

**REGULAR MEETING AGENDA
MAYOR AND COUNCIL
December 3, 2014**

Call to Order.

Statement of Compliance with Open Public Meetings Act: *This meeting complies with the Open Public Meeting Act by publication of this location, date and time in the Asbury Park Press and the LINK News on January 9, 2014 and by the posting of same on the municipal bulletin board and Borough Web Site.*

Flag Salute

Roll Call

Administrator's Report:

Clerk's Report:

1. Consent Agenda:
 - #2014-221 1. Resolution authorizing the payment of bills.
 - #2014-222 2. Resolution authorizing redemption of Tax Sale Certificate #14-00001
 - #2014-223 3. Resolution authorizing refund due to appeal Block 74, Lot 17
 - #2014-224 4. Resolution authorizing agreement with Monmouth County for "SCAT" program
 - #2014-225 5. Resolution amending the 2014 budget to add an item of revenue: Drunk Driving Enforcement
 - #2014-226 6. Resolution supporting the Driver Sober Get Pulled Over 2014 Year End Holiday Crackdown
 - #2014-227 7. Resolution authorizing redemption of Tax Sale Certificate #14-00016
 - #2014-228 8. Resolution authorizing budget appropriation transfers
 - #2014-229 9. Resolution authorizing Change Order #2 – 2013 Road Program
2. Minutes
Approval of the Workshop Minutes of November 6, 2014
Approval of the Regular Meeting Minutes of November 6, 2014
Approval of the Executive Session Minutes of November 6, 2014
3. Police Report, October 2014

COMMITTEE REPORTS:

Parks & Recreation, Councilman Bertekap, Chair

Public Works & Engineering, Councilman Gallo, Chair

Public Safety, Councilman Irace, Chair

Health & Human Services, Council President Kahle, Chair

Finance & Administration, Councilman Lynch, Chair

Planning & Development, Councilman Paglia, Chair

- #936 1. 2nd Reading & Public Hearing of An Amendment to Zoning Ordinance - Heliports
- #939 2. 2nd Reading & Public Hearing of An Ordinance Establishing a Policy for Rental of Public Buildings
- #940 3. 2nd Reading & Public Hearing of An Ordinance Amending the Fee Ordinance

MAYOR MAHON'S REPORT:

1. Fort Monmouth
2. Monmouth Park

Petitions from the public.

Resolution #2014-230 authorizing the Governing Body to enter into Executive Session

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

Fort Monmouth – update on COAH requirements

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

Fort Monmouth – 900 & 917 Murphy Drive (DPW)

Contract Negotiations – N.J.S.A. 10:4-12(b)(4)

Fort Monmouth – update on Russell Hall

Adjournment.

REGULAR MEETING MINUTES

Oceanport, New Jersey
December 3, 2014

The Regular Meeting of the Oceanport Mayor and Council was called to order on December 3, 2014 at 8:06 P.M. with the Statement of Compliance with the Open Public Meetings Act given by Mayor Mahon.

"Adequate notice of this meeting has been provided by notice to the Asbury Park Press and The Link News on January 9, 2014, and by the posting of same on the municipal bulletin board and Borough Web Site."

PLEDGE OF ALLEGIANCE: Mayor Mahon led the audience and members of the Council in the flag salute.

MOMENT OF SILENCE: Mayor Mahon called for a moment of silence for several members of our community who have passed since the last Mayor and Council Meeting. The Mayor made special mention of Alex Munoz, who was greatly supported by the Council and Community through his difficult illness, and Mr. Robert J. Olsen, former Councilman and Police Commissioner.

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

MEMBERS ABSENT: Councilman Bertekap

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

ADMINISTRATOR'S REPORT: Borough Administrator, John Bennett, had nothing further to add to his workshop discussion.

CLERK'S REPORT

1. CONSENT AGENDA:

- #2014-221 1. Resolution authorizing the payment of bills.
- #2014-222 2. Resolution authorizing redemption of Tax Sale Certificate #14-00001
- #2014-223 3. Resolution authorizing refund due to appeal Block 74, Lot 17
- #2014-224 4. Resolution authorizing agreement with Monmouth County for "SCAT" program
- #2014-225 5. Resolution amending the 2014 budget to add an item of revenue: Drunk Driving Enforcement
- #2014-226 6. Resolution supporting the Drive Sober Get Pulled Over 2014 Year End Holiday Crackdown
- #2014-227 7. Resolution authorizing redemption of Tax Sale Certificate #14-00016
- #2014-228 8. Resolution authorizing budget appropriation transfers
- #2014-229 9. Resolution authorizing Change Order #2-2013 Road Program
- #2014-231 10. Resolution authorizing temporary relief for street openings beyond December 1, 2014
- #2014-232 11. Resolution creating a Shore Regional Municipal Drug Alliance

The Clerk advised that there were 11 items on the consent agenda and asked for a motion which was made by Councilman Lynch and seconded by Councilman Irace.

The Clerk called roll:

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

The Clerk stated that the motion carried.

2. Approval of the Workshop Minutes of November 6, 2014
Approval of the Regular Meeting Minutes of November 6, 2014
Approval of the Executive Session Minutes of November 6, 2014

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

The Clerk called roll:

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

The Clerk stated that the motion carried.

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

COMMITTEE REPORTS:

COUNCILMAN BERTEKAP: On behalf of Councilman Bertekap, Mayor Mahon reported that the Borough's Annual Tree Lighting is scheduled for Saturday, December 6th at 5pm. Borough Administrator Bennett stated that the tree lighting will take place in front of old Borough Hall. The festivities will be held at the Port au Peck Fire House.

COUNCILMAN GALLO: Councilman Gallo had no report. Mayor Mahon and Administrator Bennett mentioned the following regarding Public Works and Engineering:
Mayor Mahon stated he recently signed for a \$40,000 reimbursement in accordance with Department of Transportation Grant as additional funds were made available for this program. Borough Administrator Bennett reported on the hiring of a Seasonal Employee in the Department of Public Works. This individual is a skilled carpenter who is tasked with building closets for the new Blackberry Bay Pavilion. There are several other projects we will now be able to take care of in-house as well.

COUNCILMAN IRACE: Councilman Irace reported on behalf of the Police Department. There have been a couple of incidents in town over the last two weeks, including the theft of UPS packages from our porches. Councilman Irace reminded everyone that we should all be mindful of our surroundings and remember to lock our Doors. Feel free to call the Police if necessary.

COUNCIL PRESIDENT KAHLE: Council President Kahle had no report. She stated that the Mayor did a great job with the Drug Alliance Meeting and that we will continue to move forward on that initiative in an effort to reach out to kids as well as older adults who may be afflicted with this disease.

COUNCILMAN LYNCH: Councilman Lynch had nothing to add to his workshop report.

COUNCILMAN PAGLIA: Councilman Paglia reported his attendance at the FMERA Real Estate Meeting last month (follow up in executive session.) Additionally, he and some of the other Council Members enjoyed the Annual Seniors' Holiday Luncheon at the Shadowbrook. Lastly, the Site Selection Committee continues to move forward on their quest for new Borough Hall Location.

Councilman Paglia reminded everyone of the Oceanport Sports Foundation 6th Annual Wine and Food Tasting to be held on December 4th, 6PM at Branches.

#936 2nd Reading & Public Hearing of an Amendment to Zoning Ordinance - Heliports

Mayor Mahon asked for a motion to table, indefinitely, the **2nd Reading & Public Hearing of An Amendment to Zoning Ordinance – Heliports**. Motion was made by Council President Kahle. It was seconded by Councilman Gallo.

The Clerk called roll:

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

The Clerk stated that the motion carried.

#939 2nd Reading & Public Hearing of An Ordinance Establishing a Policy for Rental of Public Buildings"

Councilman Paglia called for the 2nd Reading and Public Hearing of an ordinance regulating the Rental of Public Buildings then asked the Clerk to read the affidavit of publication and proposed Ordinance by title only. **"AN ORDINANCE OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, AUTHORIZING AND REGULATING THE RENTAL OF PUBLIC BUILDINGS WITHIN THE BOROUGH OF OCEANPORT"** was published in The Link News on November 13, 2014. The Mayor opened the meeting for any public comments on this ordinance only. There being none, the Mayor closed public hearing for this ordinance on a motion by Councilman Paglia and seconded by Council President Kahle.

Councilman Paglia made a motion to adopt this ordinance and advertise in accordance with law which was seconded by Council President Kahle.

The Clerk called roll:

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

The Clerk stated that the motion carried.

#940 2nd Reading & Public Hearing of An Ordinance Amending the Fee Ordinance

Councilman Paglia called for the 2nd Reading and Public Hearing of an ordinance amending the Fee Ordinance then asked the Clerk to read the affidavit of publication and proposed ordinance by title only. **"AN ORDINANCE OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY AMENDING CHAPTER 204 "FEES" OF THE CODE OF THE BOROUGH OF OCEANPORT** was published in the Link News on November 13, 2014. The Mayor opened the meeting for any public comments on this ordinance only.

Mr. Robert Garratano, 15 Fairfield Avenue asked, "What warranted such a drastic increase of fees for the Boat Ramp?"

Mr. Bennett responded that the boat ramp is in need of substantial repairs. The Bulkhead has been deteriorating for many years. The costs of repairs are estimated to be \$300,000 - \$500,000 plus the engineering costs. In order to rationalize that amount of money, we thought we would have to ask for a higher contribution from those utilizing the improved boat ramp. Better and safer services as well as payment toward capital expenditures would require higher usage fees. Ultimately, the taxpayers (via bonds and grants) are paying for the bulk of the improvement less the contributions of the users. Hopefully, better facilities will entice more users.

Mr. Garratano offered a comparison of fees charged by neighboring towns. Charges are more for towns that are closer to Sandy Hook. Whereas, the farther inland we are, the fees go down. The Mayor stated that the goal is to have the fees geared toward the improvement and to provide something similar to what is available in neighboring towns.

Mr. Garratano respectfully requested that the Borough consider reducing the \$50 proposed fee.

The Mayor asked if there were any other comments from the public. There were none. He then asked if Council would like to amend the proposed fee structure. A discussion followed. Council did not wish to change the proposed fees. The Mayor closed public hearing for this ordinance on a motion by Council President Kahle and seconded by Councilman Lynch. Councilman Paglia made a motion to adopt this ordinance and advertise in accordance with law which was seconded by Councilman Gallo.

The Clerk called the roll:

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

The Clerk stated that the motion carried.

MAYOR MAHON:

Monmouth Park: As Councilman Irace reported, there is a hold on the concert venue construction. It awaits the outcome of some revenue items including sports wagering.

FORT MONMOUTH: Mayor Mahon reported the Real Estate Committee meeting meets the week of December 8th and the regular meeting of the Authority Board of Directors in on the 17th.

The balance of the Mayor's items will be discussed in executive.

PUBLIC:

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

Stuart Briskey, 46 Werah Place wanted the record to reflect that the Oceanport Fire Department was dispatched to Wolf Hill School on November 20th while school was in session. The Emergency Alert Fire Siren was not activated.

Clarence Brocklebank, 40 Sagamore Avenue reported that he spotted deer that had been hit by a car. He called the Police Department but ended up speaking to the county. He was asked several questions regarding the location and condition of the deer. Mr. Brocklebank questioned who and where he should call to speak to an Oceanport Officer about a non-emergency matter.

Mayor Mahon responded that there is an outside company charged with the removal of deer carcasses and that these people are dispatched by the county. On occasion, our public works department has removed a carcass if necessary.

The non-emergency police number remains 732-222-6301.

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

#2014-230 Resolution authorizing the Governing Body to enter into an Executive Session

At 8:36 p.m. the Mayor asked for a motion on **Resolution #2014-230** authorizing the meeting to enter Executive Session for the purposes of matters required by law to be Confidential Litigation/Potential Litigation (Fort Monmouth update on COAH requirements), Potential Property Acquisitions or Sales (Fort Monmouth 900 & 907 Murphy Drive – DPW) and Contract Negotiations (Fort Monmouth – updates on Russell Hall) which was moved by Council President Kahle and seconded by Councilman Gallo and approved by Council.

The Clerk called the roll:

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

The Clerk stated that the motion carried.

At 9:26 p.m. Council returned from Executive Session and the regular meeting was reopened on a motion by Councilman Lynch, seconded by Councilman Gallo and approved by Council.

The Mayor reported that during Executive Session, Council authorized a letter to the FMERA Board regarding our interest in the acquisition of Russell Hall on Fort Monmouth.

At 9:27 p.m. the regular meeting was adjourned on a motion by Council President Kahle which was seconded by Councilman Gallo and approved by Council.

Respectfully submitted,



JEANNE SMITH
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING PAYMENT OF BILL LIST FOR DECEMBER 3, 2014**

**RESOLUTION #2014-221
12-03-14**

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated December 3, 2014.

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 3, 2014.

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 3, 2014 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

CERTIFICATION OF FUNDS

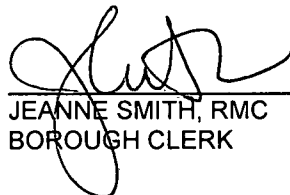
I, Gregory S. Mayers, Chief Financial Officer, of the Borough of Oceanport, do hereby certify that funds are available for the purpose stated herein.



Gregory Mayers, CFO

Motion: <i>Lynch</i>	Second: <i>Trace</i>			
ROLL CALL	YES	NO	ABSTAIN	ABSENT
Bertekap	()	()	()	(✓)
Gallo	(✓)	()	()	()
Trace	(✓)	()	()	()
Kahle	(✓)	()	()	()
Lynch	(✓)	()	()	()
Paglia	(✓)	()	()	()
Mahon	()	()	()	()

I certify this to be a true copy of Resolution #2014-221 approved by the Oceanport Borough Council at the Regular Meeting held December 3, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

**BOROUGH OF OCEANPORT
BILL LIST**

DECEMBER 3 2014

PAYEE

AMOUNT

PAYROLL ACCOUNT \$ 101,901.74 24th Pay

Bank of New York - Mellon	\$ 105,944.99
Comcast Business Solutions	\$ 1,419.24
Enterprise Rent a Car	\$ 85.99
Garden State Fire & Security	\$ 936.00
Lowe's Home Improvement	\$ 898.20
Selective Insurance	\$ 3,862.00
United Cleaning Contractors	\$ 3,770.00

2014 EXPENDITURES

CAPITAL TRUST TOTAL \$ 711,940.33

DOG REGISTRY TOTAL \$ 1,299.00

ESCROW TRUST TOTAL \$ 1,659.00

OFF DUTY TRUST TOTAL \$ 188.32

OPEN SPACE TRUST TOTAL \$ 7,368.25

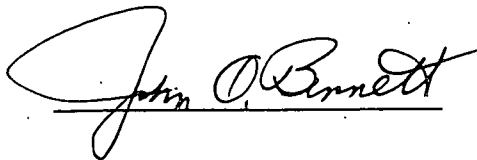
2013 VOUCHERS PAID \$ 318,548.94

**2013 VOUCHERS PAID THIS MEETING
TOTAL** \$ -
\$ 318,548.94

2014 VOUCHERS PAID \$ 21,635,893.67

**2014 VOUCHERS PAID THIS MEETING
TOTAL** \$ 1,363,972.97
\$ 22,999,866.64

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



**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #14-00001
FOR BLOCK 1, LOT 19 KNOWN AS 425 RIVER STREET**

**Resolution #2014-222
12-03-14**

WHEREAS, at the Borough Tax Sale held on September 26, 2014, a lien was sold on Block 1 Lot 19, otherwise known as 425 River St; and

WHEREAS, this lien, known as Tax Sale Certificate 14-00001 was sold to US Bank cust for BV001 Trust at an interest rate of 0% and a premium of \$300; and

WHEREAS, the owner's mortgage company has redeemed certificate 14-00001 in the amount of \$ 110.48.

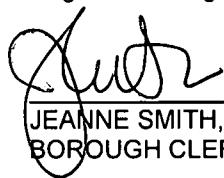
NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$110.48 payable to US Bank cust for BV001 Trust, 50 S 16th St Suite 2050, Philadelphia PA 19102 for the redemption of Tax Sale Certificate 14-00001.

BE IT FURTHER RESOLVED, that the CFO be authorized to issue a check in the amount of \$300 (Premium) to the aforementioned lienholder.

Motion: *Lynch* Second: *Trace*

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

I certify this to be a true copy of Resolution #2014-222 approved by the Oceanport Borough Council at the Regular Meeting held December 3, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING TAX REFUND DUE TO APPEAL FOR
BLOCK 74, LOT 17 ALSO KNOWN AS 85 GOOSENECK POINT ROAD**

**Resolution #2014-223
12-03-14**

WHEREAS, the following property is due a refund due to a successful State Tax Court judgment and an overpayment from the property owner; and

WHEREAS, the Tax Collector is recommending that the amount of overpayment due 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 a successful State Tax Court judgment to the following property owner as follows:

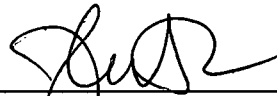
Block 74 Lot 17

Jacobus & Associates, LLC
Trustee for Benjamin & Bernadette Aiello
301 S Livingston Ave Suite 105
Livingston NJ 07039

Motion: *Lynen* Second: *Irace*

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

I certify this to be a true copy of Resolution #2014-223 approved by the Oceanport Borough Council at the Regular Meeting held December 3, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING EXECUTION OF THE CONTRACT BETWEEN
THE BOROUGH OF OCEANPORT AND THE COUNTY OF MONMOUTH
PROVIDING "SCAT" SERVICES FOR 2015**

**Resolution #2014-224
12-03-2014**

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 2015 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: *Lynch*

Second: *Irace*

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

I certify this to be a true copy of Resolution #2014-224 approved by the Oceanport Borough Council at the Regular Meeting held December 3, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

Requesting approval of the Director of the Division of Local Government Services
Amending the 2014
Municipal Budget per NJSA 40A:4-87 for
Drunk Driving Enforcement Fund

Resolution #2014-225
12-03-14

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 2014 in the sum of \$4,051.21 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 \$4,051.21 be and the same is hereby appropriated under the caption of Drunk Driving Enforcement Fund, \$4,051.21.

BE IT FURTHER RESOLVED, that the Chief Financial Officer file this resolution electronically with the Division of Local Government Services.

Motion: *Lynch* Second: *Irae*

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

I certify this to be a true copy of Resolution #2014-225 approved by the Oceanport Borough Council at the Regular Meeting held December 3, 2014


JEANNE SMITH, RMC
BOROUGH CLERK

**A Resolution Supporting the
Drive Sober or Get Pulled Over 2014 Year End Holiday Crackdown**

**Resolution #2014-226
12-03-14**

WHEREAS, impaired drivers on our nation's roads kill more than 10,000 people each year and cost our society more than \$37 billion annually; and

WHEREAS, 22% of motor vehicle fatalities in New Jersey in 2013 were alcohol-related; and

WHEREAS, an enforcement crackdown is planned to combat impaired driving; and

WHEREAS, the season at the end of the year is traditionally a time of social gatherings which often 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 Year End Holiday Crackdown; and

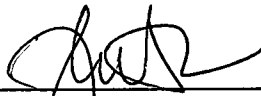
WHEREAS, the project will involve increased impaired driving enforcement from December 5, 2014 through January 2, 2015; and

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 2014 Year End Holiday Crackdown* from December 5, 2014 through January 2, 2015 and pledges to increase awareness of the dangers of drinking and driving.

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

I certify this to be a true copy of Resolution #2014-226 approved by the Oceanport Borough Council at the Regular Meeting held December 3, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #14-00016
FOR BLOCK 110, LOT 13 KNOWN AS 47 MAIN STREET**

**Resolution #2014-227
12-03-14**

WHEREAS, at the Borough Tax Sale held on September 26, 2014, a lien was sold on Block 110 Lot 13, otherwise known as 47 Main St; and

WHEREAS, this lien, known as Tax Sale Certificate 14-00016 was sold to US Bank cust for PC4 Firsttrust Bank at an interest rate of 0% and a premium of \$1,100; and

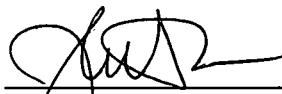
WHEREAS, the owner has redeemed certificate 14-00016 in the amount of \$ 515.64.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$515.64 payable to US Bank cust for PC4 Firsttrust Bank, 50 S 16th St Suite 2050, Philadelphia PA 19102 for the redemption of Tax Sale Certificate 14-00016.

BE IN FURTHER RESOLVED, that the CFO be authorized to issue a check in the amount of \$1,100 (Premium) to the aforementioned lienholder.

Motion: <i>Lynch</i>	Second: <i>Trace</i>			
ROLL CALL	YES	NO	ABSTAIN	ABSENT
Bertekap	()	()	()	()
Gallo	()	()	()	()
Trace	()	()	()	()
Kahle	()	()	()	()
Lynch	()	()	()	()
Paglia	()	()	()	()
Mahon	()	()	()	()

I certify this to be a true copy of Resolution #2014-227 approved by the Oceanport Borough Council at the Regular Meeting held December 3, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

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

**RESOLUTION #2014-228
12-03-14**

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:		
1	Employee Group Health Insurance OE	11,500.00
2	Dental Insurance OE	500.00
3	Police S&W	25,000.00
4	Salary Adjustment Account	<u>8,000.00</u>
		45,000.00
TO:		
1	Administrative & Executive S&W	7,500.00
2	Engineering Services & Costs OE	5,000.00
3	Municipal Prosecutor S&W	2,000.00
4	Legal Services and Costs OE	5,000.00
5	Borough Property Planner Services and Fees OE	6,000.00
6	Health Benefits Waiver OE	1,000.00
7	Other Insurance OE	4,000.00
8	Natural Gas	4,000.00
9	Participation in Free County Library S&W	500.00
10	Public Buildings & Grounds OE	5,000.00
11	Telephone OE	2,000.00
12	Social Security System (OASI)	<u>3,000.00</u>
		45,000.00

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

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

I certify this to be a true copy of Resolution #2014-228 approved by the Oceanport Borough Council at the Regular Meeting held December 3, 2014


JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING CHANGE ORDER #2 FOR
2013 ROAD PROGRAM**

**RESOLUTION#2014-229
12-03-14**

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 Fiore Paving Co., Inc. as stated in a letter from the Engineer dated November 20, 2014; and

WHEREAS, the original contract of \$323,112.28 was decreased through Change Order #1 by \$1,222.56 reducing the contract amount to \$321,889.72; and

WHEREAS, the contract will be decreased by an additional \$42.41 reflecting all As-built adjustments; and

WHEREAS, the Borough Council is satisfied that the requested change is necessary and that it will actually be carried out.

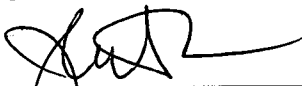
NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Oceanport as follows,

1. Change Order #2 to the contract between the Borough of Oceanport and Fiore Paving Co. Inc. for the 2013 Road Program is hereby approved.
2. The Administrator or Borough Clerk are hereby authorized to sign the change order on behalf of the Borough.

Motion: *Lynch* Second: *Irace*

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

I certify this to be a true copy of Resolution #2014-229 approved by the Oceanport Borough Council at the Regular Meeting held December 3, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

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

**Resolution #2014-230
12-03-2014**

WHEREAS, the Open Public Meetings Act provides that the Borough Council may go into executive session to discuss matters that may be confidential or listed pursuant to N.J.S.A. 10:4-12; and

WHEREAS, it is recommended by the Borough Attorney that the Borough Council go into executive session to discuss matters set forth hereinafter which are permissible for discussion in executive session.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport that the Council shall go into executive session to discuss the following items:

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

Fort Monmouth – update on COAH requirements

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

Fort Monmouth – 900, 917 & 916 Murphy Drive

Contract Negotiations – N.J.S.A. 10:4-12(b)(4)

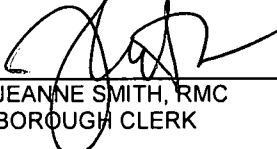
Fort Monmouth – update on Russell Hall

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

Motion: *Kahle* Second: *Gallo*

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

I certify this to be a true copy of Resolution #2014-230 approved by the Oceanport Borough Council at the Regular Meeting held December 3, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING TEMPORARY RELIEF ON THE MORATORIUM FOR NO STREET
OPENINGS BEYOND DECEMBER 1, 2014**

**RESOLUTION #2014-231
12-03-14**

WHEREAS, the Borough's residents continue to recover from Super Storm Sandy damages; and

WHEREAS, NJ Natural Gas Co. has several requests from residents to restore and/or disconnect service due to work being performed at properties damaged by Super Storm Sandy;; and

WHEREAS, NJ Natural Gas was unable to provide service prior to the Borough's annual moratorium of no street openings between December 1st and March 1st; and

WHEREAS, NJ Natural Gas has requested temporary relief from the moratorium period for street openings through to the end of December 2014 in order to provide said service.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport that temporary relief from the moratorium on street openings beginning December 1, 2014 is granted to NJ Natural Gas Co. through the period December 31, 2014.

BE IT FURTHER RESOLVED, that all openings made during this period must be repaired using infrared repair.

BE IT FURTHER RESOLVED, that a copy of this resolution be filed with the Borough Clerk and NJ Natural Gas Co.

Motion:	<i>Lynch</i>	Second:	<i>Irada</i>	
ROLL CALL	YES	NO	ABSTAIN	ABSENT
Bertekap	()	()	()	()
Gallo	()	()	()	()
Irada	()	()	()	()
Kahle	()	()	()	()
Lynch	()	()	()	()
Paglia	()	()	()	()
Mahon	()	()	()	()

I certify this to be a true copy of Resolution #2014-____ approved by the Oceanport Borough Council at the Regular Meeting held December 3, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

**A RESOLUTION OF THE BOROUGH OF OCEANPORT
CREATING A SHORE REGIONAL MUNICIPAL DRUG ALLIANCE**

**Resolution #2014-232
12-03-14**

WHEREAS, the Mayor and Council of the Borough of Oceanport, County of Monmouth, State of New Jersey recognizes the horrific consequences created by the improper use of drugs; and

WHEREAS, the abuse of drugs within the immediate area including the Borough and surrounding municipalities has become an issue which cannot be ignored; and

WHEREAS, the officials of the Borough of Oceanport believe it is incumbent for public officials throughout the area to take action to educate the public on the dangers of such drug abuse within our community; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that they strongly support the creation of a Drug Alliance dedicated to fight drug abuse within the Borough and surrounding municipalities.

BE IT FURTHER RESOLVED, that the Borough of Oceanport urges the surrounding municipalities including but not limited to Monmouth Beach, Sea Bright and West Long Branch to join together under the title of Shore Regional Municipal Drug Alliance.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be sent to the Borough of Sea Bright, Borough of Monmouth Beach, Borough of West Long Branch, Prevention First, Monmouth County Prosecutor and Monmouth County Office of Addiction Services and the Shore Regional Board of Education.

Motion: *Lynch* Second: *Trace*

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Bertekap	()	()	()	(✓)
Gallo	(✓)	()	()	()
Trace	(✓)	()	()	()
Kahle	(✓)	()	()	()
Lynch	(✓)	()	()	()
Paglia	(✓)	()	()	()
Mahon	()	()	()	()

I certify this to be a true copy of Resolution #2014-232 approved by the Oceanport Borough Council at the Regular Meeting held December 3, 2014



JEANNE SMITH, RMC
BOROUGH CLERK