issuance of the Notes by the Borough, in accordance with Treasury Regulation Section 1.150-2(e)(1), and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section 1.148-10 to avoid, in whole or in part, arbitrage yield restrictions or arbitrage rebate requirements or to avoid restrictions under Sections 142 through 147 of the Code. The proceeds of the Notes used by the Borough to reimburse itself for expenditures towards the Recovery described in this resolution incurred and paid for, will not be used directly or indirectly (i) to "refund" an issue of governmental obligations within the meaning of Section 148 of the Code, (ii) to create or increase the balance of a "sinking fund" within the meaning of Treasury Regulation Section 1.148-1(c)(2) with respect to any obligation of the Township, or to replace funds that have been, are being or will be used for sinking fund purposes, (iii) to create or increase the balance in a "reserve or replacement fund" within the meaning of Section 148(d) of the Code and Treasury Regulation Section 1.148-2(f) with respect to any obligation of the Borough or to replace funds that have been, are being or will be so used for reserve or replacement fund purposes, or (iv) to reimburse the Borough for any expenditure or payment that was originally paid with the proceeds of any obligation of the Borough (other than borrowing by the Borough from one of its own funds or the funds of a member of the same "controlled group" within the meaning of Treasury Regulation Section 1.150-1(e)). The Notes to be issued by the Borough to finance those expenditures towards the Recovery described in this resolution to be reimbursed will be issued in an amount not to exceed \$700,000 which moneys shall be expended from a fund of the Borough, entitled "Current Fund," which fund contains moneys which can be expended for any lawful project of the Borough. That the expenditures incurred and paid towards the Recover described in this resolution to be reimbursed with the proceeds of the Notes will be "capital expenditures" in accordance with the meaning of Treasury Regulation Section 1.150-2(d)(3).

8. Two certified copies of this resolution shall be filed with the Director of the Division of Local Government Services.
9. This resolution shall take effect immediately.

CERTIFICATION OF CHIEF FINANCIAL OFFICER

Purpose of special emergency appropriation: To provide funds to promote the public's health and safety and to provide funds for the repair and reconstruction of the streets, roads and other public property in response to the extraordinary damage caused by Hurricane Sandy.

Date(s) of occurrence: October 29, 2012

Have any **contracts** been awarded or purchase orders placed in connection with this emergency appropriation? Yes.

IN WITNESS WHEREOF, I have hereunto set my hand as of this 5th day of December, 2012.



Gregory Mayers
Chief Financial Officer
Borough of Oceanport

R 12-177
12-05-2012

WHEREAS, the Borough has received notice from the State of New Jersey Division of Pensions and Benefits dated November 26, 2012 that Raymond Ciani has submitted an application for Retirement effective May 1, 2013.

NOW THEREFORE BE IT RESOLVED, that the Governing Body of the Borough of Oceanport hereby accepts the application of retirement of Raymond Ciani, May 1, 2013.

R 12-178
12-05-2012

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

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

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

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

R-12-179
12-5-12

WHEREAS, the present Tax Assessor resigned just prior to Super Storm Sandy; and

WHEREAS, due to the devastating effects of Super Storm Sandy both to Borough Hall and the municipality as a whole, it was not possible to advertise and interview for a replacement to date; and

WHEREAS, as a result of Super Storm Sandy there are many residents in need of assistance from the Tax Assessor with relationship to damage sustained as a result of the storm; and

WHEREAS it is in the best interests of the Borough to have a Tax Assessor or Deputy Tax Assessor available especially at a time when residents need the assistance and guidance relative to damage sustained from Super Storm Sandy; and

WHEREAS N.J.S.A. 40A9-146 allows for the appointment of a Deputy Tax Assessor or Deputy Tax Assessors as may be determined necessary; and

WHEREAS the aforesaid Deputy Tax Assessor shall serve on a part-time bases as needed until such time as the Borough can advertise and appoint an Tax Assessor to fill the unexpired term.

NOW THEREFORE BE IT RESOLVED, that Steven Walters, certified tax assessor shall be appointed as a Deputy Tax Assessor of the Borough of Oceanport on a part-time basis and called upon when needed to perform the duties of Tax Assessor as per the Salary Ordinance.

12-05-2012

RESOLUTION NO.12-180

**RESOLUTION AUTHORIZING ASSISTANCE FOR FEMA HAZARD MITIGATION GRANT
PREPARATION OF MILLENNIUM STRATEGIES IN CONNECTION WITH RECOVERY
EFFORTS RESULTING FROM DAMAGES CAUSED BY SUPER STORM SANDY IN THE
BOROUGH OF OCEANPORT**

WHEREAS, there exists a need for the Borough of Oceanport to retain Millennium Strategies for assistance for FEMA Hazard Mitigation Grant preparation in connection with recovery efforts in connection with the damage caused by Super Storm Sandy; and

WHEREAS, the services to be provided are to be contracted as an "Emergency Contract" pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-6*; and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a contract without public advertising for bids and bidding therefore, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

WHEREAS, the Governing Body, having considered the same, now wishes to authorize Millennium Strategies to provide the aforesaid services with regard to the recovery efforts in response to the damages caused by Super Storm Sandy.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Mayor and Council as follows:

1. That the Mayor, or his designee, is authorized to execute and the Borough Administrator to attest to an agreement, in a form acceptable to the Borough Attorney between the Borough of Oceanport and Millennium Strategies at a rate of \$5,000.00 per month for a term of no more than six months with regard to the aforesaid services.
2. That this contract is awarded without competitive bidding or advertisement, as an "Emergency Contract", in accordance with *N.J.S.A. 40A:11-6*, of the Local Public Contracts Law of New Jersey, because an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and.
3. That Notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the Borough.
4. That a certified copy of this Resolution shall be provided to each of the following:
 - a. Millenium Strategies.
 - b. Borough Chief Financial Officer
 - c. Borough Attorney

12-05-2012

RESOLUTION NO: 12-181

RESOLUTION OF THE COUNCIL OF THE BOROUGH OF OCEANPORT (A) ENDORSING THE BOROUGH'S 2008 AMENDED HOUSING ELEMENT AND FAIR SHARE PLAN, AS FURTHER AMENDED BY THE 2009 AND 2012 AMENDMENTS TO THAT 2008 PLAN; (B) DIRECTING ITS PROFESSIONALS TO FILE THE 2008 PLAN, AS AMENDED, WITH THE NEW JERSEY COUNCIL ON AFFORDABLE HOUSING; (C) DIRECTING THAT SPECIAL COUNSEL, IN ACCORDANCE WITH AN ORDER OF THE SUPERIOR COURT, TO FILE A DECLARATORY RELIEF ACTION WITH THE SUPERIOR COURT PURSUANT TO N.J.S.A. 52:27D-313 SEEKING APPROVAL OF THE AMENDED 2008 PLAN; (D) THAT IT DIRECTS SPECIAL COUNSEL TO IMMEDIATELY SEEK IMMUNITY WHILE THE COURT REVIEW AND PROCESS THE BOROUGH'S APPLICATION FOR APPROVAL OF ITS CURRENT PLAN; AND (E) THAT IT DIRECTS SPECIAL COUNSEL TO TAKE SUCH OTHER ACTIONS AS ARE REASONABLE AND APPROPRIATE TO PURSUE APPROVAL OF THE 2008 PLAN, AS AMENDED.

WHEREAS, the Planning Board of the Borough of Oceanport, County of Monmouth, State of New Jersey, adopted the Amended Third Round Housing Element and Fair Share Plan pursuant to N.J.S.A. 40:55D-28 on December 18, 2008; and

WHEREAS, the Governing Body endorsed the 2008 Amended Third Round Housing Element and Fair Share Plan on December 18, 2008; and

WHEREAS, on October 14, 2009 the Planning Board adopted an Amendment to the 2008 Amended Third Round Housing Element and Fair Share Plan; and

WHEREAS, on December 5, 2012 , the Oceanport Planning Board adopted an amendment to the 2008 Amended Third Round Housing Element and Fair Share Plan that superseded and replaced the 2009 Amendment; and

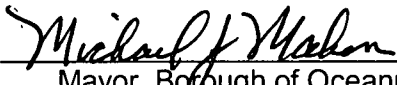
WHEREAS, a true copy of the resolution of the Planning Board adopting the December 5, 2012 Amendment to the 2008 Amended Third Round Housing Element and Fair Share Plan is attached hereto pursuant to N.J.A.C. 5:96-2.2(a)2; and

WHEREAS, the 2008 Amended Third Round Housing Plan Element and Fair Share Plan, as further amended by the 2009 and 2012 amendments referenced above (hereinafter "Current Affordable Housing Plan") fully addresses at least the Borough's current affordable housing obligations, which include only the prior round and rehabilitation housing obligations.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE BOROUGH OF OCEANPORT:

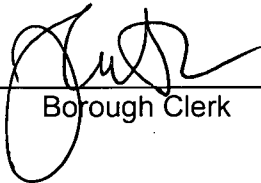
1. That it hereby endorses the Amendment to the 2008 Amended Third Round Housing Element and Fair Share Plan as adopted by the Planning Board of the Borough of Oceanport on December 5, 2012; and
2. That it hereby authorizes and directs its professionals to file the Current Affordable Housing Plan with the New Jersey Council on Affordable Housing; and

1. That it hereby authorizes and directs special counsel, upon filing the filing of the Current Affordable Housing Plan with COAH, to bring a declaratory relief action pursuant to N.J.S.A. 52:27D-313 in court, as required by an order of the court, dated September 4, 2012, seeking approval of the Current Affordable Housing Plan; and
2. That it hereby directs special counsel also to bring a motion in conjunction with the declaratory relief action set forth above seeking to maintain the temporary immunity that currently exists in conjunction therewith so that the Court can review the Current Affordable Housing Plan and so that the Borough can respond to any concerns of the Court or its master, free from unnecessary lawsuits brought on the basis of the Mount Laurel doctrine; and
3. That it authorizes its professionals to take any and all actions reasonable and necessary, including the provision of appropriate notice, to secure a Judgment of Compliance and Repose from the Court.



Mayor, Borough of Oceanport

I hereby certify that this is a true copy of the resolution endorsing the Housing Element and Fair Share Plan of the Borough of Oceanport, Monmouth County, on December 5, 2012.



Borough Clerk

R-12-182
11-15-2012

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated December 19, 2012.

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

WHEREAS. The Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of December 19, 2012.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated December 19, 2012 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

R-12-183
12-19-2012

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

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

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

NOW, THEREFORE BE IT RESOLVED the following transfers between appropriations be authorized pursuant to N.J.S.A. 40A:4-58:

FROM:

Recreation S&W	1,000.00
Health Insurance OE	10,500.00
Social Security System OE	2,500.00
Salary Adjustment Account	<u>12,500.00</u>
	26,500.00

TO:

Administrative & Executive OE	2,000.00
Financial Administration OE	2,000.00
Assessment of Taxes S&W	2,000.00
Legal Services OE	4,000.00
Engineer OE	4,000.00
Borough Property Planner Services & Fees OE	4,000.00
Construction Code S&W	2,000.00
Police OE	2,000.00
Emergency Management OE	500.00
Health Insurance Opt Out	3,000.00
Telephone OE	<u>1,000.00</u>
	26,500.00

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

12-19-2012

RESOLUTION NO: R-12-184

RESOLUTION OF THE COUNCIL OF THE BOROUGH OF OCEANPORT, MONMOUTH COUNTY, NEW JERSEY, OF INTENT TO FUND SPENDING PLAN SHORTFALL FOR AFFORDABLE HOUSING PROGRAMS IN THE BOROUGH'S HOUSING ELEMENT & FAIR SHARE PLAN

WHEREAS, pursuant to the substantive regulations of the New Jersey Council On Affordable Housing (COA H), certain portions of the Borough's amended Housing Plan Element and Fair Share Plan as adopted by the Oceanport Borough Planning Board on December 5, 2012 and endorsed by the Governing Body of the Borough of Oceanport on December 5, 2012 may require a financial commitment by the Borough; and

WHEREAS, N.J.A.C. 5:97-6.7 (d)6 requires a municipality to resolve to address any shortfall in the funding of its affordable housing programs as set forth in the Spending Plan and the Fair Share Plan, including its willingness to incur bonded indebtedness, if necessary, to provide the funds required for the timely implementation of the Fair Share Plan;

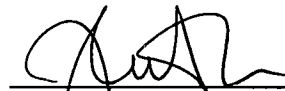
NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Oceanport, in the County of Monmouth, New Jersey, as follows:

1. To the degree that the funds required for the implementation of the Borough's Fair Share Plan, as will be more particularly set forth in the Borough's approved Spending Plan, are not available at the time they are needed from all available affordable housing funding sources, the Borough will provide the funding needed to cover any shortfall through appropriations in the Borough's annual budget, bonding, or any other legal means, with the understanding that any future affordable housing funding which becomes available may be used to reimburse the Borough for the costs incurred.



Mayor, Borough of Oceanport

Jeanne Smith
I, ~~Kim Jungfer~~, Borough Clerk of the Borough of Oceanport, do hereby certify that the above is a true copy of a resolution adopted by the Borough Council at a meeting held on December 19, 2012



Borough Clerk, Borough of Oceanport

R 12-185
12-19-2012

WHEREAS, FEMA has requested that the Oceanport Fire Department provide Fire Protection for housing at Fort Monmouth being used by FEMA as a result of Super Storm Sandy; and

WHEREAS, an agreement between FEMA and the Borough of Oceanport has been reached regarding reimbursement for said Fire Protection Services;;

NOW THEREFORE BE IT RESOLVED, by the Borough of Oceanport that the Mayor is hereby authorizing to enter into said agreement with FEMA upon review and said agreement found to be acceptable as to form by the Borough Attorney.

R-12-186
12-19-2012

WHEREAS, there is a need for a full time Helper in the Public Works Department; and

NOW THEREFORE BE IT RESOLVED, by the Borough Council that Jorge Segura, be appointed as Helper in the Department of Public Works and paid in accordance with the Salary Ordinance.

R-12-187
12-19-2012

WHEREAS, the Governing Body of the Borough of Oceanport has determined that it is in the best interest of the Borough to appoint the following individuals as a patrolman to the Oceanport Police Department, which shall be effective as of January 1, 2013;

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

Richard O'Brien, Thomas Manzo, Jr. and Christopher Petrillo hereby appointed Patrolman Step 1 subject to satisfactory completion of the necessary background investigation and physical and physiological examinations.

BE IT FURTHER RESOVLED that Christopher Petrillo will be enrolled in the Monmouth County Police Academy to obtain necessary certifications to perform said duties as a police officer.

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are authorized to sign any and all documents necessary to effectuate the intentions of this Resolution.

BE IT FURTHER RESOLVED, that a certified true copy of the within Resolution be furnished to the Chief of Police of the Borough of Oceanport, the Chief Financial Officer, the Borough Attorney, and the

R-12-188
12-19-2012

WHEREAS, the Governing Body of the Borough of Oceanport has determined that it is in the best interest of the Borough to appoint the following individual as a Class II Special Officer to the Oceanport Police Department, which shall be effective as of January 1, 2013;

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

Patrick Gornik is hereby appointed Class II Special Officer.

BE IT FURTHER RESOLVED that the Borough will assume the cost of training and uniforms not to exceed Five thousand (\$5,000.00) dollars; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are authorized to sign any and all documents necessary to effectuate the intentions of this Resolution.

BE IT FURTHER RESOLVED, that a certified true copy of the within Resolution be furnished to the Chief of Police of the Borough of Oceanport, the Chief Financial Officer, the Borough Attorney, and the Oceanport PBA Representative.

R-12-189
12-19-2012

RESOLUTION OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY DESIGNATING MONMOUTH PARK, CONSISTING OF Block 122, Lots 26,27,28,30,31,32,33,39 and Block 127, Lot 1 ("STUDY AREA") AS AN AREA IN NEED OF REHABILITATION WITHIN THE BOROUGH OF OCEANPORT PURSUANT TO THE NEW JERSEY LOCAL REDEVELOPMENT AND HOUSING LAW (NJLRHL) N.J.S.A. 40A:12A.

WHEREAS, the Borough Council of the Borough of Oceanport, a municipal corporation of the County of Monmouth, State of New Jersey finds that the public health, safety and welfare of the community shall be promoted by virtue of a well-planned rehabilitation of properties that have been determined to be in need rehabilitation; and

WHEREAS, the Borough Council of the Borough of Oceanport has reviewed the report entitled "Investigation for Determination of an Area in Need of Rehabilitation for Monmouth Park", prepared by Michael F. Sullivan, ASLA, AICP of Clarke Caton Hintz, Trenton, New Jersey, attached hereto and made a part hereof, and has referred same to the Planning Board of the Borough of Oceanport for review and comment; and

WHEREAS, the report entitled "Investigation for Determination of an Area in Need of Rehabilitation for Monmouth Park", presents information regarding Monmouth Park, Block 122, Lots 26,27,28,30,31,32,33,39 and Block 127, Lot 1 ("study area") and concludes that study area, qualifies as "an area in need of rehabilitation" in accordance with the Local Redevelopment and Housing Law at N.J.S.A. 40:12A.14; and

WHEREAS, the Planning Board of the Borough of Oceanport has reviewed the report entitled "Investigation for Determination of an Area in Need of Rehabilitation for Monmouth Park" at public meeting on November 28, 2012.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that there is substantial evidence to support a finding that Monmouth Park, comprised of tax lots designated on the Official Tax Map of the Borough of Oceanport as Block 122, Lots 26,27,28,30,31,32,33,39 and Block 127, Lot 1 ("study area") identified in the report entitled "Investigation for Determination of an Area in Need of Rehabilitation for Monmouth Park", dated October 23, 2012 prepared by Michael F. Sullivan, ASLA, AICP of Clarke Caton Hintz, Trenton, New Jersey, attached hereto and made a part hereof, is an area in need of rehabilitation and shall be designated as a "rehabilitation area" pursuant to N.J.S.A. 40A:12A-14.

**Resolution 2013-1
1-1-13**

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 meeting for the year 2013

NOW THEREFORE BE IT RESOLVED that the meetings of the Oceanport Mayor and Council are as follows:

WORKSHOP MEETINGS WILL BEGIN AT 7:00 P.M. WITH REGULAR MEETINGS IMMEDIATELY FOLLOWING THE WORKSHOP MEETINGS.

TIME: 7:00 P.M.
PLACE: MAPLE PLACE SCHOOL, 2 MAPLE PLACE, OCEANPORT, NJ
DAY: The first and third Thursdays of each month with the
Exception of January 3, 2013 July 4, 2013 August 1, 2013
November 21, 2013 and December 5, 2013. The December 5, 2013
will be held on Wednesday, December 4, 2013.

BE IF 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, forward a copy of same to the Link Newspaper and the Asbury Park Press as well as in the office of any designated official pursuant to Section 3 (d) of the Act; and

BE IF 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 2013-2
1-1-13**

BE IT RESOLVED that the Wells Fargo, Bank of America; Sovereign Bank of New Jersey; the Bank of New York/Mellon, Provident Bank, Valley National Bank; TD Bank, Two River Community Bank, Columbia Bank, Rumson-Fair Haven Bank and Trust, Capital One Bank and the State of New Jersey Cash Management Fund are hereby designated as the official depositories for all Borough Funds for 2013.

**Resolution 2013-3
1-1-13**

BE IT RESOLVED that Asbury Park Press, Atlanticville/Hub, Star Ledger and the Link News are hereby designated as the official newspapers for all Borough advertising.

**Resolution 2013-4
1-1-13**

WHEREAS, N.J.S.A. 40A: 5-7.1 and 5-7.3 permits public funds of a municipality to be invested in any insured Association, or any Federal Association, whose principal office is located within the State of New Jersey; and

WHEREAS, it is advisable that funds of this municipality on hand and not needed temporarily be invested in such accounts yielding a return on the investment at such time as the Borough may be in a position to do so; and

WHEREAS, N.J.S.A. 40A: 5-14 requires the approval of a cash management plan annual; and

BE IT FURTHER RESOLVED that the CASH MANAGEMENT PLAN as attached is approved; and

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Borough Council of the Borough of Oceanport in the County of Monmouth, New Jersey, that the Borough Chief Financial Officer is hereby authorized and directed to make such investments of public funds of the Borough of Oceanport on hand and not needed temporarily in any insured Association or Federal Association, in such Principle Office, or Branch Office, up to the amount for which such accounts are insured, pursuant to N.J.S.A. 40A: 5-7 and 5-7.3.

**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 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 (the "Designated Official") is 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	VALLEY NATIONAL BANK
TWO RIVER COMMUNITY BANK	COLUMBIA BANK
WELLS FARGO	CAPITAL ONE BANK
RUMSON-FAIR HAVEN BANK	TD BANK
SOVEREIGN BANK OF NJ	PROVIDENT BANK
THE BANK OF NEW YORK/MELLON	
NJ CASH MANAGEMENT FUND	

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. None at this time.

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 insure 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, 2013 to December 31, 2013. Attached to this plan is a resolution of the Governing Body of the Borough approving this Plan for such a 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 2013-5

1-1-13

BE IT RESOLVED that the Collector of Taxes 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%) for amounts over the first \$1,500 of said delinquent taxes retroactive to the quarterly due date if paid after such ten (10) days.

Resolution 2013-6

1-1-13

WHEREAS, NJSA 54:4-67 et seq, permits the governing body to fix the rate of interest to be charged for the nonpayment of taxes, assessments or other municipal charges.

NOW THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Oceanport, that in addition to the interest already provided, the tax collector shall also collect a penalty of six (6) percent of the amount of the current delinquencies in excess of Ten Thousand (\$10,000.00) Dollars, which are not paid prior to the end of the calendar year.

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

**Resolution 2013-7
1-1-13**

BE IT RESOLVED by the Oceanport Mayor and Council that the annual tax sale to be held in 2013 will be for those taxes due on real property that have been delinquent since December 31, 2012.

**Resolution 2013-8
1-1-13**

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE CANCELLING OF SMALL BALANCES**

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 Council of the Borough of Oceanport that Municipal Tax Collector Mary Jane Yorg is hereby authorized to process the cancellation of tax refunds or delinquencies of less than Ten (\$10.00) Dollars during the calendar year of 2009 in accordance with N.J.S.A. 40A:5-17-1.

**Resolution 2013-9
1-1-13**

BE IT RESOLVED, by the Oceanport Mayor and Council that the Borough Clerk is hereby authorized to sign all checks issued against the Borough of Oceanport and the Mayor is authorized to co-sign said checks.

**Resolution 2013-10
1-1-13**

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

NOW, THEREFORE BE IT RESOLVED that the following temporary appropriations be made for the year 2013:

APPROPRIATIONS	SALARIES & WAGES	OTHER EXPENSES
Admin. & Executive	\$ 45,000.00	\$ 15,000.00
Financial Administration	17,000.00	20,000.00
Assessment of		
Taxes	12,000.00	1,500.00
Collection of Taxes	15,100.00	2,000.00
Legal Services		25,000.00
Municipal Court	35,000.00	2,000.00
Public Defender		1,200.00
Prosecutor's Office	3,000.00	
Engineering		
Services		13,500.00
Buildings & Grounds		25,000.00
Planning Board	2,000.00	1,000.00
Health Insurance		260,000.00
Dental Insurance		15,000.00
Liability Insurance		50,000.00
Worker's Compensation		
Insurance		56,000.00
Fire		15,000.00
Fire Hydrant		
Services		16,000.00
First Aid		15,000.00
Police Department	495,000.00	25,000.00
Emergency Management	750.00	3,000.00
OSHA/Pathogens		125.00
Public Works	85,000.00	35,000.00
Senior Citizens		1,000.00
Shade		
Tree		2,500.00
Planner Fees		12,500.00
Transp.of High School		
Students		7,500.00
Street Lighting		22,000.00
Sanitation		45,000.00
Dumping Fees		80,000.00
Parks & Recreation	4,000.00	6,000.00
County Library	500.00	4,000.00
Social Security System		40,000.00
Deferred Compensation Ret.		
Plan		100.00
Construction Code		
Enforcement	25,000.00	1,500.00
Code Enforcement	1,500.00	1,000.00
Water Watch Committee		125.00
Recycling		8,000.00
Board of Health	600.00	200.00
Environmental Commission		500.00
Electricity		13,000.00

<u>APPROPRIATIONS</u>	<u>SALARIES & WAGES</u>	<u>OTHER EXPENSES</u>	
Water		4,000.00	
Gasoline		18,000.00	
Natural Gas		15,000.00	
Sewer		800.00	
Telephone		6,000.00	
Interlocal Service Agreement			
Dispatch		50,000.00	
Debt Service; Bond Principal		70,000.00	
Debt Service; Bond Interest		41,800.00	
	\$ 741,450.00	\$ 1,562,536.00	\$2,303,986.00

**Resolution 2013-11
1-1-13**

WHEREAS, the Borough of Oceanport advertised for bids for 2012 Road Program; and

WHEREAS, the said bid solicitation process was effectuated in accordance with prevailing provision of the Local Public Contracts Law, pursuant to N.J.S.A 40A:11-1 et seq; and

WHEREAS, the response to the subject bid solicitations process the Borough of Oceanport received three (3) bids; and

WHEREAS, the lowest responsible bid for two Base Bids and Alternates A & B was submitted by Fiore Paving Co., Inc. of Oceanport, New Jersey hereinafter referred to as "Contractor" in the sum of Five Hundred seven thousand sixty one dollars and seventy cents (\$507,061.70); and

WHEREAS, the Contractor has complied with the mandatory requirements of the N.J.S.A. 40A:11-23.2; and

WHEREAS, awarding such a Contract to Fiore Paving Co., Inc. will be in the best interest of the Borough and its residents;

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

That the Borough of Oceanport is hereby authorized to award the 2012 Road Program To Fiore Paving Co., Inc. subject to the conditions set forth herein.

That said Contract shall be in the total sum of Five Hundred seven thousand sixty one Dollars and seventy cents (\$507,061.70) and

That the within award of contract shall be subject to the Borough's Chief Financial Officer certifying in writing that funds are available for the stated purposes

That the within award of Contract shall be contingent upon the Contractor submitting Appropriate Performance Security, which guarantees shall be approved as to Form by the Borough Attorney.

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

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized to return all bid security, except the security of the three (3) apparent lowest responsible bidders. Upon return of said security the bids of such bidder shall be considered withdrawn.

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized to return the bid security to the remaining unsuccessful bidders, within three (3) days of signed Contracts and the approval of the Contractor's Performance Guarantees.

R-13-12

1-1-13

WHEREAS, the Borough of Oceanport has determined that there is a need to hire a printing service to produce the 2013 Borough Calendar; and

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

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

WHEREAS, the Borough has received proposals from Boro Printing in the amount of Three thousand fifty-five dollars (\$3,055.00), Jersey Printing in the amount of Two thousand nine hundred (\$2,900.00) and Atlantic Printing chose not to quote.

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

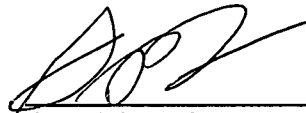
WHEREAS, there is no negative history associated with the contractor, which would necessitate the reasons not to award said contract to Jersey Printing.

WHEREAS, funds are available in the clean communities trust account as evidenced by the Chief Financial Officer's certification;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport, County of Monmouth and State of New Jersey that the contract for performance of the scope of the work as aforementioned in the total sum of Two thousand, nine hundred dollars (\$2,900.00) be awarded to Jersey Printing.

CERTIFICATION OF FUNDS

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



GREGORY S. MAYERS, CPA, CFO

Resolution 2013-13
1-1-13

WHEREAS, the Borough of Oceanport has determined that there is a need to hire a printing service to produce the 2013 6-page Borough Bulletin; and

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

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

WHEREAS, the Borough received a proposal from Atlantic Printing, Boro Printing chose not to submit a proposal and no response was received from Jersey Printing.

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport, County of Monmouth and State of New Jersey that the contract for performance of the scope of the work as aforementioned in the total sum not to exceed Six Thousand five hundred (\$6,500) dollars be awarded to Atlantic Printing.

CERTIFICATION OF FUNDS

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



GREGORY S. MAYERS, CPA, CFO

Resolution 2013-14
1-17-13

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated January 17, 2013.

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

WHEREAS. The Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of January 17, 2013.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated January 17, 2013 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

Resolution 2013-15
1-17-13

WHEREAS, the following properties are due a refund for an overpayment of property taxes under the laws of the State of New Jersey (N.J.S.A. 45.5-17.1) and

WHEREAS, the Tax Collector has recommended that the amount of the overpayment be refunded to the property owners.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that the Tax Collector be and is hereby authorized to refund said overpayment for the following properties:

Block 93, Lot 23	\$2,049.00
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Resolution 2013-16
1-17-13

WHEREAS, at the Borough Tax Sale held on October 5, 2012, a lien was sold on Block 13, Lot 18 also known as 47 Monmouth Blvd.; and

WHEREAS, this lien, known as Tax Sale Certificate #11-00004 was sold to Resehill Fund 2, LLC. at an interest rate of 0%; and

WHEREAS, the owner, has affected redemption of Certificate #11-00004 in the amount of \$6,248.52.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$6,248.52 payable to Rosehill Fund 2, LLC, P.O. Box 503, Rye, NY 10580 for the redemption of Tax Sale Certificate #11-00004.

BE IN FURHRER RESOVLED, that the CFO be authorized to issue a check in the amount of \$10,000.00 (Premium) to the aforementioned lien holder.

Resolution 2013-17
1-17-13

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

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

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

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

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

Resolution 2013-20
1-17-13

WHEREAS, the Borough of Oceanport has determined that there is a need to hire a cleaning service for Borough buildings; and

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

WHEREAS; the Borough requested proposals to perform said Cleaning Services from Alaska Services, SSS Cleaning, and United Cleaning.

WHEREAS, the Borough has received proposals from United Cleaning, SSS Cleaning, and Alaska Services; and.

WHEREAS, the lowest responsible proposal was received by Alaska Services in the amount of \$14,785.00

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

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport, in the County of Monmouth and State of New Jersey that the contract for performance of the scope of the work as aforementioned in the total sum of Fourteen thousand seven hundred eighty five dollars (\$14,785.00) be awarded to Alaska Services and that Alaska Services provide the appropriate certificate of insurance.

CERTIFICATION OF FUNDS

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



GREGORY S. MAYERS, CPA, CFO

Resolution 2013-21
1-17-13

BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that **KIMBERLY A JUNGFER** is hereby appointed Community Development Representative and **GREGORY S. MAYERS** is appointed as the Alternate for the Monmouth County Community Development Program during calendar year 2013.

Resolution 2013-22
01-17-13

WHEREAS, the Borough of Oceanport desires to provide for the orderly development of the wastewater facilities within Monmouth County; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, be in conformance with an approved WQM plan; and

WHEREAS, the NJDEP has established the WQM plan amendment procedure as the method of incorporating unplanned facilities into a WQM plan; and

WHEREAS, a proposed WQM plan amendment noticed in the New Jersey Register on January 7, 2013 as the Monmouth County Future Wastewater Service Area Map has been submitted on behalf of the Monmouth County Board of Chosen Freeholders;

NOW, THEREFORE, BE IT RESOLVED on this 17th day of January 2013 by the governing body of the Borough of Oceanport that:

1. The Governing Body hereby consents to the amendment entitled Monmouth County Future Wastewater Service Area Map and publicly noticed on January 7, 2013, prepared by Monmouth County for the purpose of its incorporation into the applicable WQM plan (s).
2. The consent shall be submitted to the NJDEP in accordance with N.J.A.C. 7:15-3.4 and to the County of Monmouth Division of Planning.

Resolution 2013-23
1-1-17

**RESOLUTION AUTHORIZING STORM DEBRIS DISPOSAL OF PREMIER
ENVIRONMENTAL SOLUTIONS IN CONNECTIONS WITH RECOVERY EFFORTS
RESULTING FROM DAMAGES CAUSED BY SUPER STORM SANDY IN THE
BOROUGH OF OCEANPORT**

WHEREAS, there exists a need for the Borough of Oceanport to retain the storm debris disposal services in connection with recovery efforts in connection with the damage caused by Super Storm Sandy; and

WHEREAS, the services to be provided are to be contracted as an "Emergency Contract" pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-6; and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a contract without public advertising for bids and bidding therefore, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

WHEREAS, the Governing Body, having considered the same, now wishes to authorize Premiere Environmental Solutions to provide the aforesaid services with regard to the recovery efforts in response to the damages caused by Super Storm Sandy.

FROM:

Police S&W	20,000.00
Assessment of Taxes S&W	1,000.00
Group Health Insurance OE	500.00
	<u>21,500.00</u>

TO:

Police OE	20,000.00
Municipal Court OE	1,000.00
Prosecutor S&W	500.00
	<u>21,500.00</u>

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

**Resolution 2013-18
1-17-13**

WHEREAS, the Borough of Oceanport has determined that there is a need to hire a service for HVAC maintenance and service for 2013; and

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

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

WHEREAS, the Borough has received proposals from Brown's Heating and Cooling and I.B. Miller, Inc. and Koehler Plumbing, Heating and Air Conditioning did not submit a quote with the lowest bi annual service and hourly rates being presented by Brown's Heating and Cooling; and

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

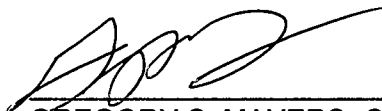
WHEREAS, there is no negative history associated with the contractor, which would necessitate the reasons not to award said contract to Brown's Heating and Cooling.

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

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport, County of Monmouth and State of New Jersey that the contract for performance of the scope of the work as aforementioned be awarded to Brown's Heating and Cooling.

CERTIFICATION OF FUNDS

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



GREGORY S. MAYERS, CPA, CFO

**Resolution 2013-19
1-17-13**

WHEREAS, the Borough of Oceanport has determined that there is a need to hire an electrician to perform services on an as needed basis; and

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

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

WHEREAS, the Borough has received a proposal from C and S Electrical Contractor, Inc while B C Electrical Contracting and JV Electrical Contractors chose not to submit a quote and; and

WHEREAS, a quote proposal was not sought from the prior contractor due to unresponsive service during Hurricane Sandy; and

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

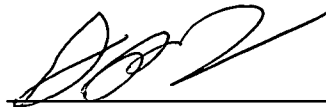
WHEREAS, there is no negative history associated with the contractor, which would necessitate the reasons not to award said contract to C and S Electrical Contractor; and

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

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport, County of Monmouth and State of New Jersey that the contract for performance of the scope of the work as aforementioned be awarded to C and S Electrical Contractor

CERTIFICATION OF FUNDS

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



GREGORY S. MAYERS, CPA, CFO

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Mayor and Council as follows:

1. That the Mayor, or his designee, is authorized to execute and the Borough Administrator to attest to an agreement in a form acceptable to the Borough Attorney between the Borough of Oceanport and Premiere Environmental Solutions LLC., with regard to the aforesaid services.
 2. That this contract is awarded without competitive bidding or advertisement, as an "Emergency Contract", in accordance with N.J.S.A. 40A:11-6, of the Local Public Contracts Law of New Jersey, because an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services, and
 3. That Notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the Borough.
 4. That a certified copy of this Resolution shall be provided to each of the following:
 - a. Premiere Environmental Solutions
 - b. Borough Chief Financial Officer
 - c. Borough Attorney
-

Resolution 2013-24
1-1-13

BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport in accordance with the regulations stated in the Uniform Construction Code, (N.J.A.C. 5:23) hereby agree to extend the waiving of all construction fees relative to any repairs or equipment replacement as a result of Super Storm Sandy for an additional period not to exceed 45 business days from January 1, 2013.

BE IT FURTHER RESOLVED that all necessary inspections must be made in accordance with all code requirements and a copy of this resolution forwarded to the Construction Office.

BE IT FURTHER RESOLVED that any reconstruction requiring plan review by Borough Officials and Borough Professionals as a result of Super Storm Sandy will be eligible for a 20% reduction of permit fees for this same period.

Resolution 2013-25
1-17-13

WHEREAS, an emergent condition has arisen wherein the appropriations set forth in the 2013 temporary budget are insufficient to meet the financial obligations as set forth below

WHEREAS, the permanent budget for the year 2013 has not yet been adopted, and

WHEREAS, the total emergency temporary appropriations adopted in the year 2013 pursuant to the provisions of N.J.S.A. 40A:4-20 included in this resolution total \$400,000.00

NOW, THEREFORE BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the aforementioned statute the 2013 temporary fiscal budget be and the same is hereby amended to provide for an emergency temporary appropriation in the amount of \$400,000.00 said appropriations are as follows:

APPROPRIATIONS

**SALARIES
& WAGES**

**OTHER
EXPENSES**

Super Storm Sandy
Supplemental Appropriation

\$ 400,000.00

**Resolution 2013-26
1-17-13**

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated February 7, 2013.

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

WHEREAS. The Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of February 7, 2013.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated February 7, 2013 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

**Resolution 2013-27
2-7-13**

WHEREAS, the Borough has received notice from the State of New Jersey Division of Pensions and Benefits dated November 26, 2012 that Steven Tagerty has submitted an application for Retirement effective April 1, 2013.

NOW THEREFORE BE IT RESOLVED, that the Governing Body of the Borough of Oceanport hereby accepts the application of retirement of Steven Tagerty effective April 1, 2013.

**Resolution 2013-28
2-7-13**

WHEREAS the Borough is in the process of reviewing and amending its Hazard Mitigation Plan; and

WHEREAS, as part of such review a review of priorities will be recommended for Change placing elevations/acquisitions of residences as the first priority.

NOW THEREFORE BE IT RESOLVED, be it resolved by the Governing Body of the Borough of Oceanport that a review and amendment of the Borough's Hazard Mitigation include elevations/acquisitions as the first priority in the amended Plan.

This is certified to be a true copy of Resolution R-13-28, approved by the Borough of Oceanport Governing Body at their regular meeting of February 7, 2013.

KIMBERLY A JUNGFER
BOROUGH CLERK

Resolution 2013-29
2-7-13

WHEREAS, at the Municipal Tax Sale held on October 7, 2011, a lien was sold on Block 101, Lot 14, also known as 7 Lake Drive, for delinquent sewer; and,

WHEREAS, this lien, known as Tax Sale Certificate #10-00009, was sold to Sass Muni VI dtr at an interest rate of 15%; and,

WHEREAS, the mortgagor, has effected redemption of Certificate #10-00009 in the amount of \$1,436.55.

NOW, THEREFOR, BE IT RESOLVED, that the CFO be authorized to issue a check in the amount of \$1436.55 payable to US Bank Cust/ Sass Muni VI dtr, 2 Liberty Place, 50 South 16th Street, Suite 1950, Philadelphia, PA 19102 for the redemption of Tax Sale Certificate #10-00009.

Resolution 2013-30
2-7-13

WHEREAS, at the Municipal Tax Sale held on October 7, 2011, a lien was sold on Block 76, Lot 11, also known as 481 Driveway, for delinquent sewer; and,

WHEREAS, this lien, known as Tax Sale Certificate #10-00008, was sold to ATR Fund and Cap One at an interest rate of 15%; and,

WHEREAS, the mortgagor, has effected redemption of Certificate #10-00008 in the amount of \$1,043.34.

NOW, THEREFOR, BE IT RESOLVED, that the CFO be authorized to issue a check in the amount of \$1043.34 payable to US Bank Cust/ ATR Fund & Cap One, 2 Liberty Place, 50 South 16th Street, Suite 1950, Philadelphia, PA 19102 for the redemption of Tax Sale Certificate #10-00008.

Resolution 2013-31
2-7-13

RESOLUTION SUPPORTING THE MONMOUTH COUNTY BOARD OF CHOSEN FREEHOLDS PROPOSED TRAFFIC MOVEMENT CHANGES AT THE INTERSECTION OF COUNTY ROUTE 11 (OCEANPORT AVENUE) AND RUSSELL AVENUE IN THE BOROUGH OF OCEANPORT.

WHEREAS, the Board of Chosen Freeholds desire to provide safe and efficient traffic flow within Monmouth County; and,

WHEREAS, the Fort Monmouth Economic Revitalization Authority has requested assistance from the Freeholders to address an traffic congestion issue at the intersection of County Route 11 (Oceanport Avenue) and Russell Avenue in the Borough of Oceanport; and,

WHEREAS, the Department of the Army had revised the traffic movements at the intersection of Oceanport Avenue and Russell Avenue to restrict left turning movements as a security measure implemented after the World Trade Center Tragedy; and,

WHEREAS, the County and the Borough had not passed an Ordinance or Resolution supporting the revisions to the traffic patterns as one was not needed as the Department of the Army is a higher Authority and had jurisdiction on this matter; and,

WHEREAS, Fort Monmouth has since been closed and the functions previously provided on site have been relocated to other facilities; and,

WHEREAS, temporary housing is being provided within Fort Monmouth for residents displaced by Super Storm Sandy and the property is currently being re-developed such that it is anticipated that the traffic volumes onto the Fort property will be increasing; and,

WHEREAS, the County has developed a Conceptual Plan dated January 31, 2013 which provides for the implementation of a dedicated left turn movement on Oceanport Avenue northbound at Russell Avenue to provide for save and efficient traffic flow; and,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of Oceanport hereby support and endorse the Conceptual Plan for revisions to the traffic patterns at Oceanport Avenue and Russell Avenue.

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the County Engineer.

Resolution 2013-32
2-7-13

**RESOLUTION OF THE BOROUGH OF OCEANPORT, COUNTY OF
MONMOUTH, AUTHORIZING INTERLOCAL SERVICES AGREEMENT
FOR MUNICIPAL COURT SERVICES WITH THE BOROUGH OF SEA
BRIGHT, COUNTY OF MONMOUTH.**

WHEREAS, the Borough of Oceanport is desirous of renewing the existing shared services agreement ("agreement") with the Borough of Sea Bright for an additional three (3) year term; and

WHEREAS, the agreement contemplates the extension of said agreement by Resolution for additional terms of three (3) years not to exceed fifteen (15) additional years to the year 2041; and

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

WHEREAS N.J.S.A. 2B:12-1 allows two or more municipalities to provide jointly for courtrooms, chambers, equipment, supplies and employees for their municipal courts and to agree to appoint the same persons as certified court administrator without establishing a joint municipal court; and

WHEREAS, Oceanport and Sea Bright desire to share facilities, equipment and office staff in accordance with N.J.S.A. 2B:12-1 in order to conserve resources and to provide for a more efficient and more economically sound municipal court system; while each municipality maintains its right to appoint their own judge, prosecutor and public defender; and

WHEREAS, Oceanport, pursuant to the current agreement, has permitted Sea Bright to utilize Oceanport's Court Room effective March 1, 2010 and has further permitted Sea Bright to utilize the Oceanport Municipal Court offices upon since that date; and

WHEREAS, the Borough Councils of both Oceanport and Sea Bright find that it would be in the best interest of the parties for Sea Bright to continue to utilize a mutual Municipal Court Room, court offices, and to share employees, facilities and equipment under the terms and conditions referenced herein.

NOW THEREFORE, with the foregoing incorporated into the current agreement by reference and in consideration of the mutual covenants contained herein the parties hereto, intending to be legally bound, hereby agree as follows:

THE AGREEMENT made on March 1, 2010, by and between **THE BOROUGH OF OCEANPORT** ("Oceanport") in the County of Monmouth, State of New Jersey with their principal offices located at 222 Monmouth Boulevard, Oceanport, New Jersey, 07757 and **THE BOROUGH OF SEABRIGHT** ("Sea Bright") in the County of Monmouth, State of New Jersey with principal offices located at 1167 Ocean Avenue, Sea Bright, New Jersey, 07760. Oceanport and Sea Bright is hereby extended for the first time until February 28, 2016.

**Resolution 2013-33
2-21-13**

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated February 21, 2013.

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

WHEREAS. The Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of February 21, 2013.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated February 21, 2013 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

**Resolution 2013-34
02-21-13**

**RESOLUTION AUTHORIZING REFUND OF REDEMPTION
MONIES TO OUTSIDE LIENHOLDER**

WHEREAS, at the Municipal Tax Sale held on October 5, 2012, a lien was sold on Block 29, Lot 13, also known as 27 Ithica Avenue for delinquent sewer; and,

WHEREAS, this lien, known as Tax Sale Certificate #11-00006, was sold to Stuart Lasher at an interest rate of 0%; and,

WHEREAS, the mortgagor, has effected redemption of Certificate #11-0006 in the amount of \$163.65.

NOW, THEREFORE, BE IT RESOLVED, that the CFO be authorized to issue a check in the amount of \$ 163.65 payable to Stuart Lasher, PO Box 83, Milltown NJ 08850 for the redemption of Tax Sale Certificate #11-00006.

Resolution 2013-35
02-21-13

**RESOLUTION AUTHORIZING REFUND OF REDEMPTION
MONIES TO OUTSIDE LIENHOLDER**

WHEREAS, at the Municipal Tax Sale held on October 5, 2012, a lien was sold on Block 26, Lot 14, also known as 47 Mohican Avenue, for delinquent sewer; and,

WHEREAS, this lien, known as Tax Sale Certificate #11-00005, was sold to Ridgeback Venture, LLC at an interest rate of 0; and,

WHEREAS, the mortgagor has affected redemption of Certificate #11-00005 in the amount of \$896.71

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$ 896.71 payable to Ridgeback Ventures, LLC, PO Box 503, Mount Freedom, NJ 07970 for the redemption of Tax Sale Certificate #11-00005.

BE IT FURTHER RESOLVED, that the CFO be authorized to issue a check in the amount of \$300.00 (Premium) to the aforementioned lienholder.

Resolution 2013-36
2-21-13

**RESOLUTION AUTHORIZING REFUND OF REDEMPTION
MONIES TO OUTSIDE LIEHOLDER**

WHEREAS, at the Municipal Tax Sale held on October 5, 2012, a lien was sold on Block 110, Lot 6, also known as 93 Main Street, for delinquent taxes and sewer; and,

WHEREAS, this lien, known as Tax Sale Certificate #11-00017, was sold to FNA Jersey Lien Services, LLC at an interest rate of 0%; and,

WHEREAS, the mortgagee has effected redemption of Certificate #11-00017 in the amount of \$996.59.

NOW, THEREFORE, BE IT RESOLVED, that the CFO be authorized to issue a check in the amount of \$996.59 made payable to FNA Jersey Lien Services LLC, PO Box 1030, Brick NJ 08723 for the redemption of Tax Sale Certificate #11-00017.

BE IT FURTHER RESOLVED, that the CFO be authorized to issue a check in the amount of \$500.00 (Premium) to the aforementioned lienholder.

Resolution 2013-37
2-21-13

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

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

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

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

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

FROM:	
Engineer OE	2,000.00
TO:	
Assessment of Taxes OE	2,000.00

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

Resolution 2013-38
02-21-13

WHEREAS, Douglas and Dana Miller are owners of the property known as 167 Monmouth Boulevard which was significantly impacted by Super Storm Sandy; and

WHEREAS, the Miller's applied for various permits from the construction office for repairs and improvements to elevate the house out of the flood plain; and

WHEREAS, the Millers were eligible for and received waivers of certain fees as authorized by the Mayor and Council for a specified period; and

WHEREAS, the Miller's incurred and paid new permit costs issued after the period authorized by Mayor and Council; and

WHEREAS, the Mayor and Council afterwards extended the waiver of certain fees by resolution.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council that the Miller's be refunded the full amount of permit costs previously paid which would have been waived by the resolution authorizing the extension of time for waivers of certain permit fees.

BE IT FURTHER RESOLVED by the Mayor and Council that the Miller's be exempt from the residential developer's fee requirements.

**Resolution 2013-39
3-7-13**

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated March 7, 2013.

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

WHEREAS. The Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of March 7, 2013.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated March 7, 2013 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same

**Resolution 2013-40
3-17-13**

**RESOLUTION AUTHORIZING REFUND OF REDEMPTION
MONIES TO OUTSIDE LIENHOLDER**

WHEREAS, at the Municipal Tax Sale held on October 5, 2012, a lien was sold on Block 55, Lot 4, also known as 44 Manitto Place, for delinquent sewer; and

WHEREAS, this lien, known as Tax Sale Certificate #11-00009, was sold to Rosehill Fund 2, LLC, at an interest rate of 0%; and,

WHEREAS, the mortgagee has effected redemption of Certificate #11-00009 in the amount of \$524.51.

NOW, THEREFORE, BE IT RESOLVED, that the CFO be authorized to issue a check in the amount of \$524.51 made payable to Rosehill Fund 2, LLC, PO Box 503, Rye NY 10580 for the redemption of Tax Sale Certificate #11-00009.

BE IT FURTHER RESOLVED, that the CFO be authorized to issue a check in the amount of \$500.00 (Premium) to the aforementioned lienholder.

**Resolution 2013-41
3-7-13**

**RESOLUTION AUTHORIZING REFUND OF REDEMPTION
MONIES TO OUTSIDE LIENHOLDER**

WHEREAS, at the Municipal Tax Sale held on October 5, 2012, a lien was sold on Block 117, Lot 27.236, Qualifier CW236, also known as 120 Carriage Lane, for delinquent sewer; and,

WHEREAS, this lien, known as Tax Sale Certificate #11-00018, was sold to Stuart Lasher, at an interest rate of 0%; and,

WHEREAS, the mortgagee has affected redemption of Certificate #11-00018 in the amount of \$5,655.13

NOW, THEREFORE, BE IT RESOLVED, that the CFO be authorized to issue a check in the amount of \$5,655.13 made payable to Stuart Lasher, PO Box 83, Milltown, NJ 08850 for the redemption of Tax Sale Certificate #11-00018.

BE IT FURTHER RESOLVED, that the CFO be authorized to issue a check in the amount of \$300.00 (Premium) to the aforementioned lienholder

Resolution 2013-42
3-7-13

**RESOLUTION AUTHORIZING REFUND OF REDEMPTION
MONIES TO OUTSIDE LIENHOLDER**

WHEREAS, at the Municipal Tax Sale held on October 5, 2012, a lien was sold on Block 84, Lot 10, also known as 13 Belmar Avenue, for delinquent sewer; and,

WHEREAS, this lien, known as Tax Sale Certificate #11-00011, was sold to Procapital 1, LLC at an interest rate of 0%; and,

WHEREAS, the mortgagee has affected redemption of Certificate #11-00011 in the amount of \$163.65

NOW, THEREFORE, BE IT RESOLVED, that the CFO be authorized to issue a check in the amount of \$163.65 made payable to US Bank-Cust/Procapital, LLC, 50 South 16th Street, Suite 1950, Philadelphia PA 19102 for the redemption of Tax Sale Certificate #11-00011.

Resolution 2013-43
3-7-13

WHEREAS, an emergent condition has arisen wherein the appropriations set forth in the 2013 temporary budget are insufficient to meet the financial obligations as set forth below.

WHEREAS, the permanent budget for the year 2013 has not yet been adopted and

WHEREAS, the total emergency temporary appropriations adopted in the year 2013 pursuant to the provisions of the N.J.S.A. 40A:4-20 included in this resolution total \$10,000.00

NOW, THEREFORE BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the aforementioned statute the 2013 temporary fiscal budget be and the same is hereby amended to provide for an emergency temporary appropriation in the amount of \$10,000.00, said appropriations are as follows:

<u>APPROPRIATIONS</u>	<u>SALARIES & WAGES</u>	<u>OTHER EXPENSES</u>
Police Department		\$10,000.00

Resolution 2013-44
3-7-13

BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport in accordance with the regulations stated in the Uniform Construction Code, (N.J.A.C. 5:23) hereby agree to extend the waiving of all construction fees relative to any repairs or equipment replacement as a result of Super Storm Sandy for an additional period to April 15, 2013.

BE IT FURTHER RESOLVED that all necessary inspections must be made in accordance with all code requirements and a copy of this resolution forwarded to the Construction Office.

BE IT FURTHER RESOLVED that any reconstruction requiring plan review by Borough Officials and Borough Professionals as a result of Superstorm Sandy will be eligible for a 20% reduction of permit fees for this same

Resolution 2013-44 (a)
03-21-2013

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated March 21, 2013.

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

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of March 21, 2013

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated March 21, 2013 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

Resolution 2013-45
3-21-13

WHEREAS, the Parks and Recreation Committee has recommended the following groups be approved for use of a Borough Field as follows:

Jersey Shore Thunder – Blackberry Bay Park
Peninsula Soccer Club – Maria Gatta Community Park (spring term 2013)

WHEREAS, as required by ordinance the Borough Council has considered the recommendations of said committee.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that field usage by the aforementioned groups is hereby approved on the dates, fields and times so indicated on the applications submitted.

Resolution 2013-46
3-21-13

WHEREAS, an emergent condition has arisen wherein the appropriations set forth in the 2013 temporary budget are insufficient to meet the financial obligations as set forth below

WHEREAS, the permanent budget for the year 2013 has not yet been adopted, and

WHEREAS, the total emergency temporary appropriations adopted in the year 2013 pursuant to the provisions of N.J.S.A. 40A:4-20 included in this resolution total \$1,660,320.00

NOW, THEREFORE BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the aforementioned statute the 2013 temporary fiscal budget be and the same is hereby amended to provide for an emergency temporary appropriation in the amount of \$1,660,320.00 said appropriations are as follows

APPROPRIATIONS	SALARIES & WAGES	OTHER EXPENSES
Admin. & Executive	\$ 30,000.00	\$ 20,000.00
Financial Administration	15,000.00	15,000.00
Assessment of Taxes	8,000.00	1,000.00
Collection of Taxes	13,000.00	1,000.00
Legal Services		20,000.00
Municipal Court	30,000.00	1,800.00

APPROPRIATIONS	SALARIES & WAGES	OTHER EXPENSES
Public Defender		300.00
Prosecutor's Office	2,000.00	
Engineering Services		20,000.00
Building & Grounds		2,500.00
Planning Board	1,000.00	100.00
Health Insurance		150,000.00
Dental Insurance		15,000.00
Liability Insurance		55,086.00
Worker's Compensation Insurance		55,093.00
Fire		12,500.00
Fire Hydrant Services		15,000.00
First Aid		5,000.00
Police Department	300,000.00	25,000.00
Emergency Management	750.00	2,000.00
OSHA/Pathogens		125.00
Public Works	60,000.00	20,000.00
Senior Citizens		1,000.00
Shade Tree		1,750.00
Planner Fees		12,500.00
Transp. Of High School Students		3,600.00
Street Lighting		15,000.00
Sanitation		22,000.00
Dumping Fees		35,000.00
Parks & Recreation	2,000.00	7,000.00
County Library	0.00	0.00
Social Security System		30,000.00
Construction Code Enforcement	18,000.00	2,000.00
Code Enforcement	1,450.00	700.00
Recycling		7,500.00
Board of Health	500.00	
Environmental Commission		100.00
Electricity		12,000.00
Water/Sewer		3,500.00
Gasoline		17,000.00
Natural Gas		1,000.00
Interlocal Agreement; Dispatch Svcs.		39,250.00
Telephone		4,000.00
Public Employees Retirement System		104,749.00
Police & Fire Retirement System		375,804.00
NJEIT		0.00
Celebration of Public Events		0.00
Waterwatch Committee		1,000.00
9-1-1		13,563.00
Capital Improvement Fund		0.00
Debt Service; Bond Interest		32,100.00
	\$ 481,700.00	\$1,178,620.00

**Resolution 2013-47
3-21-13**

**RESOLUTION ACKNOWLEDGING THE HURRICANE SANDY RECOGNITION
PLAQUE AND SAFETY AWARD RECEIVED FROM THE MONMOUTH COUNTY
MUNICIPAL JOINT INSURANCE FUND'S EXECUTIVE SAFETY COMMITTEE**

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

WHEREAS, the Monmouth County Municipal Joint Insurance Fund's Executive Committee and Executive Safety Committee recognize the exemplary safety performance of its member municipalities, the Governing Body, Municipal Employees and Volunteers during Hurricane Sandy which occurred on October 29, 2012, and in the aftermath in the weeks following the storm; and

WHEREAS, the Monmouth County Municipal Joint Insurance Fund recognized the outstanding safety performance of their entire membership at the Monmouth JIF's Annual Safety Breakfast Event with a recognition plaque and safety award; and

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the recognition plaque and award and has publically acknowledged receipt of the said award in this meeting; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Oceanport, County of Monmouth, State of New Jersey that the Monmouth County Municipal Joint Insurance Fund Recognition be accepted; and

BE IT FURTHER RESOLVED, a certified copy of this Resolution be sent to the Executive Director of the Monmouth County Municipal Joint Insurance Fund.

**Resolution 2013-48
03-21-13**

WHEREAS, it is necessary to fill that vacancy in the position of Tax Assessor.

WHEREAS, pursuant to NJSA 40A:9-148 vacancies other than due to expiration of term shall be filled by appointment for the unexpired term; and

WHEREAS, John E. Butow is a Certified Tax Assessor with many years of experience in the said position.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Oceanport that John E. Butow, is hereby appointed Tax Assessor to fill the unexpired term ending June 30, 2013 effective upon passage of this resolution and pursuant to law (N.J.S.A. 40A:9-146 and N.J.S.A. 40A:9-148) effective April 1, 2013.

BE IT FURTHER RESOLVED that the salary will be in accordance with the Borough Salary Ordinance and that a copy of the resolution be forwarded to the CFO for payroll purposes.

Resolution 2013-49
4-4-13

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated April 4, 2013.

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

WHEREAS. The Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of April 4, 2013.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated April 4, 2013 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

Resolution 2013-50
04-04-13

WHEREAS, the Borough desires to host a one day paper shredding event on Saturday, May 11, 2013; and

WHEREAS, the County of Monmouth will provide equipment necessary to facilitate this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Oceanport that the Mayor is hereby authorized to enter into an agreement with Monmouth County to host the aforementioned event.

Resolution 2013-51
4-4-13

WHEREAS, an emergent condition has arisen wherein the appropriations set forth in the 2013 temporary budget are insufficient to meet the financial obligations as set forth below

WHEREAS, the permanent budget for the year 2013 has not yet been adopted, and

WHEREAS, the total emergency temporary appropriations adopted in the year 2013 pursuant to the provisions of N.J.S.A. 40A:4-20 included in this resolution total \$250,000.00

NOW, THEREFORE BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the aforementioned statute the 2013 temporary fiscal budget be and the same is hereby amended to provide for an emergency temporary appropriation in the amount of \$250,000.00 said appropriations are as follows:

<u>APPROPRIATIONS</u>	<u>SALARIES & WAGES</u>	<u>OTHER EXPENSES</u>
Super Storm Sandy Supplemental Appropriation		\$ 250,000.00

Resolution 2013-52
4-4-13

DEPARTMENT OF HOMELAND SECURITY
FEDERAL EMERGENCY MANAGEMENT AGENCY
LOCAL GOVERNMENT RESOLUTION - COLLATERAL SECURITY

O.M.B. No 1660-0083
Expires June 30, 2012

RESOLUTION

BE IT RESOLVED BY Mayor and Council OF the Borough of Oceanport
(Governing Body) (Public Entity)

THAT we pledge the following listed collateral security to the Federal Emergency Management Agency (FEMA) on the Promissory Note for a Community Disaster Loan for \$ 1,154,931.00

executed on April 4, 2013 pursuant to Section 417 of the

Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended, and FEMA Regulation, 44 CFR 206, Subpart K. We further understand that failure to repay any outstanding principal and related interest on those portions of the loan which do not qualify for loan cancellation as determined by FEMA or any successor agency will result in forfeiture of as much as the listed collateral security as is necessary to collect such outstanding principal and interest. (List the collateral security below. Use additional sheets if needed.)

The promissory note is payable from and secured by a pledge of the applicant's revenues for each fiscal year while any of the loan is outstanding, after a provision has been made for the payments required in connection with any outstanding indebtedness of the application.

Passed and approved this 4th day of April, 2013.

Michael J. Mahon, Mayor
(Name and Title)

(Name and Title)

(Name and Title)

CERTIFICATION

I, KIMBERLY A JUNGFER, duly appointed and BOROUGH CLERK of
(Title)

BOROUGH OF OCEANPORT, do hereby certify that the above is a true and correct copy of a

resolution passed and approved by the GOVERNING BODY of THE BOROUGH OF OCEANPORT
(Governing Body) (Public Entity)

on the 4TH day of APRIL, 2013.

DATED: 4-5-13

BOROUGH CLERK
(Official Position)

[Signature]
(Signature)

[SEAL]

Resolution 2013-53
04-04-2013

WHEREAS as a result of Super Storm Sandy many residents are required or desire to elevate their homes above the mandatory base flood elevations; and

WHEREAS, during the elevating process, the home cannot be occupied; and

WHEREAS, residents, especially those with pets, are finding it difficult to secure temporary housing during the period of time in which their home is being elevated; and

WHEREAS, it is recognized by the Governing Body that the difficulty presented to its residents is one of extra ordinary circumstances, requiring similar relief.

NOW THEREFORE BE IT RESOLVED Oceanport residents, who require alternative housing as a result of elevating their homes, are hereby exempt from Chapter 390 of the Code of the Borough of Oceanport entitled Zoning, to allow for a trailer to be placed on said property for the purposes of temporary housing, only during the period of time necessary to elevate their home in accordance with the following:

1. No trailer may be placed on said property until such time as all required permitting for the elevation has been secured.
 2. The trailer must be placed within the boundaries of said property and no closer than 10 feet to the property lines.
 3. Occupancy of said trailer will be for the period of not more than 60 days.
 4. A Certificate of Occupancy will not be issued for said property until such time as the trailer is removed.
-

Resolution 2013-54
04-04-13

WHEREAS, certain radio equipment including one repeater, 1 receiver for WLB channel and 2 VHF based statins for Oceanport Fire and Local were lost as a result of flooding from Super Storm Sandy.

WHEREAS, the Borough has determined that the cost to replace such equipment including labor is above the public bidding threshold of Thirty six thousand (\$36,000.00) dollars; and

WHEREAS; the Borough received a proposal from State Contract vendor Quality Communications Systems Inc.; and

WHEREAS, there is no negative history associated with the contractor which would necessitate reasons not to award said contract to Quality Communications Systems Inc.; and

WHEREAS, the funds are available in the 2013 Emergency Appropriation for Super Storm Sandy; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport, in the County of Monmouth and State of New Jersey that the contract for performance of the scope of the work as aforementioned in the total sum of Thirty nine thousand two hundred eighty (\$39,280.00) dollars be awarded to Quality Communications Systems, Inc. and that Quality Communications Systems Inc. provide the appropriate certificate of insurance.

Resolution 2013-54 (Continued)
04-04-13

CERTIFICATION OF FUNDS

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



GREGORY S. MAYERS, CPA, CFO

Resolution 2013-55
04-04-13

BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport hereby agree to waive Road Opening Permit Fees for disconnection of service for water or natural gas for homes that are elevating or rebuilding as a direct result of Super Storm Sandy.

BE IT FURTHER RESOLVED that a waiver of fees does not waive the requirement for a permit and all requirements of a permit.

Resolution 2013-56
04-18-2013

WHEREAS, the Governing Body of the Borough of Oceanport has determined that it is in the best interest of the Borough to promote the following individual in the Oceanport Police Department, which shall be effective May 1, 2013.

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

Michael R. Fagiarone is hereby promoted to the rank of Sergeant

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are authorized to sign any and all documents necessary to effectuate the intentions of this Resolution.

BE IT FURTHER RESOLVED, that a certified true copy of the within Resolution be furnished to the Chief of Police of the Borough of Oceanport, the Chief Financial Officer, the Borough Attorney, and the Oceanport PBA Representative.

Resolution 2013-57
04-18-2013

WHEREAS, the Governing Body of the Borough of Oceanport has determined that it is in the best interest of the Borough to promote the following individual in the Oceanport Police Department, which shall be effective May 1, 2013

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

Michele Perrulli is hereby promoted to the rank of Sergeant

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are authorized to sign any and all documents necessary to effectuate the intentions of this Resolution.

BE IT FURTHER RESOLVED, that a certified true copy of the within Resolution be furnished to the Chief of Police of the Borough of Oceanport, the Chief Financial Officer, the Borough Attorney, and the Oceanport PBA Representative.

Resolution 2013-58
4-18-2013

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated April 18, 2013.

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

WHEREAS. The Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of April 18, 2013.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated April 18, 2013 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

Resolution 2013-59
04-18-2013

**AUTHORIZING THE EXECUTION OF A
COMMODITY RESALE AGREEMENT
WITH THE COUNTY OF MONMOUTH**

WHEREAS, N.J.A.C. 5:34-7.15 authorizes local contracting units to enter into Commodity Resale Agreements for the purchase of certain commodities from other contracting units; and

WHEREAS, the County of Monmouth has authorized the renewal of the Monmouth County Commodity Resale System (SYSTEM IDENTIFIER 99174 – MCCRS), for the period of September 30, 2013 through September 30, 2018; and

WHEREAS, it would be in the best interest of this Municipality to become or remain a member of the Monmouth County Commodity Resale System for that period.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Oceanport that the Mayor and Municipal Clerk be and are hereby authorized to execute the attached Commodity Resale Agreement with the County of Monmouth.

BE IT FURTHER RESOLVED that the Municipal Clerk forward a certified copy of this resolution, along with the executed Commodity Resale Agreement to Stephen G. Callas, Director, Office of Shared Services, County of Monmouth, Hall of Records Annex, First Floor, 1 East Main Street, Freehold, New Jersey 07728.

Resolution 2013-60
04-18-2013

WHEREAS, the Monmouth County Mosquito Extermination Commission conducts an aerial surveillance and treatment program;

WHEREAS, FAA regulations require the Commission receive written approval from the local governing body over which the aircraft is operated.

NOW, THEREFORE, BE IT RESOLVED BY the Council of the Borough of Oceanport that the Mayor and Borough Clerk are hereby authorized to sign a memorandum of understanding with the Monmouth County Mosquito Extermination Commission for their surveillance and treatment program for 2013.

**Resolution 2013-61
04-18-2013**

WHEREAS, the Parks and Recreation Committee has recommended the following groups be approved for use of a Borough Field as follows:

**Spanish Soccer League – Maria Gatta Community Park (spring term)
Shore Spartans/Ed Barnwell – Community Center Park (spring term)**

WHEREAS, as required by ordinance the Borough Council has considered the recommendations of said committee.

NOT THEREFORE BE IT RESOLVED, by the Mayor and Council that field usage by the aforementioned groups is hereby approved on the dates, fields and times so indicated on the applications submitted.

**Resolution 2013-62
04-18-2013**

WHEREAS, the Plan Administrator is in receipt of the certified LOSAP lists for 2012
From:

**Oceanport First Aid
Oceanport Hook and Ladder Fire Company
Port-Au-Peck Chemical Hose Company**

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

**Resolution 2013-63
04-18-2013**

WHEREAS the infield, pitcher's mound and batter's box on the Softball field at Blackberry Bay Park is presently in a condition not optimal for practice nor game play; and

WHEREAS quotes to correct the deficiencies were sought; and

WHEREAS after review of the quotes received Viersma Sales & Service, LLC with materials from Dura Edge was found to be the lowest responsible quote at \$4,350.00 for Labor and Equipment and Dura Edge at \$4,798.50 for materials for a total cost of Nine Thousand one hundred forty eight dollars and fifty cents (9148.50).

NOW THEREFORE BE IT RESOLVED that the Mayor and Council hereby award a contract to the above named contractors at the price indicated for the refurbishment of the Softball field at Blackberry Bay Park.

Resolution 2013-64
04-18-2013

WHEREAS, the Mandatory Source Separation and Recycling Act, (P.L. 1987, c.102) has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the Oceanport Mayor and Council to the efforts undertaken by the Borough and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Oceanport Mayor and Council that Oceanport hereby endorses the submission of the 2012 Recycling Tonnage Grant application to the New Jersey Department of Environmental Protection and designates Demetrio Zarate, Recycling Coordinator to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Resolution 2013-65
04-18-2013

Resolution number not assigned.

Resolution 2013-66
05-02-2013

**RESOLUTION IN SUPPORT OF A-3393,
LEGISLATION TO PROTECT RESIDENTIAL PROPERTY TAXPAYERS FROM
THE LOSS OF TELECOMMUNICATIONS TAX SUPPORT**

WHEREAS, in 1997, at the request of the incumbent utilities, the laws regarding State taxation of telecommunications corporations were amended in response to technological and market innovations, in order to increase competition; and

WHEREAS, the amendments sought to preserve revenues to local governments by providing that local exchange telephone companies subject to the New Jersey Franchise and Gross Receipts Tax on April 1, 1997 would continue to be subject, annually, to the Business Personal Property Tax (BPPT); and

WHEREAS, the statute defines local exchange companies as those telecommunications carriers "providing dial tones and access to 51% of the local telephone exchange"; and

WHEREAS, Verizon's self-serving interpretation of the statutory definition has led it to claim exemption from the BPPT in any municipality where the corporation unilaterally determines, in any given year, that it no longer supplies dial tone and access to at least 51% of the local telephone exchanges; and

WHEREAS, Hopewell Borough's challenge to that claim was upheld by the Mercer County Board of Taxation in 2009; and

WHEREAS, Verizon's appeal of that determination to the Tax Court resulted in a June, 2012 trial court decision accepting the corporation's self-serving interpretation of the law; and

WHEREAS, as things now stand, over 100 municipalities know that they enter 2013 without BBT revenues that will cost property taxpayers well in excess of \$8 million and, unless matters change, more municipalities will lose more millions in the future; and

WHEREAS, remedial legislation (A-3393) has been introduced by Assemblyman Ralph Caputo, which will clarify the perceived ambiguity of the statutory definition to further implement the original legislative intent to preserve revenues to local governments; and

WHEREAS, we anticipate the introduction of companion legislation by Senator Bob Smith, as soon as the Senate next convenes;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oceanport commends Assemblyman Caputo and Senator Smith and strongly supports A-3393, which would clearly identify the telecommunications carriers subject to taxation on their business personal property and remove the budget uncertainty caused by Verizon's obfuscation; and

BE IT FURTHER RESOLVED, that we urge our State Senator and our representatives in the General Assembly to join as co-sponsors of A-3393 and its companion bill; and

BE IT FINALLY RESOLVED, that copies of this Resolution be forwarded to the Honorable Governor Chris Christie, the Honorable Speaker of the General Assembly Sheila Oliver, the Honorable President of the State Senate Stephen M. Sweeney, the Honorable Assembly Republican Leader Jon Bramnick, the Honorable Senate Republican Leader Thomas H. Kean, Jr., and our own State Senator and Representatives in the General Assembly, and to the New Jersey State League of Municipalities.

**Resolution 2013-67
05-02-2013**

**RESOLUTION OF THE BOROUGH OF OCEANPORT
PROVIDING TEMPORARY RELIEF FROM BOROUGH CODE 390-25F(2)**

WHEREAS Borough Code 390-25F(2) requires fences to be placed a minimum of 1 foot from the Borough right of way; and

WHEREAS Krista and Joseph Casella, of 22 Asbury Avenue, Block 92, Lot 1, are now seeking temporary relief to permit a fence within the Borough's right of way as a measure of safety for their young children along a busy roadway; and

WHEREAS, the Mayor and Council of the Borough of Oceanport, find that granting requested relief, on a temporary basis, is in the interest of public safety;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport's that the request for temporary relief of Borough Code 390-25F(2), be granted providing the following conditions:

1. Waiver of the requirements of Borough Code 390-25F(2), is granted on a temporary basis, for one (1) period of six (6) months, commencing upon approval of this Resolution. Within thirty (30) days of expiration of this approval, the Casella's may request to the Administrator of the Borough for an additional extension of six (6) months. Upon approval by the governing body, extensions shall be adopted by resolution.
2. In the event that the subject home is sold by the Casella's, the fence must be removed.
3. Failure by the Borough to enforce any element of this Resolution or to enforce removal of the fence from their right of way, shall in no way constitute a waiver of the Borough's right to enforce Code 390-25F(2) or to require removal of the fence from the subject property from current or successive owners.

**Resolution 2013-68
05-02-2013**

**RESOLUTION OF THE BOROUGH OF OCEANPORT
PROVING TEMPORARY RELIEF FROM BOROUGH CODE 390A**

WHEREAS Borough Code 390a prohibits an existing structure to remain while a new structure is being built on the same lot where only one principle structure is permitted; and

WHEREAS the home of James and Karlyn Klem of 115 Horseneck Point Road, Block 109, Lot 17, suffered extensive damage as a result of Superstorm Sandy, necessitating demolition of the existing home and construction of a new home on the same lot; and

WHEREAS the Klems are now seeking relief from Borough Code 390a, to allow their old home to remain on the lot while the new home is being built; and

WHEREAS, the Mayor and Counsel of the Borough of Oceanport, find that granting the requested relief, in this instance, is in the best interest of the public, who have and continue to suffer great hardship in the aftermath of Superstorm Sandy;

Resolution #2013-69
5-2-2013

RESOLUTION OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY DESIGNATING a 16 ACRE PORTION OF BLOCK 110, LOT 4 AS AND AREA IN NEED OF REHABILITATION WITHIN THE BOROUGH OF OCEANPORT PURSUANT TO N.J.S.A. 40A:12-6

WHEREAS, the Borough Council of the Borough of Oceanport, a municipal corporation of the County of Monmouth, State of New Jersey finds that the public health, safety and welfare of the community shall be promoted by the virtue of a well-planned rehabilitation; and

WHEREAS, the Borough of Council of the Borough of Oceanport has reviewed an Investigation for Determination of an Area in Need of Rehabilitation for a 16 Acre portion of Block 110, Lot 4, commonly known as the Patterson Army Hospital area of Fort Monmouth, dated April 17, 2013 prepared by Clark, Caton Hintz of Trenton, New Jersey attached hereto and made a part hereof and has referred same to the Planning Board of the Borough of Oceanport for an investigation to determine whether the lands is an area in need of rehabilitation; and

WHEREAS, the Planning Board of the Borough of Oceanport has conducted a public hearing on April 23, 2013 during which expert and factual testimony was taken.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that there is substantial evidence to support a finding that a 16 acre portion of area designated as block 110, Lot 4 listed in the Investigation for Determination of an Area in Need of Rehabilitation dated April 17, 2013 prepared by Clark, Caton, Hintz of Trenton, New Jersey attached here to and made a part hereof, on the Official Tax Map of the Borough of Oceanport is an area in need of rehabilitation and shall be designated as a "rehabilitation area" pursuant to N.J.S.A. 40A:12A-6.

Resolution 2013-70
05-02-2013

BE IT RESOLVED that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2013; and

BE IT FURTHER RESOLVED that said budget shall be published in summary in The Link News in the issue of May 9, 2013 and the public hearing on the 2013 Municipal Budget will be held at the meeting of the Mayor and Council scheduled to be held on June 6, 2013 at the regular meeting which is immediately following the workshop meeting which begins at 7 p.m.

Resolution 2013-71
5-16-13

WHEREAS, the Governing Body of the Borough of Oceanport has determined that it is in the best interest of the Borough to appoint the following individuals as Police officer of the Oceanport Police Department.

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

William Resnyk and Kelly Leimburg are hereby appointed Class A Police Officer Step 1

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are authorized to sign any and all documents necessary to effectuate the intentions of this Resolution.

BE IT FURTHER RESOLVED, that a certified true copy of the within Resolution be furnished to the Police Department, the Chief Financial Officer, the Borough Attorney, and the Oceanport PBA Representative.

RESOLUTION #2013-72
05-16-2013

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated May 16, 2013.

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

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of May 16, 2013.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated May 16, 2013 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

Resolution 2013-73
05-16-2013

**RESOLUTION AUTHORIZING REFUND OF REDEMPTION
MONIES TO OUTSIDE LIENHOLDER**

WHEREAS, at the Municipal Tax Sale held on October 7, 2011, a lien was sold on Block 11, Lot 7, also known as 64 Monmouth Blvd for Delinquent 2010 Sewer charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #10-00002, was sold to FNA Jersey BOI, LLC at an interest rate of 0%; and,

WHEREAS, John S. Rogers, new owner, has affected redemption of Certificate #10-00002 in the amount of \$10,117.46.

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$10,117.46, payable to FNA Jersey BOI, LLC and forward to PO Box 1030, Brick NJ 08723 for the redemption of Tax Sale Certificate #10-00002.

BE IT FURTHER RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$2100.00 (Premium) to the aforementioned lienholder.

Resolution 2013-74
5-16-13

**RESOLUTION AUTHORIZING REFUND OF REDEMPTION
MONIES TO OUTSIDE LIENHOLDER**

WHEREAS, at the Municipal Tax Sale held on October 5, 2012, a lien was sold on Block 11, Lot 7, also known as 64 Monmouth Blvd for Delinquent 2011 Sewer charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #11-00003, was sold to FNA Jersey Lien Services, LLC at an interest rate of 18%; and,

WHEREAS, John S. Rogers, new owner, has affected redemption of Certificate #11-00003 in the amount of \$3,957.89

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$3,957.89, payable to FNA Jersey Lien Services, LLC and forward to PO Box 1030, Brick NJ 08723 for the redemption of Tax Sale Certificate #11-00003.

Resolution 2013-75
05-16-2013

WHEREAS, the following property is due a refund due to an appeal judgment; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that the Tax Collector is hereby authorized to refund overpayment due to appeal to the following property owner(s) as follows:

Block 70, Lot 3.01

\$1,969.57

Resolution 2013-76
05-16-2013

WHEREAS, there is a need to appoint a Recycling Coordinator; and

WHEREAS, Demetrio Zarate, General Public Works has completed the necessary certification classes to be appointed to such position.

NOW, THEREFORE, BE IT RESOLVED by the Oceanport Governing Body that the above named individual is hereby appointed Recycling Coordinator.

Resolution 2013-77
05-16-2013

**RESOLUTION FOR MEMBER PARTICIPATION
IN A COOPERATIVE PRICING SYSTEM**

**A RESOLUTION AUTHORIZING THE BOROUGH OF OCEANPORT
TO ENTER INTO A COOPERATIVE PRICING AGREEMENT**

WHEREAS, N.J.S.A 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Middlesex Regional Educational Services Commission, hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on May 16, 2013 the governing body of the Borough of Oceanport, County of Monmouth, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows:

TITLE

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Borough of Oceanport.

AUTHORITY

Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Mayor is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

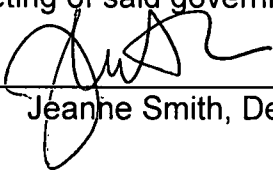
The Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq) and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

CERTIFICATION

I Hereby, certify that the above resolution was adopted by the Mayor and Council of the Borough of Oceanport at a meeting of said governing body held on May 16, 2013

BY:  _____

Jeanne Smith, Deputy Clerk

ATTEST BY: _____

(Name and Title)

RESOLUTION#2013-78
5-16-2013

WHEREAS, the Borough of Oceanport advertised for bids for drainage system cleaning due to debris and silt entering the system as a result of Super Storm Sandy; and

WHEREAS, the said bid solicitation process was effectuated in accordance with prevailing provisions of the Local Public Contracts Law, pursuant to N.J.S.A. 40A:11-1 et seq; and

WHEREAS, the response to the subject bid solicitations process the Borough of Oceanport received three (7) bids; and

WHEREAS, the lowest responsible bid was submitted by American Pipe Cleaning LLC of Ocean Township, New Jersey hereinafter referred to as "Contractor" in the sum of Twenty Six Thousand Six Hundred Thirty Nine dollars and Eighty Cents (\$26,639.80); and

WHEREAS, the Contractor has complied with the mandatory requirements of N.J.S.A. 40A:11-23.2; and

WHEREAS, awarding such a Contract to American Pipe Cleaning, LLC will be in the best interest of the Borough and its residents;

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

That the Borough of Oceanport is hereby authorized to award the Drainage System Cleaning to American Pipe Cleaning, LLC. subject to conditions set forth herein.

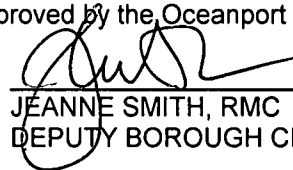
1. That said Contract shall be in the total sum of Twenty Six Thousand Six Hundred Thirty Nine dollars and Eighty Cents (\$26,639.80); and
2. That the within award of Contract shall be subject to the Borough's Chief Financial Officer certifying in writing that funds are available for the stated purpose; and
3. That the within award of Contract shall be contingent upon the Contractor submitting appropriate Performance Security, which guarantees shall be approved as to form by the Borough Attorney.

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

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized to return all bid security, except the security of the three (3) apparent lowest responsible bidders. Upon return of said security the bids of such bidders shall be considered withdrawn.

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized to return the bid security to the remaining unsuccessful bidders, within three (3) days of signed Contracts and the approval of the Contractor's Performance Guarantees.

I certify this to be a true copy of Resolution #2013-78 approved by the Oceanport Borough Council at the Regular Meeting held May 16, 2013.



JEANNE SMITH, RMC
DEPUTY BOROUGH CLERK

Resolution 2013-79
5-16-13

WHEREAS, the Borough has been approached by the property owner of Block 108, Lots 11 and 12 to consider purchasing the property; and

WHEREAS, the subject lots are located between two Borough owned properties and purchase of the subject lots would create one contiguous parcel; and

WHEREAS, it is the desire of the Council to seek an appraisal of Block 108, Lots 11 and 12; and

WHEREAS, appraisals of the two Borough lots were previously performed by Mr. Robert Gagliano, MAI, CRE who specializes in municipal properties.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council authorize Robert Gagliano to perform appraisals of Block 108, Lots 11 and 12.

Resolution #2013-80
5-16-13

WHEREAS, the Governing Body of the Borough of Oceanport has determined that it is in the best interest of the Borough to promote the following individual to Chief of the Oceanport Police Department effective and subject to a contract to be determined by the Borough Attorney, Borough Clerk/Administrator and Mayor.

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

Daniel W. Barcus is hereby promoted to the rank of Chief

BE IT FURTHER RESOLVED, that a certified true copy of the within Resolution be furnished to the Chief of Police of the Borough of Oceanport, the Chief Financial Officer, the Borough Attorney, and the Oceanport PBA Representative.

Motion: Councilman Ibex

Second: Councilman Bertekap

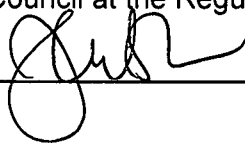
Ayes: Bertekap, Gallo, Ibex, Irace, Johnson, Kahle

Nayes: None

Abstain: None

Absent: None

I certify this to be a true copy of Resolution #2013-80 approved by the Oceanport Borough Council at the Regular Meeting held May 16, 2013.



JEANNE SMITH, RMC

DEPUTY BOROUGH CLERK

RESOLUTION #2013-81
06-06-13

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated June 6, 2013.

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

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of June 6, 2013.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated June 6, 2013 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

Resolution 2013-82
06-06-2013

WHEREAS, on May 20, 2013 the Borough publicly advertised a bid for a contract for the Fort Monmouth Marina operations and concessions; and

WHEREAS, on May 31, 2013 the Borough received one bid for the project; and

WHEREAS, the one bid fell below the minimum bid amount set for the contract.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport that the bid received on May 31, 2013 for the aforementioned project is hereby rejected and bid bond are to be returned.

Resolution 2013-83
06-06-2013

WHEREAS, pursuant to NJSA 40:18-2 et seq., and Borough Ordinance §295-39, any costs incurred by the Borough for the maintenance of properties including but not limited to property maintenance, property cleaning, yard upkeep, beautification, improvements to property any other expenses incurred in maintaining structural integrity or safety, abatement of a public hazard or nuisance or the improvement of the general appearance of any such property, shall become a lien on that property as of the time such cost is incurred; and

WHEREAS premises known and designated below has overgrowth of vegetation and fallen branches; and

Block 83, Lot 6 - 2 Bradley Avenue

WHEREAS, after proper notice to the property owner by certified mail to remedy the violation and allowing for the 10 day abatement period with no response by the registered property owners nor the lienholder of record, U.S. Bank N.A. and/or its representatives, Oceanport Public Works abated the violation.

WHEREAS, in accordance with Borough Ordinance the cost of such clean up was as follows:

Block 83, Lot 6 – 2 Bradley Ave May 29, 2013 \$225.00

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport that the Tax Collector is hereby directed to place a lien against the aforementioned property in the amounts noted above, and such lien shall become a part of the taxes levied upon such property.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the owner of record of said property.

Resolution 2013-84
06-06-13

**RESOLUTION AUTHORIZING REFUND OF REDEMPTION
MONIES TO OUTSIDE LIENHOLDER**

WHEREAS, at the Municipal Tax Sale held on October 5, 2012, a lien was sold on Block 101, Lot 6, also known as 10 Bridgewaters Drive for delinquent 2011 Tax and Sewer charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #11-00014, was sold to Rosehill Fund 2, LLC at an interest rate of 0%; and,

WHEREAS, Judith Brummer, owner, has Affected redemption of Certificate #11-00014 in the amount of \$10,250.79.

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$10,250.79 payable to: Rosehill Fund 2, LLC, PO Box 503, Rye, NY 10580 for the redemption of Tax Sale Certificate #11-00014.

BE IT FURTHER RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$7,800.00 (Premium) to the aforementioned lienholder.

Resolution 2013-85
06-06-13

**RESOLUTION AUTHORIZING REFUND OF REDEMPTION
MONIES TO OUTSIDE LIENHOLDER**

WHEREAS, at the Municipal Tax Sale held on October 5, 2012, a lien was sold on Block 101, Lot 7, also known as Bridgewaters Drive for delinquent 2011 Tax charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #11-00015, was sold to Culmac Investors, Inc. at an interest rate of 0%; and,

WHEREAS, Judith Brummer, owner, has affected redemption of Certificate #11-00015 in the amount of \$4,986.54.

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$4,986.54 payable to: Culmac Investors, Inc., PO Box 251, Monmouth Beach, NJ 07750 for the redemption of Tax Sale Certificate #11-00015.

BE IT FURTHER RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$2,100.00 (Premium) to the aforementioned lienholder.

Resolution 2013-86
06-06-2013

**RESOLUTION AUTHORIZING REFUND OF REDEMPTION
MONIES TO OUTSIDE LIEHOLDER**

WHEREAS, at the Municipal Tax Sale held on October 5, 2012, a lien was sold on Block 46, Lot 3, also known as 90 Comanche Drive for delinquent 2011 Tax and Sewer charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #11-00008, was sold to Rosehill Fund 2, LLC at an interest rate of 0%; and,

WHEREAS, Judith Brummer, owner, has affected redemption of Certificate #11-00008 in the amount of \$14,050.81.

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$14,050.81 payable to: Rosehill Fund 2, LLC, PO Box 503, Rye, NY 10580 for the redemption of Tax Sale Certificate #11-00008.

BE IT FURTHER RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$9,000.00 (Premium) to the aforementioned lienholder.

Resolution #2013-87
06-06-2013

WHEREAS, the Borough of Oceanport is a duly organized Municipal Corporation (hereinafter referred to as "Borough") having principal offices at 222 Monmouth Boulevard, Oceanport, New Jersey 07757; and

WHEREAS, there is a need for the Borough to obtain engineering services for the 2013 Capital Improvements; and

WHEREAS, the services to be provided are deemed to be "professional services" pursuant to the Local Public Contracts Law (N.J.S.A. 40:A 11-1, et seq.) and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a Contract for "professional services" without public advertising for bids, provided that the Resolution authorizing the Contract and the Contract itself, are available for public inspection in the Office of the Borough Clerk and that notice of the awarding of the Contract is published in a newspaper of general circulation in the Municipality; and

WHEREAS, the Borough having considered the matter, now wishes to authorize the Borough Engineer, Maser Consulting, PA to perform the engineering services for the 2013 Capital Improvements.

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

1. That the Borough of Oceanport has awarded a Professional Service Contract to Maser Consulting for the purpose of Borough Engineer for 2013 and the work performed will be consistent with their existing contract and a proposal for the 2013 Capital Improvements dated March 13, 2013.
2. That the compensation associated with the proposal shall not exceed \$104,400.00
3. That the within Resolution shall be subject to the Borough CFO confirming that funds are available for the stated purpose.

CERTIFICATION OF FUNDS

As required by N.J.A.C. 5:34-5.1 et, seq., and any other applicable requirement, I Gregory S. Mayers, Chief Financial Officer of the Borough of Oceanport, have ascertained that there are sufficient uncommitted funds in the 2013 Capital Budget not to exceed \$104,400.00 for the above referenced professional services contract.



GREGORY S. MAYERS, CFO

RESOLUTION TO AMEND BUDGET

WHEREAS, the local municipal budget for the year 2013 was approved on May 2 ,2013; and

WHEREAS, the public hearing on said budget has been held as advertised; and

WHEREAS, it is desired to amend said approved budget.

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Oceanport, County of Monmouth that the following amendments to the approved budget of 2013 be made:

	<u>From</u>	<u>To</u>
8. General Appropriations		
(A) Operations - Within "CAPS"		
Insurance		
Employee Group Health	723,920.00	722,280.00
Total Operations (Items 8(A)) Within "CAPS"	4,927,276.00	4,925,636.00
Total Operations including Contingent - Within "CAPS"	4,927,276.00	4,925,636.00
Detail:		
Other Expenses	2,640,872.00	2,639,232.00
(H-1) Total General Appropriations for Municipal Purposes within "CAPS"	5,552,929.00	5,551,289.00
8. General Appropriations		
(A) Operations - Excluded from "CAPS"		
Employee Group Health Insurance (P.L. 2007, C.62)	14,580.00	16,220.00
Total Other Operations - Excluded from "CAPS"	748,580.00	750,220.00
Total Operations - Excluded from "CAPS"	997,767.01	999,407.01
Other Expenses	779,767.01	781,407.01
(H-2) Total General Appropriations for Municipal Purposes Excluded from "CAPS"	3,426,114.01	3,427,754.01
(O) Total General Appropriations for Municipal Purposes Excluded from "CAPS"	3,426,114.01	3,427,754.01

Resolution 2013-88 (continued)

6-6-13

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith to the Office of the Director of Local Government Services for certification of the local municipal budget so amended.

Offered: Councilman Irace

Seconded: Councilman Johnson

Roll Call:

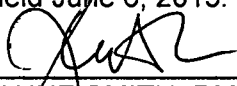
AYES: Bertekap, Ibex, Irace, Johnson, Kahle

NAYES: None

ABSTAIN: None

ABSENT: Gallo

I certify this to be a true copy of Resolution R-13-88 approved by the Oceanport Borough Council at the Regular Meeting held June 6, 2013.



JEANNE SMITH, RMC
DEPUTY BOROUGH CLERK

**Resolution 2013-89
6-6-13**

RESOLUTION FOR ADOPTION OF MUNICIPAL BUDGET 2013

BE IT RESOLVED by the Governing Body of the Borough of Oceanport, County of Monmouth, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes of the sums therein as set forth as appropriations, and authorization of the amount of \$5,182,280.00 for municipal purposes, and \$204,026.76 for the open space trust fund levy.

Recorded Vote

Offered: Councilman Irace
Seconded: Councilman Ibex

Roll Call:

AYES: Bertekap, Ibex, Irace, Johnson, Kahle
NAYES: None
ABSTAIN: None
ABSENT: Gallo

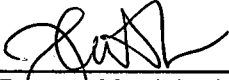
SUMMARY OF REVENUES

1. General Revenues	
Surplus Anticipated	\$2,145,000.00
Miscellaneous Revenues Anticipated	1,848,601.01
Receipts from Delinquent Taxes	213,162.00
2. Amount to be Raised by Taxation for Municipal Purposes	5,182,280.00
TOTAL REVENUES	\$9,389,043.01

SUMMARY OF APPROPRIATIONS

5. General Appropriations:	
Within "CAPS"	
Operations Including Contingent	\$4,925,636.00
Deferred Charges and Statutory Expenditures - Municipal	625,653.00
Excluded from "CAPS"	
Operations - Total Operations Excluded from "CAPS"	999,407.01
Capital Improvements	56,000.00
Municipal Debt Service	972,347.00
Deferred Charges - Municipal	1,400,000.00
Reserve for Uncollected Taxes	410,000.00
TOTAL APPROPRIATIONS	\$9,389,043.01

IT IS HEREBY CERTIFIED that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 6th day of June, 2013. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2013 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.



Deputy Municipal Clerk

Certified by me this 6th day of June, 2013

Resolution #2013-90
05-16-2013

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated June 20, 2013.

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

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of June 20, 2013.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated June 20, 2013 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

Resolution 2013-91
06-20-2013

WHEREAS there is a need to purchase a tractor to replace the one used for public works operations and was damaged during Super Storm Sandy; and

WHEREAS, the Borough participates with the Middlesex Regional Services Commission Cooperative Pricing System; and

NOW THEREFORE BE IT RESOLVED that the purchase of the aforementioned tractor through the MRESC Co-Op for a total price of \$51,954.40 is hereby authorized.

Resolution #2013-92
06-20-2013

WHEREAS, Oceanport Spirits, Inc. has made proper application pursuant to law (N.J.S.A. 33:1 et. Seq.) for the renewal of Liquor License **#1338-44-005-002**;

NOW, THEREFORE, BE IT RESOLVED by the Oceanport Governing Body that the license of Oceanport Spirits, Inc. be renewed for one year effective July 1, 2013.

Resolution 2013 13-93
06-20-2013

WHEREAS Arthur & Alvina, Inc. has made proper application pursuant to law (N.J.S.A. 33:1 et. seq.) for the renewal of liquor license #1338-33-001-003 which is presently being held as a pocket license due to the sale of the premises formerly known as the Dug Out Tavern; and

WHEREAS, the Division of Alcoholic Beverage Control has issued a special ruling to permit renewal of an inactive license pursuant to N.J.S.A. 33:1-12.39 for the 2013 - 2014 license term.

NOW, THEREFORE, BE IT RESOLVED, by the Oceanport Governing Body that the license of Arthur & Alvina, Inc. be renewed for one year effective July 1, 2013 .

**Resolution 2013-94
06-20-2013**

WHEREAS, John E. Butow is serving the unexpired term of the Tax Assessor expiring June 30, 2013; and

WHEREAS, John E. Butow has fulfilled all the statutory requirements to be appointed to such a position, pursuant to *N.J.S.A 40A:9-148*.

NOW, THEREFORE, BE IT RESOLVED that John E. Butow shall hereby be appointed Tax Assessor to a full term beginning July 1, 2013 continuing at the current salary.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the following: Chief Financial Officer, Borough Attorney and Municipal Clerk.

**Resolution 2013-95
06-20-2013**

BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport in accordance with the regulations stated in the Uniform Construction Code, (N.J.A.C. 5:23) hereby authorize the Construction Official and/or their designee to waive certain permit fees associated with the elevating of a single family home, demolition and any associated street opening permit of a single family home as a result of Super Storm Sandy and compliance with Borough ordinance establishing height in Flood Zones; and

BE IT FURTHER RESOLVED that the Construction Official may also waive up to 20% of the remaining permit fees when those fees are not reimbursed by property or flood insurance, FEMA, U.S. Small Business Administration, ICC coverage, Community Development Block Grants or any other grants or aid. Proof of covered/not covered fees may be required and kept on file.

BE IT FURTHER RESOLVED that all necessary inspections must be made in accordance with all code requirements and a copy of this resolution forwarded to the Construction Office.

**RESOLUTION #2013-96
6-20-2013**

RESOLUTION AUTHORIZING ENTRY INTO STATE CONTRACT #83489, FOR THE RENTAL OF MOTOR VEHICLES EXCLUSIVELY FOR THE USE AS UNDERCOVER SURVEILLANCE VEHICLES BY THE OCEANPORT POLICE DEPARTMENT

WHEREAS, THERE IS A NEED FOR THE POLICE DEPARTMENT OF THE BOROUGH OF OCEANPORT TO USE VEHICLES FOR UNDERCOVER SURVEILLANCE;
AND

WHEREAS, the Local Public Contracts Law, *N.J.S.A. 40A:11-1, et seq.*, authorizes, without public advertising for bids and bidding, the purchase of any goods or services under any contract for such goods or services entered into on behalf of the State of New Jersey by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Mayor and Council, having considered the same, now wishes to authorize entry into State contract #83489 for the rental of motor vehicles from Enterprise Rent-A-Car, exclusively for the use as undercover surveillance vehicles by the Oceanport Police department.

RESOLUTION #2013-96 (continued)
6-20-2013

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

1. That the appropriate Borough officials be and hereby are authorized to execute an agreement between the Borough of Oceanport and Enterprise, for rental of motor vehicles from Enterprise Rent-A-Car, exclusively for the use as undercover surveillance vehicles by the Oceanport Police department, pursuant to State Contract #83489, a copy of which is attached hereto.
2. That this contract is awarded without competitive bidding, in accordance with N.J.S.A. 40A:11-12, of the Local Public Contracts Law of New Jersey, because the goods or services will be purchased under a contract entered into on behalf of the State of New Jersey by the Department of Purchase and Property in the Department of the Treasury.
3. That the Chief Financial Officer is directed to file a Certificate of Availability of sufficient funds for this contract and to attach same to this Resolution.
4. That a certified copy of this Resolution shall be provided to each of the following:
 - a. Enterprise Rent-A-Car
 - b. Borough Chief of Police
 - c. Borough Administrator
 - d. Borough Attorney

RESOLUTION#2013-97
6-20-2013

RESOLUTION AUTHORIZING CHANGE ORDER #1 FOR
Storm Drainage System Cleaning

WHEREAS, change orders are regulated by Local Finance Board Regulations (N.J.A.C. 5:30-14.4); and

WHEREAS, there is a need to amend the contract with American Pipe Cleaning LLC as stated in a letter from the Engineer dated June 13, 2013; and

WHEREAS, the contract will be increased by \$5,000.00

WHEREAS, the Borough Council is satisfied that the requested change is necessary and that it will actually be carried out.

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

1. Change Order # 1 to the contract between the Borough of Oceanport and American Pipe Cleaning LLC is hereby approved.
2. The Administrator or Borough Clerk are hereby authorized to sign the change order on behalf of the Borough.

I certify this to be a true copy of Resolution #2013-97 approved by the Oceanport Borough Council at the Regular Meeting held June 20, 2013.



JEANNE SMITH, RMC
DEPUTY BOROUGH CLERK

6-20-2013

**RESOLUTION AWARDING CONTRACT FOR
ELIZABETH DRIVE DRAINAGE SYSTEM REPLACEMENT**

WHEREAS, the Borough of Oceanport advertised for bids for Elizabeth Drive Drainage System Replacement due to pipe failure; and

WHEREAS, the said bid solicitation process was effectuated in accordance with prevailing provisions of the Local Public Contracts Law, pursuant to N.J.S.A. 40A:11-1 et seq; and

WHEREAS, the response to the subject bid solicitations process the Borough of Oceanport received four (4) bids; and

WHEREAS, the lowest responsible bid was submitted by R. Moslowski Excavating of Cream Ridge, New Jersey hereinafter referred to as "Contractor" in the sum of Fifty Thousand Eight Hundred Ninety Eight dollars and Zero Cents (\$50,898.00); and

WHEREAS, the Contractor has complied with the mandatory requirements of N.J.S.A. 40A:11-23.2; and

WHEREAS, awarding such a Contract to R. Moslowski Excavating will be in the best interest of the Borough and its residents;

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

That the Borough of Oceanport is hereby authorized to award the Elizabeth Drive Drainage System Replacement to R. Moslowski Excavating subject to conditions set forth herein.

1. That said Contract shall be in the total sum of Fifty Thousand Eight Hundred Ninety Eight dollars and Zero Cents (\$50,898.00); and
2. That the within award of Contract shall be subject to the Borough's Chief Financial Officer certifying in writing that funds are available for the stated purpose; and
3. That the within award of Contract shall be contingent upon the Contractor submitting appropriate Performance Security, which guarantees shall be approved as to form by the Borough Attorney.

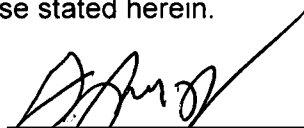
BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to sign any and all documents necessary to effectuate the intentions of the within Resolution – including but not limited to, the Contract.

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized to return all bid security, except the security of the three (3) apparent lowest responsible bidders. Upon return of said security the bids of such bidders shall be considered withdrawn.

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized to return the bid security to the remaining unsuccessful bidders, within three (3) days of signed Contracts and the approval of the Contractor's Performance Guarantees.

CERTIFICATION OF FUNDS

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



GREGORY S. MAYERS, CPA, CFO, QPA

**Resolution 2013-99
06-20-2013**

WHEREAS, the Borough of Oceanport has determined that there is a necessity for appointing an individual as interim Borough Administrator to perform the duties of Administrator for the Borough of Oceanport; and

WHEREAS, Philip Huhn has accepted the appointment on an interim basis.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that Philip Huhn be hired for the position of interim Borough Administrator in accordance with the Employment Agreement between the Borough of Oceanport and Philip Huhn effective June 17, 2013.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the following: Chief Financial Officer, Borough Attorney and Municipal Clerk.

**RESOLUTION #2013-100
07-18-2013**

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated July 18, 2013.

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

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of July 18, 2013.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated July 18, 2013 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

**RESOLUTION# 2013-101
7-18-13**

WHEREAS there is a need to purchase a tractor to replace the one used for public works operations which was damaged during Super Storm Sandy; and

WHEREAS, the Local Public Contracts Law, *N.J.S.A. 40A:11-5(2), et seq.*, authorizes, without public advertising for bids and bidding, the purchase of any goods or services under any contract for such goods or services entered into with the United States of America, the State of New Jersey, county or municipality or any board, agency or authority thereof or any other state or subdivision of that state; and

WHEREAS, the Borough participates with the Middlesex Regional Services Commission Cooperative Pricing System (MRSCCPS); and

WHEREAS, Resolution #2013-91 authorized the purchase of the replacement tractor at the price of \$51,954.40 given by Quotation dated November 29, 2012 and April 5, 2013; and

Resolution #2013-102
7-18-13

**RESOLUTION AUTHORIZING REFUND OF REDEMPTION
MONIES TO OUTSIDE LIENHOLDER**

WHEREAS, at the Municipal Tax Sale held on October 5, 2012, a lien was sold on Block 44, Lot 8, also known as 23 Monmouth Boulevard for delinquent sewer charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #11-00007, was sold to Ridgeback Ventures, LLC, at an interest rate of 0%; and,

WHEREAS, the mortgagee has effected redemption of Certificate #11-00007 in the amount of \$826.69.

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$826.69 payable to: Ridgeback Ventures, LLC, PO Box 503, Mount Freedom, NJ for the redemption of Tax Sale Certificate #11-00007.

BE IT FURTHER RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$300.00 (Premium) to the aforementioned lienholder.

RESOLUTION# 2013-103
7-18-13

WHEREAS there were funds appropriated in the 2013 Operating Budget for the purchase of police patrol vehicles; and

WHEREAS, a Dodge Charger, VIN# 2C3DXAT9DH686841, was available through state contract #A82927 with Carmen Chrysler Jeep and Dodge.

NOW THEREFORE BE IT RESOLVED THAT the purchase of the aforementioned vehicles for a total price of \$29,182.00 is hereby authorized.

RESOLUTION #2013-104
7-18-13

WHEREAS, the Office of Emergency Management has a need for a vehicle suitable for the hauling and moving of equipment; and

WHEREAS, funds were appropriated in the 2013 Capital Budget for the purchase of a pickup truck for use by OEM; and

WHEREAS, a 2014 Ford F250 4WD Pickup Truck is available through state contract #A83577 T2100 with Ditschman/Flemington Ford.

NOW THEREFORE BE IT RESOLVED that the purchase of the aforementioned vehicle for a total price of \$25,724.00 is hereby authorized.

Resolution #2013-105
7-18-13

**Requesting approval of the Director of the Division of Local Government Services
Amending the 2013 Municipal Budget per NJSA 40A:4-87 for
Alcohol Education & Rehabilitation**

WHEREAS, N.J.S.40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

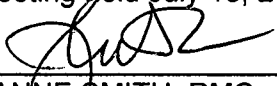
WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount, and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oceanport hereby request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2013 in the sum of \$474.97 which item is now available as a revenue from Alcohol Education & Rehabilitation pursuant to the provisions of statute, and

BE IT FURTHER RESOLVED, that a like sum of \$474.97 be and the same is hereby appropriated under the caption of Alcohol Education & Rehabilitation, \$474.97.

BE IT FURTHER RESOLVED, that the Borough Clerk forward two copies of this resolution with enclosures to the Director of Local Government Services.

I certify this to be a true copy of Resolution #2013-105
approved by the Oceanport Borough Council at the
Regular Meeting held July 18, 2013.



JEANNE SMITH, RMC
DEPUTY BOROUGH CLERK

Resolution #2013-106
7-18-13

**Requesting approval of the Director of the Division of Local Government Services
Amending the 2013 Municipal Budget per NJSA 40A:4-87 for
Automated License Plate Reader System**

WHEREAS, N.J.S.40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount, and

Resolution #2013-106 (continued)
7-18-13

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oceanport hereby request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2013 in the sum of \$13,333.70 which item is now available as a revenue from Automated License Plate Reader System pursuant to the provisions of statute, and

BE IT FURTHER RESOLVED, that a like sum of \$13,333.70 be and the same is hereby appropriated under the caption of Automated License Plate Reader System, \$13,333.70.

BE IT FURTHER RESOLVED, that the Borough Clerk forward two copies of this resolution with enclosures to the Director of Local Government Services.

I certify this to be a true copy of Resolution #2013-106 approved by the Oceanport Borough Council at the Regular Meeting held July 18, 2013.



JEANNE SMITH, RMC
DEPUTY BOROUGH CLERK

Resolution #2013-107
7-18-13

Requesting approval of the Director of the Division of Local Government Services
Amending the 2013 Municipal Budget per NJSA 40A:4-87 for
Clean Communities

WHEREAS, N.J.S.40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount, and

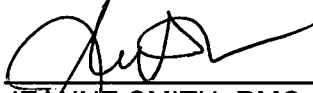
NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oceanport hereby request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2013 in the sum of \$12,188.93 which item is now available as a revenue from Clean Communities pursuant to the provisions of statute, and

Resolution #2013-107 (continued)
7-18-13

BE IT FURTHER RESOLVED, that a like sum of \$12,188.93 be and the same is hereby appropriated under the caption of Clean Communities, \$12,188.93.

BE IT FURTHER RESOLVED, that the Borough Clerk forward two copies of this resolution with enclosures to the Director of Local Government Services.

I certify this to be a true copy of Resolution #2013-107
approved by the Oceanport Borough Council at the
Regular Meeting held July 18, 2013.



JEANNE SMITH, RMC
DEPUTY BOROUGH CLERK

Resolution #2013-108
7-18-13

RESOLUTION APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LETTER OF REPRESENTATION AND A CONTINUING DISCLOSURE AGREEMENT IN CONNECTION WITH THE ISSUANCE AND DELIVERY OF THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY'S CAPITAL EQUIPMENT POOLED LEASE REVENUE BONDS, SERIES 2013 AND AUTHORIZING AN AUTHORIZED MUNICIPAL REPRESENTATIVE TO DO ALL OTHER THINGS DEEMED NECESSARY OR ADVISABLE IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF SUCH BONDS

WHEREAS, the Shore Regional School District (the "Board") desires to lease and permanently finance the cost of acquisition of certain capital equipment (the "Equipment") from The Monmouth County Improvement Authority (the "Authority"); and

WHEREAS, the Authority will provide for the financing of the cost of the acquisition of the Equipment by the issuance of its Capital Equipment Lease Revenue Bonds, Series 2013 (Shore Regional School District Project) (the "Bonds") payable from rentals by the Board pursuant to a Lease and Agreement by and between the Board and the Authority (the "Lease"); and

WHEREAS, in order to induce the Authority to issue and deliver the Bonds and its Capital Equipment Pooled Lease Revenue Bonds, Series 2013, there has been prepared and submitted to the Borough of Oceanport, New Jersey (the "Municipality") a Letter of Representation in the form attached hereto as Exhibit A; and

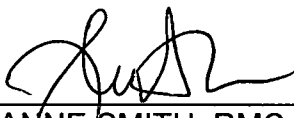
WHEREAS, there has been prepared and submitted to the Municipality a Continuing Disclosure Agreement in the form appended hereto as Exhibit B for execution by the Municipality if the Authority shall determine that the Municipality is or will be an "obligated person" with respect to the Authority's Capital Equipment Lease Revenue Bonds, Series 2013 within the meaning of Rule 15c2-12 of the United States Securities and Exchange Commission (an "Obligated Person");

Resolution #2013-108 (continued)
7-18-13

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH OF OCEANPORT AS FOLLOWS:

- Section 1. That the Letter of Representation, in the form presented to this meeting, be and the same is hereby approved, and any Authorized Municipal Representative (as that term is defined in the Lease) is hereby authorized to, and one of such officers shall execute the Letter of Representation, with such additions, deletions or modifications as such officer shall approve, and to deliver the same to the addressees designated on such Letter of Representation, such approval to be conclusively evidenced by the execution and delivery thereof.
- Section 2. That the Continuing Disclosure Agreement, in the form presented to this meeting, be and the same is hereby approved, and any Authorized Municipal Representative is hereby authorized to, and one of such officers shall execute the Continuing Disclosure Agreement, with such additions, deletions or modifications as such officer shall approve, and to deliver the same upon the determination by the Authority that the Municipality is or will be an Obligated Person, such approval to be conclusively evidenced by the execution and delivery thereof.
- Section 3. That any Authorized Municipal Representative is hereby authorized and directed to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary or proper for carrying out the sale, issuance and delivery of the Bonds, the Authority's Capital Equipment Pooled Lease Revenue Bonds, Series 2013 and all related transactions contemplated by this resolution.
- Section 4. All resolutions or proceedings, or parts thereof, in conflict with the provisions of this resolution are to the extent of such conflict hereby repealed.
- Section 5. This resolution shall become effective immediately.

I certify this to be a true copy of Resolution #2013-108 approved by the Oceanport Borough Council at the Regular Meeting held July 18, 2013.



JEANNE SMITH, RMC
DEPUTY BOROUGH CLERK

Resolution #2013-109
7-18-13

WHEREAS, the Borough of Oceanport is a duly organized Municipal Corporation (hereinafter referred to as "Borough") having principal offices at 222 Monmouth Boulevard, Oceanport, New Jersey 07757; and

WHEREAS, the Governing Body of the Borough of Oceanport, County of Monmouth desires to apply for and obtain a Post-Sandy Planning Assistance grant from the New Jersey Department of Community Affairs (DCA); and

WHEREAS, there is a need for the Borough to obtain planning services for the preparation and execution of the State of New Jersey's Post Sandy Local Planning Assistance Grant Applications; and

WHEREAS, the services to be provided are deemed to be "professional services" pursuant to the Local Public Contracts Law (N.J.S.A. 40:A 11-1, et seq.) and the Borough selected Clark Caton Hintz as the Borough Planner through that process; and

WHEREAS, the Borough of Oceanport, County of Monmouth has attended an orientation session held by DCA explaining the grant application process; and

WHEREAS, the Borough of Oceanport intends to apply for Post-Sandy Planning Assistance grant money for the following planning activities and in the following amounts:

- | | |
|--|----------|
| 1. Strategic Recovery Planning Report | \$30,000 |
| 2. Preparation of Requests for Proposals | \$ 5,000 |
| 3. Municipal Land Use Law Comprehensive Plans; Reexamination Reports; Plan Elements; Community Resiliency Plans; and Master Plan Reexamination Reports | \$50,000 |
| 4. Community Development and Neighborhood Plans | \$50,000 |
| 5. Permit Application Process Quality Improvement | \$25,000 |
| 6. Design Standards | \$50,000 |
| 7. Capital Improvement Plans | \$30,000 |
| 8. Urban and Suburban Environmental Design | \$50,000 |
| 9. Development of codes; ordinances, standards and Regulations | \$20,000 |
| 10. Other | |

WHEREAS, the Borough having considered the above, now wishes to authorize the Borough Planner, Clark Caton Hintz to perform the necessary services.

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

1. That the Governing Body of the Borough of Oceanport, County of Monmouth does hereby authorize the application for the above grant(s)
2. That the Borough of Oceanport has awarded a Professional Service Contract to Clarke Caton Hintz for the purpose of preparation and execution of the State of New Jersey's Post Sandy Local Planning Assistance Grant Applications and the work performed will be consistent with their existing contract and a proposal for same submitted to the Borough.
3. That the compensation associated with the proposal shall not exceed \$30,000.00.

Resolution #2013-109 (continued)
7-18-13

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 Borough of Oceanport, County of Monmouth has sustained a ratable loss attributable to Superstorm Sandy of at least 1 percent or \$1 million dollars, as indicated by the attached documentation from the tax assessor; and

BE IT FURTHER RESOLVED that the Borough of Oceanport recognizes and accepts that DCA may offer a lesser or greater amount of grant funding than that requested; and

BE IT FURTHER RESOLVED that the Borough of Oceanport authorizes the execution of the grant agreement in the amount offered and approved by DCA and further authorizes the expenditure of funds pursuant to the terms of the grant agreement entered into by the Borough of Oceanport and DCA; and

BE IT FURTHER RESOLVED that the Borough of Oceanport agrees to comply with all CDBG-DR regulations, Post Sandy Planning Assistance Guidelines and also accepts that the proposed use(s) of CDBG-DR funds are not reimbursable by FEMA, SBA or other federal agencies; and

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

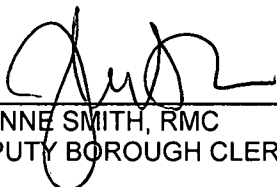
CERTIFICATION OF FUNDS

As required by N.J.A.C. 5:34-5.1 et. seq., and any other applicable requirement, I, Gregory S. Mayers, Chief Financial Officer of the Borough of Oceanport, have ascertained that there are sufficient uncommitted funds in the 2013 Operating Budget not to exceed \$30,000.00 for the above referenced professional services contract.



GREGORY S. MAYERS, CFO

I certify this to be a true copy of Resolution #2013-109 approved by the Oceanport Borough Council at the Regular Meeting held July 18, 2013.



JEANNE SMITH, RMC
DEPUTY BOROUGH CLERK

Resolution #2013-110
7-18-13

RESOLUTION AMENDING THE 2013 CAPITAL BUDGET

WHEREAS, the 2013 capital budget of the Borough of Oceanport was adopted on June 6, 2013,
and

WHEREAS, it is desired to amend said adopted capital budget,

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Oceanport of
the

County of Monmouth, that the following amendments to the 2013 capital budget be made:

Capital Budget of the Borough of Oceanport
(Current Year Action)
2013

<u>Project Title</u>	<u>Project Number</u>	<u>Estimated Total Cost</u>	<u>Grants in Aid and Other Funds</u>
2013 Road Program	G-1	\$481,000.00	\$160,000.00
Totals - All Projects		<u>\$647,000.00</u>	<u>\$160,000.00</u>

Capital Budget of the Borough of Oceanport
Three Year Capital Budget
2013-2015

Anticipated Project Schedule and Funding Requirements

<u>Project Title</u>	<u>Project Number</u>	<u>Estimated Total Cost</u>	<u>Funding Amounts per Budget Year 2013</u>
2013 Road Program	G-1	\$481,000.00	\$481,000.00
Totals - All Projects		<u>\$647,000.00</u>	<u>\$647,000.00</u>

Resolution #2013-110 (continued)
7-18-13

Capital Budget of the Borough of Oceanport
Three Year Capital Budget
2013- 2015
Summary of Anticipated Funding Sources and Amounts

<u>Project Title</u>	<u>Project Number</u>	<u>Estimated Total Cost</u>	<u>Grants in Aid and Other Funds</u>
2013 Road Program	G-1	\$481,000.00	\$160,000.00
Totals - All Projects		<u>\$647,000.00</u>	<u>\$160,000.00</u>

The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after adoption of these amendments to the 2013 Capital Budget.

Recorded Vote

Offered: Councilwoman Kahle
Seconded: Councilman Johnson

Roll Call:

AYES: Bertekap, Gallo, Irace, Johnson, Kahle
NAYES: None
ABSTAIN: None
ABSENT: Ibex

I certify this to be a true copy of Resolution #2013-110 approved by the Oceanport Borough Council at the Regular Meeting held July 18, 2013.



JEANNE SMITH, RMC
DEPUTY BOROUGH CLERK

RESOLUTION #2013-111
7-18-2013

WHEREAS, there is a need to fulfill the position of Tax Collector; and

WHEREAS, the Governing Body, after recommendation from the Borough Administrator has agreed that Michele Narciso is qualified to perform the duties of Tax Collector, and;

WHEREAS, Michele Narciso has fulfilled all the statutory requirements to be appointed to such a position, pursuant to *N.J.S.A 40A:9-141*.

NOW THEREFORE, BE IT RESOLVED that Michele Narciso shall hereby be appointed Tax Collector to fill the unexpired term ending December 31, 2013 effective upon passage of this resolution and pursuant to law (*N.J.S.A. 40A:9-142*).

BE IT FURTHER RESOLVED that the salary will \$40 per hour and that a copy of the resolution be forwarded to the CFO for payroll purposes.

BE IT FURTHER RESOLVED that Michele Narciso will work on an as-needed basis as best meet the needs of the Borough.

Resolution #2013-112
7-18-13

**FOR CONTINUATION OF THE UTILIZATION OF MILLENNIUM STRATEGIES
AUTHORIZING ASSISTANCE FOR FEMA HAZARD MITIGATION GRANT PREPARATION IN
CONNECTION WITH RECOVERY EFFORTS RESULTING FROM DAMAGES CAUSED BY
SUPER STORM SANDY IN THE BOROUGH OF OCEANPORT.**

WHEREAS, there was a need for the Borough of Oceanport to retain Millennium Strategies for assistance for FEMA Hazard Mitigation Grant Preparation in connection with recovery efforts in connection with the damages caused by Super Storm Sandy; and

WHEREAS, the Borough by Resolution #12-~~110~~ authorizes the hiring of Millennium Strategies as "An Emergency Contract" pursuant to the local public contract law *N.J.S.A.40A:11-6*; and

WHEREAS, the term of said Resolution was for a period of six (6) months; and

WHEREAS, the contract was suspended by the request of Millennium Strategies after the position of three (3) months the state had intervened to do certain works previously anticipated to be done by Millennium; and

WHEREAS, the governing body finds they continue to need the services performed by Millennium to assist, grant and reconstruct Borough Hall or construct a new Borough Hall within the Borough of Oceanport as a result of damages done by Super Storm Sandy; and

WHEREAS, the local public contract law authorizes the awarding of a contract without public advertising for bids and bidding therefore when an emergency affecting public health, safety and welfare requires the needs delivery of goods or the performances relative; and

WHEREAS, the governing body having considered the same now wishes to re-authorized Millennium Strategies to provide the services connected with securing grants aiding in the recovery efforts of the Borough in response to the damages specifically caused by Super Storm Sandy; and

Resolution #2013-112 (continued)
7-18-13

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

1. The Mayor or its designee's authorized to fully execute a Borough Administrator to attest to an extension and a re-authorization of Resolution # 12-108 providing for the services between the Borough of Oceanport and Millennium Strategies to be reinstated at the rate of \$5,000.00 per month effective August 2013 at the rate of \$5,000.00 per month and then extend for an additional three (3) months.

The contract is awarded the same without public advertising for bids and bidding therefore when an emergency affecting public health, safety and welfare requires the needs delivery of goods or the performances relative.

RESOLUTION #2013-113
08-15-2013

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated August 15, 2013.

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

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of August 15, 2013.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated August 15, 2013 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

Resolution 2013- 114

8-15-13

ESTABLISH GRACE PERIOD FOR 3rd QUARTER TAX PAYMENTS

WHEREAS, the Governing Body has adopted a ten (10) day grace period for all tax payments due during the 2013 calendar year; and,

WHEREAS, the 3rd quarter tax payment for 2013 is due on August 1, 2013; and,

WHEREAS, due to the delay in receiving the Certified Tax Rate, the actual tax bills were not mailed until July 31, 2013 and the Governing Body desires to extend the zero percent interest grace period for the 3rd quarter tax payments,

THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport that a zero percent interest grace period is hereby established for receipt of 2013 3rd quarter tax payments until August 30, 2013; and,

BE IT FURTHER RESOLVED, that 2013 3rd quarter tax payments received after August 30, 2013 will be charged the applicable interest rate as of August 1, 2013; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Tax Collector.

Motion: Councilwoman Kahle

Second: Councilman Bertekap

Ayes: Bertekap, Gallo, Ibex, Irace, Johnson, Kahle

Nays: None

Abstain: None

Absent: None

I certify this to be a true copy of Resolution #2013-114 approved by the Oceanport Borough Council at the Regular Meeting held August 15, 2013.



JEANNE SMITH, RMC
BOROUGH CLERK

Resolution #2013-115

8-15-13

WHEREAS, there is a need to fill the Administrative Assistant position within the Borough Clerk's Office; and

WHEREAS, the position is in accordance with the Borough personnel ordinance; and

WHEREAS, following the interview process it was recommended that Catherine LaPorta be hired to fill the position at a salary of \$31,500.

NOW, THEREFORE, BE IT RESOLVED by the Oceanport Governing Body that the above named individual is hereby appointed to said position effective August 5, 2013 and that a certified copy of this resolution be forwarded to both the Chief Financial Officer and the Payroll Department and the new employee receive a copy of the Borough's personnel ordinance.

Motion: Councilman Kahle

Second: Councilman Bertekap

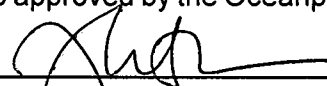
Ayes: Bertekap, Gallo, Ibex, Irace, Johnson, Kahle

Nays: None

Abstain: None

Absent: None

I certify this to be a true copy of Resolution #2013-115 approved by the Oceanport Borough Council at the Regular Meeting held August 16, 2013.



JEANNE SMITH, RMC
BOROUGH CLERK

Resolution #2013-116
8-15-13

**A Resolution Supporting the
Drive Sober or Get Pulled Over 2013 Statewide Crackdown**

WHEREAS, impaired drivers on our nation's roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year; and

WHEREAS, 19% of motor vehicle fatalities in New Jersey in 2012 were alcohol- related; and

WHEREAS, an enforcement crackdown is planned to combat impaired driving; and

WHEREAS, the summer season and the Labor Day holiday in particular are traditionally times of social gatherings which include alcohol; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the Drive Sober or Get Pulled over 2013 Statewide Crackdown; and

WHEREAS; the project will involve increased impaired driving enforcement from August 16 through September 2, 2013; and

WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

WHEREAS, be it resolved that the Borough of Oceanport declares its support for the *Drive Sober or Get Pulled Over 2013 Statewide Crackdown* from August 16 through September 2, 2013 and pledges to increase awareness of the dangers of drinking and driving.

Resolution #2013-117
8-15-13

**A RESOLUTION AUTHORIZING THE EXECUTION OF A
COMMODITY RESALE AGREEMENT
WITH THE COUNTY OF MONMOUTH**

WHEREAS, N.J.A.C. 5:34-7.15 authorizes local contracting units to enter into Commodity Resale Agreements for the purchase of certain commodities from other contracting units; and

WHEREAS, the County of Monmouth has authorized the renewal of the Monmouth County Commodity Resale System (SYSTEM IDENTIFIER 99174 – MCCRS), for the period of September 30, 2013 through September 30, 2018; and

WHEREAS, it would be in the best interest of this Municipality to become or remain a member of the Monmouth County Commodity Resale System for that period.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Oceanport that the Mayor and Municipal Clerk be and they are hereby authorized to execute the attached Commodity Resale Agreement with the County of Monmouth.

BE IT FURTHER RESOLVED that the Municipal Clerk forward a certified copy of this resolution, along with the executed Commodity Resale Agreement to Stephen G. Callas, Director, Office of Shared Services, County of Monmouth, Hall of Records Annex, First Floor, 1 East Main Street, Freehold, New Jersey 07728.

Motion: Councilwoman Kahle

Second: Councilman Bertekap

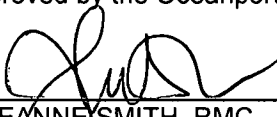
Ayes: Bertekap, Gallo, Ibex, Irace, Johnson, Kahle

Nays: None

Abstain: None

Absent: None

I certify this to be a true copy of Resolution #2013-117 approved by the Oceanport Borough Council at the Regular Meeting held August 15, 2013.


JEANNE SMITH, RMC
DEPUTY BOROUGH CLERK

Resolution #2013-118
8-15-13

WHEREAS, the Borough of Oceanport is a duly organized Municipal Corporation (hereinafter referred to as "Borough") having principal offices at 222 Monmouth Boulevard, Oceanport, New Jersey 07757; and

WHEREAS, there is a need for the Borough to obtain engineering services for the 2013 Monmouth County Municipal Open Space Grant Application; and

WHEREAS, the services to be provided are deemed to be "professional services" pursuant to the Local Public Contracts Law (N.J.S.A. 40:A 11-1, et seq.) and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a Contract for "professional services" without public advertising for bids, provided that the Resolution authorizing the Contract and the Contract itself, are available for public inspection in the Office of the Borough Clerk and that notice of the awarding of the Contract is published in a newspaper of general circulation in the Municipality; and

WHEREAS, the Borough having considered the matter, now wishes to authorize the Borough Engineer, Maser Consulting, PA to perform the services for the 2013 Monmouth County Municipal Open Space Grant Application.

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

1. That the Borough of Oceanport has awarded a Professional Service Contract to Maser Consulting for the purpose of Borough Engineer for 2013 and the work performed will be consistent with their existing contract and a proposal for the Monmouth County Municipal Open Space Grant Application dated August 16, 2013
2. That the compensation associated with the proposal shall not exceed \$2,500.00

Motion: Councilwoman Kahle Second: Councilman Bertekap

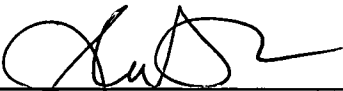
Ayes: Bertekap, Gallo, Ibex, Irace, Johnson, Kahle

Nays: None

Abstain: None

Absent: None

I certify this to be a true copy of Resolution #2013-118 approved by the Oceanport Borough Council at the Regular Meeting held August 15, 2013.



JEANNE SMITH, RMC
BOROUGH CLERK

Resolution #2013-119
8-15-13

WHEREAS, the Parks and Recreation Committee has recommended the following groups be approved for use of a Borough Field as follows:

Spanish Soccer League - Maria Gatta Community Park (fall term 2013)
Oceanport Seahawks – Community Center (fall term 2013)
Peninsula Soccer Club – Maria Gatta Community Park (fall term 2013)
Shore Youth Football & Cheer – Blackberry Bay Park

WHEREAS, as required by ordinance the Borough Council has considered the recommendations of said committee.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that field usage by the aforementioned groups is hereby approved on the dates, fields and times so indicated on the applications submitted.

Resolution #2013-120
8-15-13

WHEREAS, the Mayor and Council of the Borough of Oceanport hereby authorize a fireworks display to be held at the Summer's End Festival sponsored by the Oceanport Parks and Recreation Committee scheduled to be held on September 7, 2013 or on September 8, 2013, if a rain date is needed; and

WHEREAS, Garden State Fireworks, Inc. is the company responsible for the fireworks and in accordance with Borough regulations, must secure a Fire Permit from the Oceanport Fire Marshal prior to said event.

NOW, THEREFORE, BE IT RESOLVED that the Oceanport Governing Body hereby authorize the fireworks to be held on the above mentioned date subject to Garden State Fireworks, Inc. securing the necessary permits and that a copy of this resolution be forwarded to the Fire Marshal and the Parks and Recreation Committee.

Resolution #2013-121
8-15-13

**A Resolution Declaring September As
Hunger Action Month**

WHEREAS, one in ten residents, including 51,000 children, in Monmouth and Ocean Counties receives food from the FoodBank; and

WHEREAS, the impacts of Super Storm Sandy have increased demands for assistance to the elderly, disabled, veterans, working poor and families in crisis.

THEREFORE BE IT RESOLVED, that the Borough of Oceanport declares the month of September *Hunger Action Month* in support of the FoodBank of Monmouth and Ocean Counties' *Together, We Can Solve Hunger* campaign.

BE IT FURTHER RESOLVED that to show its support the Borough will highlight its website with the symbolic color orange, tie orange ribbons to lampposts and Borough Hall and provide access through the Borough's website to the FoodBank of Monmouth and Ocean Counties' website for events, activities and actions for the month of September.

Resolution #2013-122
8-15-13

**APPOINTMENT OF MUNICIPAL CLERK FOR THE
BOROUGH OF OCEANPORT**

WHEREAS, in accordance with N.J.S.A.40A:9-133 every municipality in the State of New Jersey is required to have a Municipal Clerk; and

WHEREAS, there is a need to fill the Municipal Clerk position within the Borough Clerk's Office; and

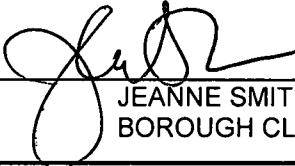
WHEREAS, Jeanne Smith, a certified Registered Municipal Clerk of the State of New Jersey, meets the qualifications and has agreed to perform the duties of this position; and

NOW, THEREFORE, BE IT RESOLVED by the Oceanport Governing Body that Jeanne Smith is hereby appointed Municipal Clerk for the Borough of Oceanport for a three year term commencing August 1, 2013 at an annual salary in accordance with the Salary Ordinance.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to both the Chief Financial Officer and the Payroll Department.

Motion: Councilman Johnson Second: Councilman Irace
Ayes: Bertekap, Gallo, Ibex, Irace, Johnson, Kahle
Nayes: None
Abstain: None
Absent: None

I certify this to be a true copy of Resolution #2013-122 approved by the Oceanport Borough Council at the Regular Meeting held August 15, 2013.



JEANNE SMITH, RMC
BOROUGH CLERK

Resolution #2013-123
8-15-13

WHEREAS, there is a need to appoint a Code Enforcement Officer to enforce the Borough's Property Maintenance Ordinance; and

WHEREAS, Salvatore Massaro meets the qualifications to perform the necessary duties of the position and has expressed his interest in performing such duties.

NOW, THEREFORE, BE IT RESOLVED by the Oceanport Governing Body that the Salvatore Massaro is hereby appointed to said position at an annual salary of \$5,000 and that a certified copy of this resolution be forwarded to both the Chief Financial Officer and the Payroll Department.

Motion: Councilman Ibex Second: Councilwoman Kahle
Ayes: Bertekap, Gallo, Ibex, Irace, Johnson, Kahle
Nayes: None
Abstain: None
Absent: None

I certify this to be a true copy of Resolution #2013-123 approved by the Oceanport Borough Council at the Regular Meeting held August 15, 2013.



JEANNE SMITH, RMC
BOROUGH CLERK

Resolution #2013-124
8-15-13

WHEREAS there is a need to perform assessments of structural damage and repair estimates of the Borough Hall buildings relative to the damage incurred by Super Storm Sandy; and

WHEREAS, there is a need for Professional Services by an Architect having experience working with municipal governments and FEMA Public Assistance; and

NOW THEREFORE BE IT RESOLVED that the Borough Administrator is hereby authorized to solicit qualifications for an Architect to provide the necessary technical review of the existing Borough Hall buildings

Resolution #2013-125
9-5-13

WHEREAS, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

WHEREAS, the Governing Body of the Borough of Oceanport desires to obtain County Open Space Trust Funds in the amount of \$168,000.00 to fund the Rehabilitation of the Blackberry Bay Park Boat Launch Facility, Block 20, Lot 1, Block 21, Lot 1, Block 25, Lot 1, Block 27, Lot 6; Port Au Peck and Horicon Avenues.; and

WHEREAS, the total cost of the project including all matching funds is \$420,000.00; and

WHEREAS, the Borough of Oceanport is the owner of and controls the project site.

NOW, THEREFORE, BE IT RESOLVED BY THE OCEANPORT GOVERNING BODY THAT:

1. The Borough Clerk, Jeanne Smith, is authorized to (a) make an application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (c) act as the municipal contact person and correspondent of the above named municipality; and
2. The Borough of Oceanport is committed to this project and will provide the balance of funding necessary to complete the project as described in the grant application in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and
3. If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program and the Policy and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state, and local government rules, regulations and statutes thereto; and

Resolution #2013-125 (continued)
9-5-13

4. The Mayor, Michael Mahon, is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Monmouth for the approved Open Space Trust Funds; and
5. This resolution shall take effect immediately.

Motion: Councilman Bertekap

Second: Councilwoman Kahle

Ayes: Bertekap, Gallo, Ibex, Irace, Johnson, Kahle

Nayes: None

Abstain: None

Absent: None

I certify this to be a true copy of Resolution #2013-125 approved by the Oceanport Borough Council at the Regular Meeting held September 5, 2013.



JEANNE SMITH, RMC
BOROUGH CLERK

RESOLUTION #2013-126
06-06-13

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated September 5, 2013.

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

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of September 5, 2013.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated September 5, 2013 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

Resolution #2013-127
9-5-13

WHEREAS, Bike New York has made application for a Special Events Permit to hold the 2013 Twin Lights Bike Ride with a course that includes portions of Borough roadways; and

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

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that a Special Events Permit be issued to Bike New York for the 2013 Twin Lights Bike Ride in accordance with the application made and recommendation by the Traffic Safety Unit upon receipt of appropriate permit fee to be paid by Applicant.

9-5-13

Elizabeth Drive Drainage Improvements

(N.J.A.C. 5:30-14.4); and

stated in a letter from the Engineer dated August 26, 2013; and

WHEREAS, the contract will be decreased by \$6,298.00

necessary and that it will actually be carried out.

Borough of Oceanport as follows,

2. The Administrator or Borough Clerk are hereby authorized to sign the change order on behalf of the Borough.

Second: Councilman Bertekap

Ayes: Bertekap, Gallo, Ibex, Irace, Johnson, Kahle

Nayes: None

Abstain: None

Absent: None

the Regular Meeting held September 5, 2013.

Borough Clerk

9-5-13

Oceanport, New Jersey 07757; and

Au Peck Firehouse Site; and

proposal to perform this service for the Borough; and

pursuant to the Local Public Contracts Law (N.J.S.A. 40:A 11-1, et seq.) and

Firehouse Site.

RESOLUTION #2013-129 (continued)
9-5-13

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

1. That the Borough of Oceanport is hereby authorized to award a Professional Service Contract to Maser Consulting for the purpose of aforementioned and consistent with their proposal dated September 28, 2012.
2. That unless otherwise terminated, the said Contract shall be effective following publication of the required notice.
3. That the compensation associated with the contract shall not exceed \$15,700.00.
4. That the Mayor and Borough Clerk are hereby authorized to sign the Professional Services Contract, which shall be reviewed by the Borough Attorney.
5. That the within Contract is awarded without competitive bidding as a "professional service" in accordance with law (N.J.S.A. 40A:11-5 et. seq.) of the Local Public Contracts Law of New Jersey, because the services rendered will be performed by persons authorized by law to practice a recognized profession.
6. That the within Resolution shall be subject to the Borough CFO confirming that funds are available for the stated purpose.

CERTIFICATION OF FUNDS

As required by N.J.A.C. 5:34-5.1 et. seq., and any other applicable requirement, I, Gregory S. Mayers, Chief Financial Officer of the Borough of Oceanport, have ascertained that there are sufficient uncommitted funds in the 2013 Capital not to exceed \$15,700.00 for the above referenced professional services contract.



GREGORY S. MAYERS, CFO

Resolution #2013-130
9-5-13

**RESOLUTION AUTHORIZING REFUND OF REDEMPTION
MONIES TO OUTSIDE LIENHOLDER**

WHEREAS, at the Municipal Tax Sale held on October 5, 2012, a lien was sold on Block 137, Lot 10, also known as 109 Pemberton Ave. for delinquent taxes; and

WHEREAS, this lien, known as Tax Sale Certificate #11-00020, was sold to Rosehill Fund 2, LLC, at an interest rate of 0%; and

WHEREAS, Trudy Kinsey, owner, has effected redemption of Certificate #11-00020 in the amount of \$11,794.03.

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$11,794.03 payable to Rosehill Fund 2, LLC, PO Box 503, Rye, NY 10580 for the redemption of Tax Sale Certificate #11-00020.

BE IT FURTHER RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$15,000.00 (Premium) to the aforementioned lienholder.

A RESOLUTION GRANTING TEMPORARY PERMISSION FOR THE POSSESSION AND CONSUMPTION OF ALCOHOLIC BEVERAGES ON OCEANPORT BOROUGH PROPERTY

WHEREAS, the New Jersey Alcoholic Beverage Control Act Title 33 provides for the regulation of alcoholic beverage within the State of New Jersey; and

WHEREAS, the Alcoholic Beverage Control Law provides for an Issuing Authority in each municipality, to issue, renew and transfer retail licenses and provide for enforcement of the alcoholic beverage law, ABC rules and regulations and local Ordinances pertaining to the control of alcoholic beverages; and

WHEREAS, the Issuing Authority in the Borough of Oceanport is the Governing Body of the municipality, which is vested with the authority to enforce the ABC rules and regulations and the local Ordinances pertaining to the control of alcoholic beverages within the Borough of Oceanport and has the authority to grant temporary permission for the possession and consumption of alcoholic beverages on Borough property; and

WHEREAS, the Borough of Oceanport has enacted Ordinances under Chapter 115, entitled "Alcoholic Beverages" dealing with the distribution and consumption of alcoholic beverage within the Borough; and

WHEREAS, the Borough is desirous allowing the limited private possession and consumption of alcoholic beverages at the Summer's End Festival, sponsored by the Oceanport Parks and Recreation Committee, within the Borough of Oceanport; and,

WHEREAS, the Summer's End Festival will be held upon the property and lands owned by the Borough of Oceanport known as Blackberry Bay Park, and the temporary permission for possession and consumption of alcoholic beverages for this event on Borough property will be during the hours of 3:00.p.m. to 11:00 p.m. only, by those individuals who are over the age of 21 and would otherwise be lawfully allowed to consume alcohol in a public licensed premises;

NOW THEREFORE BE IT, RESOLVED, that the Mayor and Council of the Borough of Oceanport hereby approve and give temporary permission for the possession and consumption of alcoholic beverages at the Summer's End Festival to be held on the land and property of the Borough of Oceanport known as Blackberry Bay Park on September 7, 2013 (rain date September 8, 2013), with the hours of possession and consumption within and upon the property of Blackberry Bay Park being between 3:00 p.m. and 11:00 p.m., by individuals of lawful drinking age; and

BE IT FURTHER, RESOLVED, that nothing contained herein nor the issuance of this temporary permission for the possession and consumption of alcoholic beverages at Blackberry Bay Park shall in any way hinder or inhibit the Borough of Oceanport Police or other law enforcement agencies from their lawful duties in keeping peace and order, only that it shall be lawful to have open containers of alcohol in an individuals possession for personal consumption at Blackberry Bay Park during the time period outlined within this Resolution.

RESOLUTION #2013-132
9-05-13

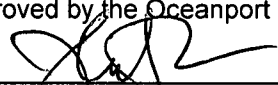
WHEREAS, there were funds appropriated in the 2013 Operating Budget for the purchase of police patrol vehicles; and

WHEREAS, a 2014 Ford Interceptor, VIN# 1FM5K8AR9EGA18597, is available through state contract #82925 with Winner Ford.

NOW THEREFORE BE IT RESOLVED that the purchase of the aforementioned vehicle for a total price of \$35,139.00 is hereby authorized.

Motion: Councilman Ibex Second: Councilwoman Kahle
Ayes: Bertekap, Gallo, Ibex, Irace, Johnson, Kahle
Nays: None
Abstain: None
Absent: None

I certify this to be a true copy of Resolution #2013-132 approved by the Oceanport Borough Council at the Regular Meeting held September 5, 2013.



JEANNE SMITH, RMC
BOROUGH CLERK

RESOLUTION #2013-133
9-5-13

WHEREAS, there is a need to fulfill the position of Tax Collector; and

WHEREAS, the Governing Body, after recommendation from the Borough Administrator has agreed that Peggy Warren is qualified to perform the duties of Tax Collector, and;

WHEREAS, Peggy Warren has fulfilled all the statutory requirements to be appointed to such a position, pursuant to N.J.S.A 40A:9-141.

NOW THEREFORE, BE IT RESOLVED that Peggy Warren shall hereby be appointed Tax Collector to fill the unexpired term ending December 31, 2013 effective upon passage of this resolution and pursuant to law (N.J.S.A. 40A:9-142).

BE IT FURTHER RESOLVED that the annual salary will be \$10,000 and that a copy of the resolution be forwarded to the CFO for payroll purposes.

BE IT FURTHER RESOLVED that Peggy Warren will work on an as-needed basis as best meet the needs of the Borough.

Motion: Councilman Irace Second: Councilman Ibex
Ayes: Bertekap, Gallo, Ibex, Irace, Johnson, Kahle
Nays: None
Abstain: None
Absent: None

I certify this to be a true copy of Resolution #2013-133 approved by the Oceanport Borough Council at the Regular Meeting held September 5, 2013.



JEANNE SMITH, RMC
BOROUGH CLERK

Resolution #2013-134
9-5-13

WHEREAS, the Governing Body of the Borough of Oceanport has determined that it is in the best interest of the Borough to appoint the following individual as a Class II Special Officer to the Oceanport Police Department, which shall be effective as of September 3, 2013;

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

David Chenoweth is hereby appointed Class II Special Officer.

BE IT FURTHER RESOLVED that the Borough will assume the cost of training and uniforms not to exceed Fifteen hundred (\$1,500.00) dollars; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are authorized to sign any and all documents necessary to effectuate the intentions of this Resolution.

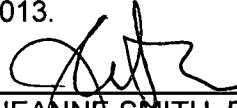
BE IT FURTHER RESOLVED, that a certified true copy of the within Resolution be furnished to the Chief of Police of the Borough of Oceanport, the Chief Financial Officer, the Borough Attorney, and the Oceanport PBA Representative.

Motion: Councilman Ibex

Second: Councilman Johnson

Ayes: Bertekap, Gallo, Ibex, Irace, Johnson, Kahle
Nays: None
Abstain: None
Absent: None

I certify this to be a true copy of Resolution #2013-134 approved by the Oceanport Borough Council at the Regular Meeting held September 5, 2013.



JEANNE SMITH, RMC
BOROUGH CLERK

RESOLUTION #2013-135
9-19-13

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated September 19, 2013.

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

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of September 19, 2013.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated September 19, 2013 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

Resolution #2013-136
9-19-13

WHEREAS, the following property is due a refund due to an appeal judgment; and

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

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

Block 41, Lot 7 155 Comanche Drive \$4,970.35

Resolution #2013-137
9-19-13

**SPECIALIZED ARCHITECTURAL SERVICES TO THE
BOROUGH OF OCEANPORT**

WHEREAS, the Borough of Oceanport is a duly organized Municipal Corporation (hereinafter referred to as "Borough") having principal offices at 222 Monmouth Boulevard, Oceanport, New Jersey 07757; and

WHEREAS, there is a need for the Borough to obtain specialized architectural services from individuals and or firms having experience working with FEMA Public Assistance and other government agencies for the assessment of structural damage to Borough Hall buildings and completion of detailed damage/repair estimates for public facilities; and

WHEREAS, the services to be provided are deemed to be "professional services" pursuant to the Local Public Contracts Law (N.J.S.A. 40:A 11-1, et seq.) and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a Contract for "professional services" without public advertising for bids, provided that the Resolution authorizing the Contract and the Contract itself, are available for public inspection in the Office of the Borough Clerk and that notice of the awarding of the Contract is published in a newspaper of general circulation in the Municipality; and

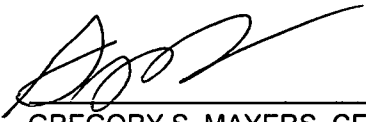
WHEREAS, the Borough having considered the matter, now wishes to authorize the L+C Design Consultants PA to perform the aforementioned study.

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

1. That the Borough of Oceanport has awarded a Professional Service Contract to L+C Design Consultants PA for specifications outlined in the Request for Qualifications.
2. That the compensation associated with the proposal shall not exceed \$30,000.00.
3. That the within Resolution shall be subject to the Borough CFO confirming that funds are available for the stated purpose.
4. That the contract is subject to review by the Borough Attorney

CERTIFICATION OF FUNDS

As required by N.J.A.C. 5:34-5.1 et. seq., and any other applicable requirement, I, Gregory S. Mayers, Chief Financial Officer of the Borough of Oceanport, have ascertained that there are sufficient uncommitted funds in the 2013 Operating Budget not to exceed \$30,000.00 for the above referenced professional services contract.



GREGORY S. MAYERS, CFO

Resolution #2013-138
9-19-13

**Approval to submit a grant application and execute a grant contract with the
New Jersey Department of Transportation for the
Port Au Peck Avenue – Phase 4 Project.**

NOW, THEREFORE, BE IT RESOLVED that Council of Oceanport Borough formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2014-Oceanport Borough-00500 to the New Jersey Department of Transportation on behalf of Oceanport Borough.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Oceanport Borough and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

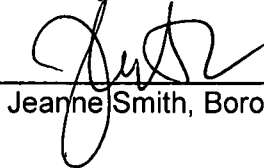
Certified as a true copy of the Resolution adopted by the Council
On this 19th day of September 2013.



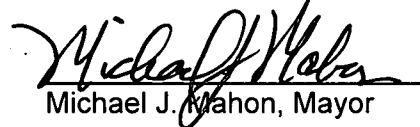
Jeanne Smith, RMC
Borough Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST AND AFFIX SEAL



Jeanne Smith, Borough Clerk



Michael J. Mahon, Mayor

Resolution #2013-139
9-19-13

**Approval to submit a grant application and execute a grant contract
with the New Jersey Department of Transportation
for the Port Au Peck Avenue – Phase 5 Project.**

NOW, THEREFORE, BE IT RESOLVED that Council of Oceanport Borough formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2014-Oceanport Borough-00544 to the New Jersey Department of Transportation on behalf of Oceanport Borough.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Oceanport Borough and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

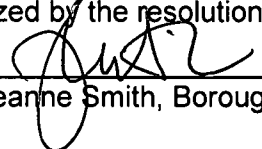
Certified as a true copy of the Resolution adopted by the Council
On this 19th day of September 2013.



Jeanne Smith, RMC
Borough Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST AND AFFIX SEAL



Jeanne Smith, Borough Clerk



Michael J. Mahon, Mayor

RESOLUTION #2013-140
10-03-13

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated October 3, 2013.

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

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of October 3, 2013.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated October 3, 2013 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

Resolution #2013-141
10-03-13

WHEREAS, the following property is due a refund due to a state tax court appeal judgment for 2012; and

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

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

Block 70 Lot 3.01 11 Mohawk Dr \$4,026.29

I certify this to be a true copy of Resolution #2013-141 approved by the Oceanport Borough Council at the Regular Meeting held October 3, 2013



JEANNE SMITH, RMC
BOROUGH CLERK

Resolution #2013-142
10-3-2013

WHEREAS, the State's Fiscal Year Appropriations Act (P.L. 2011, c.85) requires the Division of Local Government Services to determine how much of each municipality's allocation of its CMPTRA and ETR aid will be disbursed based upon the results of Best Practices Inventory to be completed by each municipality; and

WHEREAS, the Inventory is a constructive way to encourage municipalities to consider and embrace a range of best practices that will help improve financial accountability and transparency; and

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Oceanport that the best practices inventory was discussed publicly at the Mayor and Council meeting of October 3, 2013, and shall be submitted to the Division of Local Government Services and certified by the Chief Administrative Officer and Chief Financial Officer and a certification by the Municipal Clerk that the Inventory was discussed publicly.

Motion: Councilman Ibex

Second: Councilwoman Kahle

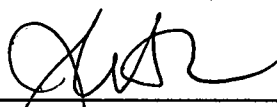
Ayes: Gallo, Ibex, Irace, Johnson, Kahle

Nayes: None

Abstain: None

Absent: Bertekap

I certify this to be a true copy of Resolution #2013-142 approved by the Oceanport Borough Council at the Regular Meeting held October 3, 2013



JEANNE SMITH, RMC
BOROUGH CLERK

RESOLUTION #2013-143
BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY
A RESOLUTION IN SUPPORT OF THE STATE'S DEVELOPMENTAL
CENTERS TO REMAIN OPEN

WHEREAS, in an effort to reduce New Jersey's reliance on institutional care, the Task Force on the Closure of State Developmental Centers was created by the State Legislature and charged with reviewing certain criteria of each State-owned facilities including but not limited to the local economic impact of losing a center; the ability of a community to provide or develop services for those leaving who wanted to leave or didn't oppose moving outside the region; the State's ability to maintain operations, and projected repair and maintenance of each center; and

WHEREAS, among the seven (7) State-operated facilities for this purpose is the Woodbridge Developmental Center (hereinafter referred to as "WDC"), a residential facility established in 1965 for individuals with developmental disabilities and located on a 68 acre tract in Woodbridge Township, New Jersey; and

WHEREAS, in July of 2012, the Task Force recommended that WDC (and the North Jersey Developmental Center located in Passaic County, New Jersey) be shuttered by 2017; and

WHEREAS, while indicating that no piece of information or experience was a determining factor in which of the seven (7) State-operated facilities would be recommended for closure, there are other factors that should have been considered before making their decision including the rights of the clients of WDC to have treating professionals make judgments about how their needs are best met and that transferring clients from long-term institutional care to community housing has its own set of problems including higher rates of mortality and an increased likelihood of abuse in a community; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport that it expresses its disagreement with the findings and conclusions of the Task Force on the Closure of Developmental Centers and oppose the closings as these centers are a vital and valuable resources for the families with loved ones requiring the level of care necessary and that the centers should be kept in operation for the benefit of its clients, their families and the employees.

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to Governor Chris Christie and representatives of the 13th District.

Motion: Councilman Ibex

Second: Councilwoman Kahle

Ayes: Gallo, Ibex, Irace, Johnson, Kahle

Nays: None

Abstain: None

Absent: Bertekap

I certify this to be a true copy of Resolution #2013-143 approved by the Oceanport Borough Council at the Regular Meeting held October 3, 2013.



JEANNE SMITH, RMC
BOROUGH CLERK

Resolution #2013-144
10-3-2013

WHEREAS, an emergency has arisen with respect to the need for special counsel to represent the Borough in a Builder's Remedy lawsuit and COAH litigation, and no adequate provision was made in the 2013 budget for the aforesaid purpose, and N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the purpose above mentioned: and

WHEREAS, the total amount of emergency appropriations created including the appropriation to be created by this resolution is \$ 130,000.00 and three percent (3%) of the total operating appropriations in the budget for 2013 is \$ \$196,520.88; and

WHEREAS, the foregoing appropriation together with the prior appropriations does not exceed the three percent (3%) of the total operating appropriations (including utility operation appropriations) in the budget for 2013.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport, County of Monmouth (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with NJS40A:4-48:

1. An emergency appropriation is hereby made for Special Counsel Legal Fees in the amount of \$100,000.00.
2. An emergency appropriation is hereby made for Planner fees in the amount of \$30,000.00.
3. That said emergency appropriation shall be provided for in full in the 2014 budget, and is requested to be excluded from CAPS, pursuant to NJS 40A:4-45.3.c(1).
4. That an "Emergency Note" not in excess of the above amount be authorized pursuant to N.J.S.A. 40A:4-48 and in accordance with the provisions of N.J.S.A. 40A:4-51.
5. That such note shall be executed by Chief Financial Officer Gregory Mayers and by Borough Clerk Jeanne Smith.
6. That said note shall be dated on or before December 31, 2013, may be renewed from time to time, and such note and any renewals thereof shall be payable on or before December 31, 2014.
7. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services.

Motion: Councilman Irace

Second: Councilwoman Kahle

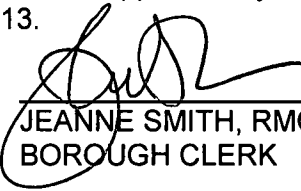
Ayes: Gallo, Ibex, Irace, Kahle

Nayes: Johnson

Abstain: None

Absent: Bertekap

I certify this to be a true copy of Resolution #2013-144 approved by the Oceanport Borough Council at the Regular Meeting held October 3, 2013.



JEANNE SMITH, RMC
BOROUGH CLERK

RESOLUTION #2013-145
10-17-13

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated October 17, 2013.

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

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of October 17, 2013.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated October 17, 2013 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

Resolution #2013-146
10-17-13

WHEREAS, the Borough Engineer has recommended a release of the performance guarantee for Jockey Club Estates

NOW THEREFORE BE IT RESOLVED that the performance bond posted for Jockey Club Estates be released as recommended by the Borough Engineer subject to the following items:

1. Payment of all outstanding invoices from Borough Professionals
2. Posting of a 2-year Maintenance Bond in the amount of \$178,600

Motion: Councilman Ibex

Second: Councilman Johnson

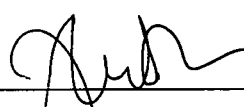
Ayes: Bertekap, Gallo, Ibex, Irace, Johnson

Nays: None

Abstain: None

Absent: Kahle

I certify this to be a true copy of Resolution #2013-146 approved by the Oceanport Borough Council at the Regular Meeting held October 17, 2013



JEANNE SMITH, RMC
BOROUGH CLERK

Resolution #2013-147
10-17-13

**SHARED SERVICE AGREEMENT BETWEEN THE BOROUGH OF SHREWSBURY
AND THE BOROUGH OF OCEANPORT FOR THE
USE OF COURTROOM FACILITIES**

THIS AGREEMENT made this 17th day of October, 2013, by and between:
THE BOROUGH OF SHREWSBURY; and
THE BOROUGH OF OCEANPORT

W I T N E S S E T H

WHEREAS; the Borough of Shrewsbury is a municipal corporation having offices at Sycamore Avenue & Broad Street, Shrewsbury, Monmouth County, New Jersey; and

WHEREAS, the Borough of Shrewsbury and the Borough of Oceanport will enter into an Interlocal Agreement effective November 1, 2013 for the use of the Borough of Shrewsbury's Courtroom Facilities; and

WHEREAS, the following services have been agreed upon which covers court sessions for the Borough of Oceanport and the Borough of Sea Bright:

- Shrewsbury Administrative Assistance on Court Days
- Shrewsbury Police with use of the processing room, arrests, and additional warrants
- Use of Court Room, Judges Office, and Administrator's Office
- Use of Video Conferencing Capabilities
- FTR Gold Recording System
- Maintenance/Cleaning
- Use of Office Space/Telephone/Copier/etc.
- Office Supplies; and

WHEREAS, the Borough of Shrewsbury will not be responsible for the Judge, Prosecutor, Public Defender, Court Assistance, and Arrest, Processing, and Release of Prisoners; and

WHEREAS; it is in the best interest of the Borough of Shrewsbury and the Borough of Oceanport to enter into this Interlocal Agreement;

NOW, THEREFORE, in consideration of the promises set forth, herein, the parties hereto agree as follows:

1. The costs for all the above-mentioned services will be \$1,500.00 per month.
2. The parties agree to a three (3) year commitment and the costs after year three will be negotiated by the parties, and payment will be due quarterly on the last month of each quarter and commence on the fourth quarter of 2013.
3. Any Party may terminate this agreement, for breach or any other good cause shown, upon thirty (30) days written notice to the other party.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign said shared services agreement for Use of Court Facilities with the Borough of Shrewsbury in accordance with the proposal offered by the Borough of

Shrewsbury and subject to review and recommendation from Borough Counsel regarding said agreement.

IN WITNESS WHEREOF on the seals and date below written:

ATTEST:

BOROUGH OF SHREWSBURY

KATHLEEN P. KRUEGER
Municipal Clerk

DONALD W. BUREN
Mayor

JEANNE SMITH
Municipal Clerk

BOROUGH OF OCEANPORT

MICHAEL J. MAHON
Mayor

Resolution #2013-148
10-17-2013

WHEREAS, the Borough of Oceanport has a need to acquire general planning services for 2013 as a fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and,

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

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

WHEREAS, Clarke Caton Hintz 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 Clarke Caton Hintz from making any reportable contributions through the term of the contract; and,

WHEREAS, the Chief Financial Officer has certified that the funds are available for the stated purpose.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oceanport authorizes the Mayor and Clerk to enter into a contract with Clarke Caton Hintz as described herein; and

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

CERTIFICATION OF FUNDS

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

GREGORY S. MAYERS, CPA, CFO

Motion:	Councilman Johnson	Second: Councilman Ibex
Ayes:	Bertekap, Gallo, Ibex, Irace, Johnson	
Nays:	None	
Abstain:	None	
Absent:	Kahle	

I certify this to be a true copy of Resolution #2013-148 approved by the Oceanport Borough Council at the Regular Meeting held October 17, 2013.

JEANNE SMITH, RMC
BOROUGH CLERK

RESOLUTION #2013-149
11-07-13

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated November 7, 2013.

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

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of November 7, 2013.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated November 7, 2013 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

Resolution #2013-150
11-07-2013

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

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

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

NOW, THEREFORE BE IT RESOLVED the following transfers between appropriations be authorized pursuant to N.J.S.A. 40A:4-58:

FROM:

Collection of Taxes S&W	8,000.00
Tax Assessment S&W	4,500.00
Code Enforcement OE	800.00
Health Insurance OE	8,000.00
Police S&W	15,000.00
Fire Hydrant Service OE	2,000.00
Streets & Roads SW	10,000.00
Sanitation: Trash Removal	500.00
Electricity OE	10,000.00
Sanitation: Dumping Fees	7,500.00
Bloodborne Pathogen OE	500.00
Municipal Court SW	<u>8,000.00</u>
	74,800.00

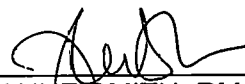
Resolution #2013-150 (continued)
11-07-2013

TO:	
Administrative & Executive S&W	10,000.00
Tax Assessment OE	4,500.00
Engineer OE	10,000.00
Prosecutor S&W	4,800.00
Construction Code S&W	7,000.00
Dental Insurance OE	4,000.00
General Liability Insurance OE	4,500.00
Unemployment Insurance	2,000.00
Health Insurance Opt Out	1,000.00
Police OE	4,000.00
Emergency Management OE	2,000.00
Streets & Roads OE	4,000.00
Buildings & Grounds OE	4,000.00
Telephone OE	2,000.00
Natural Gas OE	4,000.00
Gasoline & Oil OE	<u>5,000.00</u>
	74,800.00

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

Motion:	Councilman Ibex	Second: Councilman Irace
Ayes:	Bertekap, Gallo, Ibex, Irace, Kahle	
Nays:	None	

I certify this to be a true copy of Resolution #2013-150 approved by the Oceanport Borough
Council at the Regular Meeting held November 7, 2013



JEANNE SMITH, RMC
BOROUGH CLERK

Resolution #2013-151

11-07-13

WHEREAS, the 2013 capital budget of the Borough of Oceanport was adopted on June 6, 2013, and amended on July 18, 2013, and

WHEREAS, it is desired to amend said amended 2013 capital budget, relative to the Construction of a Building in Blackberry Bay Park and Related Expenses,

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Oceanport of the County of Monmouth, that the following amendments to the amended 2013 capital budget be made:

Capital Budget of the Borough of Oceanport
(Current Year Action)
2013

Project Title	Project Number	Estimated Total Cost	Grants in Aid and Other Funds	Debt Authorized
Construction of a Building in Blackberry Bay Park and Related Expenses	G-5	\$700,000.00	\$35,000.00	\$665,000.00
Totals – All Projects		\$1,347,000.00	\$195,000.00	\$1,098,000.00

Capital Budget of the Borough of Oceanport
Three Year Capital Budget
2013-2015

Anticipated Project Schedule and Funding Requirements

Project Title	Project Number	Estimated Total Cost	Funding Amounts per Budget Year 2013	
Construction of a Building in Blackberry Bay Park and Related Expenses	G-5	\$700,000.00	\$700,000.00	
Totals – All Projects	G-5	\$1,347,000.00	\$1,347,000.00	

Capital Budget of the Borough of Oceanport
Three Year Capital Budget
2013- 2015

Summary of Anticipated Funding Sources and Amounts

Project Title	Project Number	Estimated Total Cost	Grants in Aid and Other Funds	Bonds and Notes General
Construction of a Building in Blackberry Bay Park and Related Expenses	G-5	\$700,000.00	\$35,000.00	\$665,000.00
Totals – All Projects		\$1,347,000.00	\$1,347,000.00	\$1,098,000.00

Resolution #2013-151 (continued)
11-07-2013

BE IT FURTHER RESOLVED that the Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after adoption of these amendments to the amended 2013 Capital Budget.

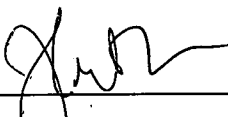
Motion:

Second:

Ayes: Bertekap, Gallo, Ibex, Irace, Johnson, Kahle

Nays: None

I certify this to be a true copy of Resolution #2013- approved by the Oceanport Borough Council at the Regular Meeting held November 7, 2013



JEANNE SMITH, RMC
BOROUGH CLERK

Resolution #2013-152
11-07-13

**FOR CONTINUATION OF AN AGREEMENT WITH FEMA FOR FIRE PROTECTION
SERVICES TO HOUSING LOCATED ON FORT MONMOUTH**

WHEREAS, the Borough of Oceanport by Resolution #12-189 authorized an agreement with FEMA to provide Fire Protection for housing at Fort Monmouth being used to house victims of Super Storm Sandy; and

WHEREAS, the term of said Resolution was for a period expiring December 18, 2013; and

WHEREAS, FEMA has requested a modification extending the agreement six (6) months expiring on June 17, 2014.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport that the agreement with FEMA for Fire Protection services be extended through to June 17, 2014.

Resolution #2013-153
11-07-13

WHEREAS, Super Storm Sandy caused substantial damage within the Borough of Oceanport; and

WHEREAS, numerous residents have been required to reconstruct (or in some cases replace) their homes due to the damage caused by said storm; and

WHEREAS, the Borough's code Chapter 390, Article X, "Developer's Fees" requires new construction or renovation costs to have additional fees paid in support of Affordable Housing; and

WHEREAS, the Mayor and Council have reviewed this matter and made the determination that the payment of such fees for storm related damages are not appropriate.

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

Developer's fees shall be waived by the Mayor and Council providing the following conditions are met:

- a. No application has been made to the Planning/Zoning Board prior to Super Storm Sandy for repairs or renovations to the property.
- b. All damage to the property is a direct result of Super Storm Sandy additions and but for the fact the damage caused by the storm the renovation or rebuild would not be required.
- c. Other renovations and/or rebuilt properties within the Borough not impacted by the above shall continue to be assessed for Developers Fees for the Borough's Affordable Housing Trust Fund.

BE IT FURTHER RESOLVED, that a copy of this resolution be filed with the Borough Clerk, Borough Construction offices and the Borough Attorney.

Motion: Councilman Ibex

Second: Councilman Irace

Ayes: Bertekap, Gallo, Ibex, Irace, Kahle

Nays: None

I certify this to be a true copy of Resolution #2013-153 approved by the Oceanport Borough Council at the Regular Meeting held November 7, 2013.



JEANNE SMITH, RMC
BOROUGH CLERK

Resolution #2013-154
11-07-13

**Requesting approval of the Director of the Division of Local Government Services
Amending the 2013
Municipal Budget per NJSA 40A:4-87 for
Drunk Driving Enforcement Fund**

WHEREAS, N.J.S.40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount, and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oceanport hereby request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2013 in the sum of \$2,538.60 which item is now available as a revenue from Drunk Driving Enforcement Fund pursuant to the provisions of statute; and

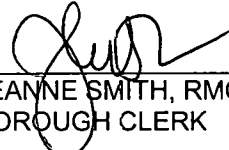
BE IT FURTHER RESOLVED, that a like sum of \$2,538.60 be and the same is hereby appropriated under the caption of Drunk Driving Enforcement Fund, \$2,538.60.

BE IT FURTHER RESOLVED, that the Borough Clerk forward two copies of this resolution with enclosures to the Director of Local Government Services.

Motion: Councilman Ibex
Ayes: Bertekap, Gallo, Ibex, Irace, Kahle
Nays: None

Second: Councilman Irace

I certify this to be a true copy of Resolution #2013-154 approved by the Oceanport Borough Council at the Regular Meeting held November 7, 2013



JEANNE SMITH, RMC
BOROUGH CLERK

Resolution #2013-155

11-07-13

WHEREAS, the New Jersey Economic Development Authority has launched the Streetscape Revitalization Program offering grant funding for certain projects within a commercial or mixed-use district; and

WHEREAS, priority consideration for applications will be given to Super Storm Sandy communities located within the 9 counties most impacted by Sandy of which Monmouth County is included; and

WHEREAS, Phase III of the Borough's East Main Street Streetscape will extend previous improvements of wide paver sidewalks, period light fixture for increased lighting levels, enhanced crosswalks and an overlay of the roadway through to the County bridge approximately 750 feet to the north; and

WHEREAS, the proposed improvements will continue the Borough's initiative to enhance the Borough's business district and encourage pedestrian traffic; and

WHEREAS, the Borough's local business district experienced lost revenue while repairing damages caused by Super Storm Sandy; and

WHEREAS, the Borough's Phase III project is an acceptable improvement under the Streetscape Revitalization Program.

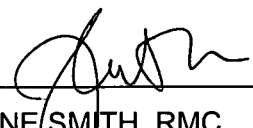
NOW, THEREFORE BE IT RESOLVED, that the Governing Body of the Borough of Oceanport authorizes the Borough Engineer to prepare and submit said grant application and further authorizes the Mayor and Borough Clerk to sign all necessary documents related to such application.

Motion:

Second:

Ayes:	Bertekap, Gallo, Ibex, Irace, Kahle
Nayes:	None
Abstain:	None
Absent:	None

I certify this to be a true copy of Resolution #2013-155 approved by the Oceanport Borough Council at the Regular Meeting held November 7, 2013



JEANNE SMITH, RMC
BOROUGH CLERK

Resolution #2013-156
11-07-13

WHEREAS, the Federal Emergency Management Agency (FEMA) has launched the FY 2013 Assistance to Firefighters Grant; and

WHEREAS the Oceanport Fire Department would like to submit a Federal Grant Application which requires a Five (5) percent Borough funding match.

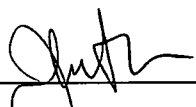
NOW, THEREFORE BE IT RESOLVED, that the Governing Body of the Borough of Oceanport authorizes the Oceanport Fire Department and/or Borough Administrator to prepare and submit said grant application and further authorizes the Mayor and Borough Clerk to sign all necessary documents related to such application.

Motion:

Second:

Ayes: Bertekap, Gallo, Ibex, Irace, Kahle
Nays: None
Abstain: None
Absent: None

I certify this to be a true copy of Resolution #2013-156 approved by the Oceanport Borough Council at the Regular Meeting held November 7, 2013



JEANNE SMITH, RMC
BOROUGH CLERK

Resolution #2013-157
11-25-13

WHEREAS, it is necessary to fill the vacancy created on Council with the resignation of William Johnson effective November 1, 2013; and

WHEREAS, pursuant to N.J.S.A. 40A:16-1 et seq., the vacancy was created prior to September 1st of the next to last year of the unexpired term ending December 31, 2015 and therefore the vacancy shall be filled for its unexpired term at the next general election; and

WHEREAS, pursuant to N.J.S.A. 40A:16-1 et seq., the local Republican Municipal Committee shall submit to the Governing Body three (3) nominees within 15 days of the vacancy for consideration by the Governing Body should the Governing Body choose to fill the vacancy temporarily by appointment not less than 30 days from the date of vacancy; and

WHEREAS, the following individuals were submitted for consideration: Christopher Paglia, John A. Patti and Patricia Cooper; and

WHEREAS, after review and consideration the Governing Body has determined that the individual best suited for the position is Christopher Paglia.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Oceanport that Christopher Paglia is hereby appointed Councilman to a term expiring December 31, 2014 effective upon passage of this resolution.

Motion: Councilman Irace

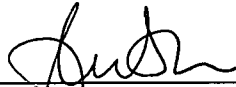
Second: Councilman Bertekap

Ayes: Bertekap, Gallo, Irace, Kahle

Nays: None

Absent: Ibex

I certify this to be a true copy of Resolution #2013-157 approved by the Oceanport Borough Council at the Special Meeting held November 25, 2013.



JEANNE SMITH, RMC
BOROUGH CLERK

Resolution #2013-158

12-04-13

WHEREAS, the Governing Body of the Borough of Oceanport has determined that it is in the best interest of the Borough to appoint the following individual as a patrolman to the Oceanport Police Department, which shall be effective as of December 4, 2013;

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

Patrick Gornik is hereby appointed Patrolman Step 9.

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are authorized to sign any and all documents necessary to effectuate the intentions of this Resolution.

BE IT FURTHER RESOLVED, that a certified true copy of the within Resolution be furnished to the Chief of Police of the Borough of Oceanport, the Chief Financial Officer, the Borough Attorney, and the Oceanport PBA Representative.

Motion: Councilman Ibex

Second: Councilwoman Kahle

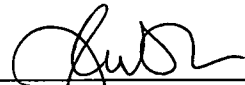
Ayes: Bertekap, Gallo, Ibex, Irace, Kahle, Paglia

Nays: None

Abstain: None

Absent: None

I certify this to be a true copy of Resolution #2013-158 approved by the Oceanport Borough Council at the Regular Meeting held December 4, 2013.



JEANNE SMITH, RMC
BOROUGH CLERK

RESOLUTION #2013-159
12-19-13

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated December 4, 2013.

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

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of December 4, 2013.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated December 4, 2013 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

Resolution #2013-160
12-04-13

WHEREAS, N.J.S.A. 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2012 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the Governing Body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the annual audit entitled "General Comments", "Recommendations", "Auditors' Opinion" and;

WHEREAS, the members of the Governing Body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "General Comments", "Recommendations", "Auditors' Opinion" as evidenced by the group affidavit form of the Governing Body; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgation of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provisions of R.S. 52:27BB-52 - to wit:

Resolution #2013-160 (continued)

12-04-13

R.S. 52:27BB-52 - "A local officer or member of a local Governing Body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oceanport hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of the resolution and the required affidavit to said Board to show evidence of said compliance.

Motion: Councilman Ibex
Ayes: Bertekap, Gallo, Ibex, Irace, Kahle
Nays: None
Abstain: Paglia

Second: Councilman Bertekap

I certify this to be a true copy of Resolution #2013-160 approved by the Oceanport Borough Council at the Regular Meeting held December 4, 2013



JEANNE SMITH, RMC
BOROUGH CLERK

Resolution #2013-161

12-04-13

**RESOLUTION APPROVING THE PERSON-TO-PERSON TRANSFER
OF PLENARY RETAIL CONSUMPTION LICENSE #1338-33-001-003**

WHEREAS, an application has been filed for a person-to-person transfer of Plenary Retail Consumption License #1338-33-001-003, heretofore issued to Arthur & Alvina, Inc. an inactive pocket license; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

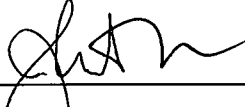
WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business.

NOW, THEREFORE, BE IT RESOLVED that the Oceanport Governing Body does hereby approve, effective December 4, 2013, the transfer of the aforesaid Plenary Retail Consumption License to Oceanport Liquor License LLC, and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Oceanport Liquor License, LLC, effective December 4, 2013.

Resolution #2013-161 (continued)

Motion: Councilman Ibex Second: Councilman Bertekap
Ayes: Bertekap, Gallo, Ibex, Irace, Kahle, Paglia
Nays: None
Abstain: None
Absent: None

I certify this to be a true copy of Resolution #2013-161 approved by the Oceanport Borough Council at the Regular Meeting held December 4, 2013



JEANNE SMITH, RMC
BOROUGH CLERK

**Resolution #2013-162
12-04-13**

**Requesting approval of the Director of the Division of Local Government Services
Amending the 2013 Municipal Budget per NJSA 40A:4-87 for
Over the Limit Under Arrest**

WHEREAS, N.J.S.40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount, and

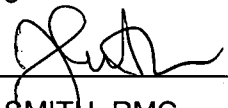
NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oceanport hereby request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2013 in the sum of \$3,300.00 which item is now available as a revenue from Over the Limit Under Arrest pursuant to provisions of statute, and

BE IT FURTHER RESOLVED, that a like sum of \$3,300.00 be and the same is hereby appropriated under the caption of Over the Limit Under Arrest, \$3,300.00.

BE IT FURTHER RESOLVED, that the Borough Clerk forward two copies of this resolution with enclosures to the Director of Local Government Services.

Motion: Councilman Ibex Second: Councilman Bertekap
Ayes: Bertekap, Gallo, Ibex, Irace, Kahle, Paglia
Nays: None
Abstain: None
Absent: None

I certify this to be a true copy of Resolution #2013-162 approved by the Oceanport Borough Council at the Regular Meeting held December 4, 2013



JEANNE SMITH, RMC
BOROUGH CLERK

Resolution #2013-163
12-04-13

**RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE
OF NOT TO EXCEED \$655,000 GENERAL OBLIGATION
BONDS, SERIES 2013 OF THE BOROUGH OF OCEANPORT,
IN THE COUNTY OF MONMOUTH, NEW JERSEY AND
PROVIDING FOR OTHER DETAILS OF SAID BONDS**

WHEREAS, the Borough Council of the Borough of Oceanport, in the County of Monmouth, New Jersey (the "Borough"), has heretofore adopted two bond ordinances (defined below) authorizing bonds to finance part of the cost of various projects or improvements in said Borough; and

WHEREAS, The Monmouth County Improvement Authority (the "Authority") adopted its 2013 Governmental Pooled Loan Revenue Bond Resolution authorizing, among other things, the issuance of its revenue bonds (the "Authority Bonds") in order to permanently finance outstanding bond anticipation notes and unfunded bond ordinances of various municipalities (the "Authority Loan Program"); and

WHEREAS, the Borough desires to participate in the Authority Loan Program, and pursuant to the Authority Loan Program, to issue and sell its bonds pursuant to a bond ordinance, adopted by the Borough, to the Authority in an aggregate principal amount of not to exceed \$655,000 and it is deemed advisable and in the best interests of the Borough to issue the aggregate principal amount of \$655,000 pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the Revised Statutes of New Jersey; NOW, THEREFORE,

BE IT RESOLVED BY BOROUGH COUNCIL OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) that:

SECTION 1. Authority for Resolution. Pursuant to the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes (the "Act"), the Borough has previously adopted the following bond ordinances (collectively, the "Ordinances") on the dates indicated, which Ordinances authorized the issuance of bonds in the amounts indicated, and the Borough has determined to issue at this time, pursuant to said Ordinances, the following amount of bonds:

<u>Ord. Number</u>	<u>Date Adopted</u>	<u>Purpose</u>	<u>Amount of Bonds Authorized</u>	<u>Useful Life</u>	<u>Bonds to be Issued</u>
903	07/19/12	Various Capital Improvements	\$222,000	10.7207 years	\$222,000
917	08/15/13	Various Capital Improvements	\$433,000	11.47806 years	\$433,000

SECTION 2. Authorization of Bonds. In accordance with the Act, there shall be issued bonds of the Borough in the aggregate principal amount of not to exceed \$655,000 pursuant to the Ordinances set forth in Section 1 above (hereinafter referred to as the "Bonds"). The Bonds shall constitute a single issue and shall be designated "General Obligation Bonds, Series 2013".

SECTION 3. Particular Terms of the Bonds. The Bonds shall mature and be subject to redemption or prepayment on the dates and shall bear interest at the interest rates and shall be issued upon the other terms and conditions and in the manner provided by a resolution of the Borough duly adopted prior to the delivery of such Bonds (the "Confirming Resolution").

SECTION 4. General Terms of the Bonds. The Bonds will be issued in fully registered form to the Authority. The Bonds will bear interest payable as set forth in the Confirming Resolution of the Borough. The Bonds shall be substantially in the form as provided in this resolution, with such omissions, insertions and variations as are properly required.

SECTION 5. Execution of Bonds. Said Bonds shall be executed in the name of the Borough by the manual or facsimile signatures of the Mayor and the Chief Financial Officer and the corporate seal of the Borough shall be affixed thereto, or imprinted or reproduced thereon and shall be attested by the manual or facsimile signature of the Clerk or Deputy Clerk of the Borough.

SECTION 6. Determination of Average Period of Usefulness. It is hereby determined and stated that the average period of usefulness of the several purposes for which the Bonds are to be issued under the Ordinances described in Section 1 above, according to their respective lives, as determined in said Ordinances, taking into consideration the respective amounts of bonds to be issued for said several purposes, is a period of 11.22137 years, computed from the date of said Bonds.

SECTION 7. Form of Bonds. Subject to the provisions of this resolution, the Bonds shall be in substantially the form set forth in Exhibit A hereto, with such omissions, insertions, endorsements and variations as may be required by the circumstances and be required or permitted by this resolution or as may be consistent with this resolution and necessary or appropriate to conform to the rules and requirements of any governmental authority or any usage or requirement of law with respect thereto.

SECTION 8. Disclosure Information. The Mayor (Deputy Mayor), the Business Administrator and the Chief Financial Officer, as well as the Borough Clerk or Deputy Clerk, auditor, bond counsel and other officers, agents and employees of the Borough are authorized, if necessary, to prepare and distribute information (the "Disclosure Information") with respect to the Borough for use by the Authority in connection with the issuance and sale of the Authority Bonds in such form as may be approved by the Mayor (Deputy Mayor), the Business Administrator and/or the Chief Financial Officer. The Business Administrator and/or Chief Financial Officer is hereby authorized to deem final the Disclosure Information provided to the Authority for inclusion in the Preliminary Official Statement for purposes of Rule 15c2-12 of the Securities and Exchange Commission.

SECTION 9. Pledge of Borough. The full faith and credit of the Borough, in the County of Monmouth, State of New Jersey is hereby pledged for the payment of the principal of and interest on the Bonds and said Bonds shall be general obligations of the Borough payable as to principal and interest from *ad valorem* taxes which may be assessed on the taxable property within said Borough without limitation as to rate or amount.

SECTION 10. Tax Matters.

(a) Investment of Proceeds of Bonds. The Borough will make no use of the proceeds of the Bonds which would cause the Bonds to be arbitrage bonds; and the Borough hereby imposes on itself and all officers having custody or control of the proceeds of the Bonds, throughout the term of the Bonds, the obligation to comply with applicable requirements of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code") and Regulations Sections 1.148-0 through 1.148-11 and 1.150-1 and 1.150-2, and all other applicable regulations of the Internal Revenue Service, so that the Bonds will not be or become arbitrage bonds.

(b) Tax Covenants. In order to maintain the exclusion from gross income for federal income tax purposes of interest on the Bonds and the Authority Bonds, and for no other purpose, the Borough covenants to comply with each applicable requirement of the Code, applicable to the Bonds, and any technical corrections thereto applicable to the Bonds, and the Borough covenants not to take any action or fail to take any action which would cause the interest on the Bonds or the Authority Bonds to lose the exclusion from gross income for federal income taxation purposes under Section 103 of the Code.

The Borough covenants and agrees with the Authority that the Borough shall not take any action or omit to take any action, which action or omission, if reasonably expected on the date of initial issuance and delivery of the Bonds, would cause the Bonds or the Authority Bonds to be "private activity bonds" or "arbitrage bonds" within the meaning of Sections 141(a) and 148, respectively, of the Code, or any successor provision.

(c) Bonds Not Federally Guaranteed. The Borough covenants that it will take no action which would cause the Bonds to be federally guaranteed (within the meaning of Section 149(b) of the Code).

SECTION 11. Upon the date of issue of the Bonds, the Business Administrator and/or Chief Financial Officer is hereby authorized and directed as of said date of issue, to execute and deliver to the Authority (a) an arbitrage certification with respect to the Bonds under and for the purpose of Section 148 of the Internal Revenue Code of 1986, as amended, and (b) an accompanying opinion of GluckWalrath LLP, Bond Counsel to the Borough as of said date of issue with respect to said arbitrage certification for the purposes of said Section 148.

SECTION 12. The proceeds of the Bonds shall be applied in the amounts and for the purpose provided in Section 1 hereof.

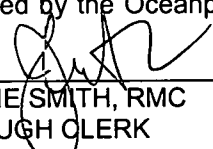
SECTION 13. The Mayor (Deputy Mayor), the Business Administrator and the Chief Financial Officer are hereby authorized, as is the Borough Clerk or Deputy Clerk, to execute all documents and certificates necessary for the sale and delivery of said Bonds.

SECTION 14. Continuing Disclosure. If required, the Business Administrator and/or the Chief Financial Officer is hereby authorized and directed to execute and deliver a Continuing Disclosure Certificate on behalf of the Borough in substantially such form as the Business Administrator and/or Chief Financial Officer may approve, such approval to be evidenced by execution thereof.

SECTION 15. Effective Date. This resolution shall take effect upon adoption hereof.

Motion: Councilman Ibex Second: Councilman Bertekap
Ayes: Bertekap, Gallo, Ibex, Irace, Kahle, Paglia
Nays: None
Abstain: None
Absent: None

I certify this to be a true copy of Resolution #2013-163 approved by the Oceanport Borough Council at the Regular Meeting held December 4, 2013



JEANNE SMITH, RMC
BOROUGH CLERK

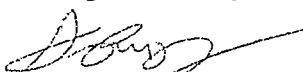
CERTIFICATION

The undersigned, the Chief Financial Officer of the Borough of Oceanport (the "Local Unit") hereby represents with respect to its participation in the Monmouth County Improvement Authority (the "Authority") Governmental Pooled Loan Revenue Bonds, Series 2013B (the "Series 2013B Bonds"), as follows:

1. I have reviewed the equipment and improvements described in the bond ordinances to be financed with the proceeds from the Series 2013B Bonds (the "Capital Projects") and based on information received from our purchasing department or other employees of the Local Unit familiar with the type of Capital Projects being acquired or constructed, the estimated cost of such Capital Projects is reasonable.
2. I have considered various financing options for the Capital Projects, including the issuance of notes, bonds, lease and cash and have determined that the most prudent choice was to enter into this bond financing with the Authority which financing is secured by a guaranty from the County of Monmouth. Attached are preliminary numbers demonstrating the economic benefit (which is the AAA/Aaa/AAA guaranty from the County of Monmouth which is a higher credit rating than the current credit rating of the Local Unit) of using this financing option.

Date: November 26, 2013

Borough of Oceanport



Gregory S. Mayers,
Chief Financial Officer

Resolution #2013- 164
12-04-13

WHEREAS, the Borough of Oceanport has determined that there is a need to hire a printing service to produce the 2014 Borough Calendar; and

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

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

WHEREAS, the Borough has received a proposal from Jersey Printing in the amount of Two thousand nine hundred (\$3,000.00) with Boro Printing and Atlantic Printing choosing not to quote.

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport, County of Monmouth and State of New Jersey that the contract for performance of the scope of the work as aforementioned in the total sum of Three thousand dollars (\$3,000.00) be awarded to Jersey Printing.

CERTIFICATION OF FUNDS

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



GREGORY S. MAYERS, CPA, CFO

Resolution #2013-165
12-04-13

**RESOLUTION of Project Completion – Closing Statement
MARIA GATTA COMMUNITY PARK PERIMETER TRAIL PROJECT**

WHEREAS, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

WHEREAS, the Borough of Oceanport entered into a Municipal Open Space Program Grant Agreement with the County of Monmouth on September 22, 2010 that provided \$25,000 for Maria Gatta Community Park under Application No. 10-12 that required certain conditions be met by the Borough of Oceanport prior to receipt of the aforesaid funds; and

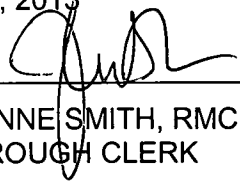
WHEREAS, the Monmouth County Park System requires a certified copy of a resolution of the governing body determining that the project aforesaid was finally complete and a closing statement of "Final Change Order" adopted by the governing body.

NOW, THEREFORE, BE IT RESOLVED by the governing body of Borough of Oceanport that all conditions of the September 22, 2010 Grant Agreement have been satisfied by the Borough of Oceanport and that the project has been completed; and

BE IT FURTHER RESOLVED that the Borough of Oceanport made final payment to the contractor ASAP, Inc. per the letter of the municipal engineer David Marks of T&M Associates dated July 24, 2012 and that payment was made per voucher on August 16, 2013 under check no. 473, which are on file in the Municipal Clerk's Office.

Motion:	Councilman Ibex	Second: Councilman Bertekap
Ayes:	Bertekap, Gallo, Ibex, Irace, Kahle, Paglia	
Nays:	None	
Abstain:	None	
Absent:	None	

I certify this to be a true copy of Resolution #2013-165 approved by the Oceanport Borough Council at the Regular Meeting held December 4, 2013



JEANNE SMITH, RMC
BOROUGH CLERK

Resolution #2013-166
12-04-13

Resolution Authorizing Execution of the Contract between the Borough of Oceanport and the County of Monmouth Providing "SCAT" Services for 2014

BE IT RESOLVED, by the Governing Body of the Borough of Oceanport that an Agreement between the Board of Chosen Freeholders of the County of Monmouth, and the Borough of Oceanport, for Special Citizens Area Transportation System (SCAT) for the year 2014 for one-full day per week at a cost of \$155.00 per week, be and the same is hereby approved and confirmed; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute said agreement on behalf of the Borough of Oceanport, and attested to by the Borough Clerk.

Motion: Councilman Ibex Second: Councilman Bertekap

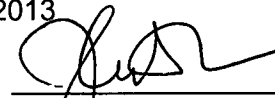
Ayes: Bertekap, Gallo, Ibex, Irace, Kahle, Paglia

Nays: None

Abstain: None

Absent: None

I certify this to be a true copy of Resolution #2013-166 approved by the Oceanport Borough Council at the Regular Meeting held December 4, 2013



JEANNE SMITH, RMC
BOROUGH CLERK

Resolution #2013- 167
12-04-13

WHEREAS, the Borough of Oceanport is a duly organized Municipal Corporation (hereinafter referred to as "Borough") having principal offices at 222 Monmouth Boulevard, Oceanport, New Jersey 07757; and

WHEREAS, there is a need for the Borough to perform a geotechnical investigation for the settlement of specific areas of Borough Hall of voids and disturbed soils identified by a previously performed geophysical survey; and

WHEREAS, Maser Consulting. (Hereinafter referred to as "Engineer") has expressed an interest in performing these engineering services for the Borough; and

WHEREAS, the engineering services to be provided are deemed to be "professional services" pursuant to the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a Contract for "professional services" without public advertising for bids, provided that the Resolution authorizing the Contract and the Contract itself, are available for public inspection in the Office of the Borough Clerk and that notice of the awarding of the Contract is published in a newspaper of general circulation in the Municipality; and

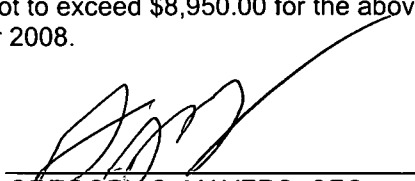
WHEREAS, the Borough having considered the matter, now wishes to authorize the awarding of a professional service contract to Maser Consulting to perform the geotechnical investigation.

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

1. That the Borough of Oceanport is hereby authorized to award a Professional Service Contract to Maser Consulting for the purpose of aforementioned and consistent with their proposal dated November 22, 2013.
2. That unless otherwise terminated, the said Contract shall be effective following publication of the required notice.
3. That the compensation associated with the contract shall not exceed \$8,950.
4. That the Mayor and Borough Clerk are hereby authorized to sign the Professional Services Contract, which shall be reviewed by the Borough Attorney.
5. That the within Contract is awarded without competitive bidding as a "professional service" in accordance with law (N.J.S.A. 40A:11-5 et. seq.) of the Local Public Contracts Law of New Jersey, because the services rendered will be performed by persons authorized by law to practice a recognized profession.
6. That the within Resolution shall be subject to the Borough CFO confirming that funds are available for the state purpose.

CERTIFICATION OF FUNDS

As required by N.J.A.C. 5:34-5.1 et. seq., and any other applicable requirement, I, Gregory S. Mayers, Chief Financial Officer of the Borough of Oceanport, have ascertained that there are sufficient uncommitted funds in the 2013 Municipal Budget not to exceed \$8,950.00 for the above referenced professional services contract for the calendar year 2008.



GREGORY S. MAYERS, CFO

Resolution #2013-168
12-04-13

WHEREAS, the Office of Deputy Registrar is currently vacant as of May 31, 2013; and

WHEREAS, pursuant to N.J.S.A. 26:8-14 et. seq., the Deputy Registrar shall be appointed by the local Registrar or the Borough Council for a term not to exceed three years; and

WHEREAS, pursuant to N.J.S.A. 26:8-17 et. seq, a deputy registrar shall be appointed to assist or act in the duties of the Registrar in the event of absence, disability or death of Registrar; and

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

1. Catherine LaPorta is hereby appointed as a Deputy Registrar for a term commencing immediately and ending December 4, 2016.
2. Fees paid to the Deputy Registrar are paid in accordance with State Statutes.
3. Copies of this resolution shall be forwarded to the Borough Clerk, Borough Registrar Registrar, Appointee and any other interested parties.

Resolution #2013-169
12-04-13

**A RESOLUTION AMENDING BOROUGH ORDINANCE, CHAPTER 284-1,
PEACE AND GOOD ORDER OF THE BOROUGH OF OCEANPORT
WITH RESPECT TO SOLICITATION APPLICATIONS**

WHEREAS, an ordinance amending Chapter 284-1, was introduced on November 7, 2013; and

WHEREAS, Mayor and Counsel believe that additional amendments, highlighted in bold and underlined below are necessary to clarify certain requirements and to further protect the public.

BE IT RESOLVED by the Mayor and Counsel of the Borough of Oceanport, in the County of Monmouth, in the State of New Jersey, as follows:

Chapter 284, Section A, Sub Paragraph (9) delete

Insert the following:

Individuals or groups who wish to solicit within the Borough of Oceanport must first obtain a written permit from the Chief of Police. Said Permit shall be in the amount of \$10.00. The Chief of Police shall have the discretion of reviewing the application and may either issue or withhold the permit. The permit can only be withheld if in the opinion of the Chief it is in the best interest of the welfare and the public interest of the residents of the Borough to do so. Any denial by the Chief of Police to issue a permit may be appealed to the governing body to be considered at the next regular scheduled meeting. If the governing body affirms the Chief of Police a Resolution shall be prepared accordingly. If the governing body reverses the decision of the Chief of Police then the Resolution opposing same must set forth specific reasons for the reversal.

Resolution #2013-169 (continued)
12-04-13

No Knock List. The Chief of Police shall maintain a list of names and addresses of residents and businesses who have determined that solicitors, peddlers and/or hawkers shall not be invited to their respective residences or businesses. Any resident or business shall be included on such list upon submission of a written request to the Chief of Police. The list, containing addresses only, shall be distributed to applicants seeking a license for the purposes mentioned herein. The licensee shall not solicit, peddle or hawk at any residence or business on the list. Any solicitor, peddler or hawker who goes upon any premises or rings a doorbell upon or near any door or creates any sound in any manner calculated to attract the attention of the occupant of such residence or business, when such residence or business is on the list provided, shall be considered to be engaging in uninvited soliciting, and shall be subject to the penalties set forth in §1-15 of this Code.

Exemption; application. Any organization, society, association or corporation desiring to solicit or have solicited in its name donations of money or property, or financial assistance of any kind or desiring to sell or distribute any item of literature or merchandise for which a fee is charged or solicited or solicited from persons other than members of such organization upon the streets, in office or business buildings, by house-to-house canvass or in public places for a charitable, religious, patriotic or philanthropic purpose shall be exempt from the provisions of this chapter.

Resolution 2013-170
12-04-2013

WHEREAS, on November 12, 2013 the Borough publicly advertised for a bid for a contract for the Design and Construction of the Blackberry Bay Pavilion; and

WHEREAS, on December 3, 2013 the Borough received five (5) bids for the project; and

WHEREAS, all bids exceeded the amount appropriated for the project.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport that the bids received on December 3, 2013 for the aforementioned project are hereby rejected and bid bonds are to be returned.

BE IT FURTHER RESOLVED, that the Borough Engineer is hereby authorized rebid the project.

Resolution #2013-171

12-04-13

BE IT RESOLVED, by the Governing Body that the following salary adjustments for 2013 are authorized in accordance with the recommendation of the Finance and Administration Committee.

<i>Accounts Payable Clerk</i>	\$ 504.00
<i>Chief Financial Officer</i>	\$ 698.00
<i>Court Administrator</i>	\$1,285.00
<i>Court Assistant J. Vitulli</i>	\$ 20.00 per hour
<i>Court Assistant P. Aurilio</i>	\$ 520.00
<i>Judge</i>	\$ 503.00
<i>OEM Director</i>	\$1,000.00
<i>Planning Board Secretary</i>	\$ 600.00
<i>Public Works Foreman, D. Zarate</i>	\$1,250.00
<i>Public Works Helper R. Arlt</i>	\$ 694.00
<i>Public Works Helper M. Lopez</i>	\$ 710.00
<i>Public Works Helper E. Penney</i>	\$ 620.00
<i>Public Works Helper T. Stothart</i>	\$ 794.00
<i>Police Department Records Clerk</i>	\$ 850.00
<i>Tax Clerk</i>	\$ 610.00

Resolution #2013-172

12-04-13

WHEREAS, it has been determined that there is a need to have available additional equipment and manpower during snow events.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Oceanport that the Borough Administrator is authorized to solicit proposals from outside vendors for the supply of equipment and manpower during snow events.

RESOLUTION #2013- 173

12-19-13

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated December 19, 2013.

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

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of December 19, 2013.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated December 19, 2013 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

**Resolution #2013-174
12-19-13**

**Requesting approval of the Director of the Division of Local Government Services
Amending the 2013 Municipal Budget per NJSA 40A:4-87 for
Body Armor Replacement Fund Program**

WHEREAS, N.J.S.40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount, and

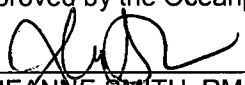
NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oceanport hereby request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2013 in the sum of \$2,098.31 which item is now available as a revenue from Body Armor Replacement Fund Program pursuant to provisions of statute, and

BE IT FURTHER RESOLVED, that a like sum of \$2,098.31 be and the same is hereby appropriated under the caption of Body Armor Replacement Fund Program, \$2,098.31.

BE IT FURTHER RESOLVED, that the Borough Clerk forward two copies of this resolution with enclosures to the Director of Local Government Services.

Motion:	Councilman Ibex	Second: Councilman Irace
Ayes:	Gallo, Ibex, Irace, Kahle, Paglia	
Nayes:	None	
Abstain:	None	
Absent:	Bertekap	

I certify this to be a true copy of Resolution #2013-174 approved by the Oceanport Borough Council at the Regular Meeting held December 19, 2013



JEANNE SMITH, RMC
BOROUGH CLERK

Resolution #2013-175
12-19-13

**JOINT RESOLUTION OF THE BOROUGH OF OCEANPORT AND
THE BOROUGH OF SEA BRIGHT REQUESTING AN EXTENSION OF APRIL 1, 2014
TERMINATION DATE FOR FEMA HOUSING ASSISTANCE FOR FAMILIES DISPLACED AS
A RESULT OF DAMAGE CAUSED TO THEIR HOMES BY SUPERSTORM SANDY**

WHEREAS numerous citizens of the Boroughs' of Oceanport and Sea Bright (collectively referred to as "Boroughs"), have been displaced from their homes as a result of damage sustained from Super Storm Sandy; and

WHEREAS many of these residents require substantial repairs or total replacement of their homes; and

WHEREAS delays to commencement of construction have been created by the Federal, State and local governments as a result of new flood mapping; insurance claims and new building regulations, creating an additional hardship on these displaced residents; and

WHEREAS, the Boroughs hereby request the support of neighboring municipalities; our local legislators; County Freeholders and the Governor, for their support in petitioning FEMA for a six (6) month extension of the April 1, 2014 termination of Federal relocation assistance to those families who are still without a residence in the aftermath of Superstorm Sandy;

NOW THEREFORE BE IT RESOLVED by the Governing Bodies of the Boroughs' of Sea Bright and Oceanport that a copy of this Resolution be provided to the following:

1. Governor Christopher Christie
2. Senator, Joseph M. Kyrillos
3. Assemblywoman, Amy H. Handlin
4. Assemblyman, Declan J. O'Scanlon, Jr.
5. Monmouth County Freeholders
6. The neighboring municipalities of Little Silver, W. Long Branch, Rumson, Fair Haven, Eatontown, Shrewsbury Borough and Monmouth Beach

Motion: Councilman Ibex Second: Councilman Irace
Ayes: Gallo, Ibex, Irace, Kahle, Paglia
Nays: None
Abstain: None
Absent: Bertekap

I certify this to be a true copy of Resolution #2013-175 approved by the Oceanport Borough Council at the Regular Meeting held December 19, 2013



JEANNE SMITH, RMC
BOROUGH CLERK

FOR CONTINUATION OF THE UTILIZATION OF MILLENNIUM STRATEGIES AUTHORIZING ASSISTANCE FOR FEMA HAZARD MITIGATION GRANT PREPARATION IN CONNECTION WITH RECOVERY EFFORTS RESULTING FROM DAMAGES CAUSED BY SUPER STORM SANDY IN THE BOROUGH OF OCEANPORT.

WHEREAS, there was a need for the Borough of Oceanport to retain Millennium Strategies for assistance with FEMA Hazard Mitigation Grant Preparation in connection with recovery efforts from the damages caused by Super Storm Sandy; and

WHEREAS, the Borough by Resolutions #12-188 and 13-112 authorized the hiring of Millennium Strategies as "An Emergency Contract" pursuant to the local public contract law N.J.S.A.40A:11-6; and

WHEREAS, the original authorizations of said Resolutions have expired; and

WHEREAS, the governing body finds they continue to need the services performed by Millennium to assist with grant writing for reconstruction of Borough Hall or construct a new Borough Hall within the Borough of Oceanport as a result of damages done by Super Storm Sandy as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and,

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

WHEREAS, the anticipated term of this contract is for 6 months and may be extended 1 time as approved by this governing body; and

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

WHEREAS, the governing body having considered the same now wishes to re-authorize Millennium Strategies to provide the services connected with securing grants aiding in the recovery efforts of the Borough in response to the damages specifically caused by Super Storm Sandy; and

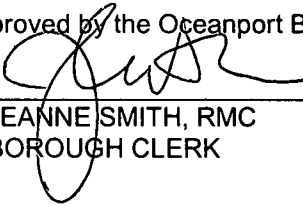
NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that the Mayor and Borough Clerk are authorized to fully execute a contract between the Borough of Oceanport and Millennium Strategies at the rate of \$5,000.00 per month effective November 1, 2013 through April 30, 2014.

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

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

Motion:	Councilman Ibex	Second: Councilman Irace
Ayes:	Gallo, Ibex, Irace, Kahle, Paglia	
Nays:	None	
Abstain:	None	
Absent:	Bertekap	

I certify this to be a true copy of Resolution #2013-176 approved by the Oceanport Borough Council at the Regular Meeting held December 19, 2013


JEANNE SMITH, RMC
BOROUGH CLERK

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

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

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

NOW, THEREFORE BE IT RESOLVED the following transfers between appropriations be authorized pursuant to N.J.S.A. 40A:4-58:

FROM:

Salary Adjustment Account	10,000.00
Police S&W	15,000.00
Employee Group Insurance	4,500.00
Electricity OE	3,000.00
	<u>32,500.00</u>

TO:

Administrative & Executive S&W	600.00
Financial Administration S&W	1,300.00
Tax Assessment OE	2,000.00
Prosecutor S&W	500.00
Borough Property Planner Services & Fees OE	10,000.00
Celebration of Public Events OE	1,000.00
Municipal Court S&W	2,000.00
Municipal Court OE	4,500.00
Unemployment Insurance	5,600.00
Police OE	4,000.00
Emergency Management OE	1,000.00
	<u>32,500.00</u>

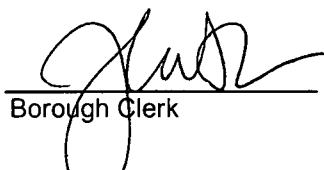
BE IT FURTHER RESOLVED that a copy of this resolution be filed forthwith with the Borough Chief Financial Officer


Mayor

Introduced by Councilperson _____

Seconded by Councilperson _____

Attest:


Borough Clerk

Resolution 2013-178
12-18-2013

WHEREAS, on December 7, 2013 the Borough publicly advertised for the second time a bid for a contract for the Design and Construction of the Blackberry Bay Pavilion; and

WHEREAS, on December 17, 2013 the Borough received four bids for the project; and

WHEREAS, all bids exceeded the amount appropriated for the project.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport that the bids received on December 17, 2013 for the aforementioned project are hereby rejected and bid bonds are to be returned.

BE IT FURTHER RESOLVED, that the Administrator and Borough Engineer are hereby authorized to negotiate.