



BOROUGH OF OCEANPORT

PLANNING/ZONING BOARD

AGENDA • APRIL 24, 2018

Regular

Maple Place School

7:30 PM

2 Maple Place, Oceanport, NJ 07757

I. Call to Order

II. Open Public Meetings Statement

This meeting complies with the Open Public Meeting Act by notification on January 16, 2018 of this location, date and time to the Asbury Park Press and the LINK News and by the posting of same on the municipal bulletin board and Borough Web Site

III. Flag Salute

IV. Roll Call

V. Board Business

PR-18-08 Resolution Appointing Board Attorney

2. Approval of March 13, 2018 Meeting Minutes

VI. Old Business

1. 1064 : PB2016-14 Sopenoff, Adam & Jasmine - CARRIED from March 13, 2018
1217 Turf Drive, Block 130, Lot 10

REMAND from Monmouth County Superior Court
Request to Withdraw Application

VII. New Business

1. <Formal Resolution Title>

159 Monmouth Boulevard, Block 31, Lot 1.01; Request for Side Yard Setback Variance for Pool & Generator Equipment

VIII. Resolutions:

1. PR-18-12 Family Promise of Monmouth County

IX. Petitions from the Public

X. Adjournment

RESOLUTION OF THE OCEANPORT PLANNING BOARD APPOINTMENT OF BOARD ATTORNEY

Resolution

WHEREAS, the Borough of Oceanport Planning Board is in need of professional legal services to be rendered to the Planning Board as Board Attorney on an as needed basis in light of the recent passing of Board Attorney Rick DeNoia, Esq.; and

WHEREAS, Kevin Kennedy, Esq., 165 Highway 35, Middletown, NJ 07701 was appointed and serves as interim attorney while the Board pursued a permanent replacement; and

WHEREAS, the Planning Board has determined that the appointment of Kevin Kennedy, Esq. as Board Attorney for the remainder of calendar year 2018 is in the best interests of the Board and Mr. Kennedy is qualified, ready, willing and able to provide said services; and

WHEREAS, the Board has determined that the value of the contract may exceed \$17,500.00 and the anticipated term of this contract is April 10, 2018 through December 31, 2018; and

WHEREAS, funds are available pending adoption of the CY2018 budget; and

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

WHEREAS, Kevin Kennedy, Esq. has completed and submitted a Business Entity Disclosure Certification and statement of compliance with Oceanport's Pay to Play Ordinance which certifies that Mr. Kennedy and the firm 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 Mr. Kennedy and the firm from making any reportable contributions through the term of the contract; and

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

1. Mr. Kennedy is hereby appointed as Planning Board attorney for remainder of the CY 2018.
2. Mr. Kennedy is prohibited from making any contribution to a political or candidate committee during the term of this appointment.
3. The Chairman and the Board Secretary are hereby authorized and directed to execute an agreement with Kevin Kennedy, Esq. of 165 Highway 35, Middletown, NJ 07701 to provide professional legal services to the Borough of Oceanport as Board Attorney, for a monthly retainer of \$500.00 per month for Board meetings and at an hourly rate of \$150.00 per hour for all other services on an as-needed basis for the term April 10, 2018 through December 31, 2018.
4. 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., I, Catherine D. LaPorta, Chief Financial Officer of the Borough of Oceanport, hereby certify that \$5,000.00 for the monthly retainer is available in Account # 01-201-21-180-202; funds are available in Account # 01-201-20-155-222 for as needed services by the Board for an amount not to exceed \$5,000.00 pending adoption of the CY 2018 Budget.

Catherine D. LaPorta, CFO

BOROUGH OF OCEANPORT PLANNING BOARD**<FORMAL RESOLUTION TITLE>**

<Insert Legislation Here (i.e Whereas Statements)>

BOROUGH OF OCEANPORT PLANNING BOARD**<FORMAL RESOLUTION TITLE>**

<Insert Legislation Here (i.e Whereas Statements)>