



BOROUGH OF OCEANPORT

PLANNING/ZONING BOARD

AGENDA • APRIL 10, 2018

Regular

Maple Place School

7:30 PM

2 Maple Place, Oceanport, NJ 07757

- I. Call to Order**
- II. Open Public Meetings Statement**
- III. Flag Salute**
- IV. Roll Call**
- V. Appointment of Interim Board Attorney**
 - PR-18-08 Resolution Appointing an Interim Board Attorney
- VI. Board Business**
 - 1. Approval of Minutes of February 27, 2018
 - 2. Referral from Governing Body - Fort Monmouth Plan Amendment #10
 - 3. Referral from Governing Body - Proposed Amendment to Zoning Ordinance - Marijuana Business Use
- VII. Old Business**
 - 1. PB2017-15 Family Promise of Monmouth County - CARRIED from March 27, 2018 Block 110, Portion of Lot 1; Preliminary and Final Site Plan
- VIII. New Business**
 - None
- IX. Resolutions**
 - 1. PR-18-09 Memorialization of Approval - 523 Port Au Peck Avenue
- X. Petitions from the Public**
- XI. Executive Session**
 - 1. Litigation, Negotiations and Attorney Client Privilege N.J.S.A. 10:4-12(b)(7)
Board Attorney Vacancy
Noel Kelly vs. Oceanport Planning Board
- XII. Adjournment**

**RESOLUTION OF THE OCEANPORT PLANNING BOARD
APPOINTING AN INTERIM 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 has provided a written proposal agreeing to serve as the Borough's interim attorney at the same rate terms as the existing contract while the Board pursues a permanent replacement; and

WHEREAS, the law firm of Kevin Kennedy, Esq. is qualified, ready, willing and able to provide said services; 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, the value of the contract is not anticipated to exceed the Borough's bid threshold and therefore is compliant with N.J.S.A. 40A:11-1 et. seq.

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

1. 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 Interim 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 until such time that a permanent replacement is made.
2. A notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the Borough of Oceanport.

I hereby certify that the foregoing Resolution memorializes an action adopted by the Planning Board of the Borough of Oceanport at its meeting of January 9, 2018.

Jeanne Smith, Secretary