

**REGULAR MEETING AGENDA
MAYOR AND COUNCIL
November 6, 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:

- | | | |
|-----------|-----|---|
| #2014-206 | 1. | Resolution authorizing the payment of bills. |
| #2014-207 | 2. | Resolution accepting Drive Sober, Get Pulled Over Grant |
| #2014-208 | 3. | Resolution accepting Zoning Code Enforcement Grant |
| #2014-209 | 4. | Resolution establish a policy for meeting attendance by electronic conferencing |
| #2014-210 | 5. | Resolution authorizing budget appropriation transfers |
| #2014-211 | 6. | Resolution authorizing a Lease Agreement with FMERA for 282 Hildreth Avenue |
| #2014-212 | 7. | Resolution authorizing redemption of Tax Sale Certificate #14-00006 |
| #2014-213 | 8. | Resolution authorizing redemption of Tax Sale Certificate #14-00024 |
| #2014-214 | 9. | Resolution supporting increased funding for the Shore Protection Fund |
| #2014-215 | 10. | Resolution adopting the 2014 Draft Monmouth County Hazard Mitigation Plan |
| #2014-216 | 11. | Resolution authorizing the issuance and sale of bonds through the MCIA |
| #2014-217 | 12. | Resolution authorizing redemption of Tax Sale Certificate #14-00018 |
| #2014-218 | 13. | Resolution authorizing change order to Contract for 2012 Road Program |

2. Minutes Approval of the Workshop Minutes of October 16, 2014
 Approval of the Regular Meeting Minutes of October 16, 2014
 Approval of the Executive Session Minutes of October 16, 2014

3. Police Report, September 2014

COMMITTEE REPORTS:

Parks & Recreation, Councilman Bertekap, Chair

Public Works & Engineering, Councilman Gallo, Chair

Public Safety, Councilman Irace, Chair

1. Sports Wagering Bill

Health & Human Services, Council President Kahle, Chair

Finance & Administration, Councilman Lynch, Chair

Planning & Development, Councilman Paglia, Chair

- #938 1. 2nd Reading & Public Hearing on An Ordinance Amending the Salary Ordinance

MAYOR MAHON'S REPORT:

1. Fort Monmouth
2. Monmouth Park

Petitions from the public.

Resolution #2014-219 Authorizing the Governing Body to enter into Executive Session

Personnel Matters – N.J.S.A. 10:4-12(b)(8)

Court Clerk retirement

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

Fort Monmouth – 900, 916 & 917 Murphy Drive (DPW)

3 Pemberton Avenue (Habitat for Humanity)

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

Fort Monmouth – updates on Officer's Housing and Russell Hall
Cablevision

Adjournment.

REGULAR MEETING MINUTES

Oceanport, New Jersey
November 6, 2014

The Regular Meeting of the Oceanport Mayor and Council was called to order on November 6, 2014 at 8:22 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.

MEMBERS PRESENT: Councilpersons Bertekap, Gallo, Lynch, Paglia and Mayor Mahon

MEMBERS ABSENT: Councilpersons Kahle, Paglia

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

ADMINISTRATOR'S REPORT:

CLERK'S REPORT

1. CONSENT AGENDA:

- | | |
|------------------|--|
| #2014-206 | 1. Resolution authorizing the payment of bills. |
| separate | 2. Resolution authorizing submittal of 2014 Drive Sober, Get Pulled Over Grant |
| #2014-208 | 3. Resolution accepting Zoning Code Enforcement Grant |
| #2014-209 | 4. Resolution establish a policy for meeting attendance by electronic conferencing |
| #2014-210 | 5. Resolution authorizing budget appropriation transfers |
| #2014-211 | 6. Resolution authorizing a Lease Agreement with FMERA for 282 Hildreth Avenue |
| #2014-212 | 7. Resolution authorizing redemption of Tax Sale Certificate #14-00006 |
| #2014-213 | 8. Resolution authorizing redemption of Tax Sale Certificate #14-00024 |
| #2014-214 | 9. Resolution supporting increased funding for the Shore Protection Fund |
| #2014-215 | 10. Resolution adopting the 2014 Draft Monmouth County Hazard Mitigation Plan |
| #2014-216 | 11. Resolution authorizing the issuance and sale of bonds through the MCIA |
| #2014-217 | 12. Resolution authorizing redemption of Tax Sale Certificate #14-00018 |
| #2014-218 | 13. Resolution authorizing change order to Contract for 2012 Road Program |

The Clerk advised that Item #2 would be taken separately leaving 12 items on the consent agenda and asked for a motion which was made by Councilman Irace and seconded by Councilman Bertekap.

The Clerk called roll:

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

The Clerk stated that the motion carried.

#2014-207 2. Resolution authorizing submittal of 2014 Driver Sober Get Pulled Over Grant

The Clerk read Resolution **#2014-207** in its entirety. She then asked for a motion which was made by Councilman Irace and seconded by Councilman Bertekap.

The Clerk called roll:

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

The Clerk stated that the motion carried.

#2014-220 14. Resolution authorizing submittal of NJDOT Bikeability Grant

The Clerk advised that Resolution **#2014-220** had been added from the Workshop Meeting and asked for a motion which was made by Councilman Bertekap and seconded by Councilman Gallo.

The Clerk called roll:

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

The Clerk stated that the motion carried.

2. Minutes Approval of the Workshop Minutes of October 16, 2014
Approval of the Regular Meeting Minutes of October 16, 2014
Approval of the Executive Session Minutes of October 16, 2014

The Clerk asked for a motion to approve Workshop, Regular and Executive Session minutes of October 16, 2014 which was moved by Councilman Bertekap, seconded by Councilman Gallo and approved by Council with the exception of Councilman Irace whom abstained.

3. Police Report, September 2014

Ms. Smith advised that she was in receipt of the Police Report for September 2014 which had been distributed and would be posted.

COMMITTEE REPORTS:

COUNCILMAN BERTEKAP:

#939 Introduction of An Ordinance Regulating Rental of Public Buildings

Councilman Bertekap called for the introduction of an ordinance authorizing and regulating the rental of public buildings then asked the Clerk to read the proposed ordinance by title only. **"AN ORDINANCE AUTHORIZING AND REGULATING THE RENTAL OF PUBLIC BUILDINGS WITHIN THE BOROUGH OF OCEANPORT"** was read. Councilman Bertekap moved to approve the Ordinance upon first reading and to hold the public hearing on the proposed

ordinance at the Council meeting of December 3, 2014 and to advertise same in accordance with the law. It was seconded by Councilman Irace.

The Clerk called roll:

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

The Clerk stated that the motion carried.

#940 Introduction of An Ordinance Amending the Fee Ordinance

Councilman Bertekap called for the introduction of an ordinance amending the Fee Ordinance then asked the Clerk to read the proposed ordinance by title only. **"AN ORDINANCE AMENDING CHAPTER 204 (FEES) OF THE CODE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY"** was read. Councilman Bertekap moved to approve the Ordinance upon first reading and to hold the public hearing on the proposed ordinance at the Council meeting of December 3, 2014 and to advertise same in accordance with the law. It was seconded by Councilman Irace.

The Clerk called roll:

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

The Clerk stated that the motion carried.

COUNCILMAN GALLO: Councilman Gallo congratulated Council President Kahle on her re-election and Councilman Paglia on his election. Councilman Gallo reported that the 2014 Road program was underway, Pemberton Avenue completed moving on to Port Au Peck Avenue between Branchport and Shrewsbury Avenue.

COUNCILMAN IRACE

1. Sports Wagering Bill

Councilman Irace stated he had no report for Public Safety but gave an update on the Sports Wagering Bill which was made law but was in District Court due to law suits filed to temporary restrain which was granted and was scheduled to begin hearing later in the month.

Councilman Irace also thanked Monmouth University for providing teachers at the schools with a "go pack" that would contain what teachers needed with them in the event of an emergency leave. A total of 75 bags was provided by the Athletic Department for Oceanport's local schools.

Councilman Irace also congratulated Council President Kahle, Councilmen Gallo and Paglia on their elections.

COUNCILMAN LYNCH: Councilman Lynch had no report.

#938 2nd Reading & Public Hearing of An Ordinance Amending the Salary Ordinance

As Councilman Paglia was not in attendance, Councilman Bertekap called for the 2nd Reading

and Public Hearing of an ordinance amending the Salary 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, SETTING THE SALARY RANGES OF CERTAIN BOROUGH OFFICERS AND BOROUGH EMPLOYEES"** was published in The Link News on October 23, 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 Bertekap and seconded by Councilman Gallo.

Councilman Bertekap made a motion to adopt this ordinance and advertise in accordance with law which was seconded by Councilman Irace.

The Clerk called roll:

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

The Clerk stated that the motion carried.

MAYOR MAHON:

Fort Monmouth: Mayor Mahon reported that much progress ongoing at Fort Monmouth and items concerning contract negotiations for Russell Hall and Officer Housing for discussion during Executive Session.

Monmouth Park: Mayor Mahon stated that the Borough's position remained the same in support of the sports wagering law. There was brief discussion on what the injunction encompassed.

PUBLIC:

Mayor Mahon then opened the meeting to anyone from the public who wished to be heard. As no one else from the public wished to be heard that portion of the meeting was closed.

#2014-219 Resolution authorizing the Governing Body to enter into an Executive Session

At 8:39 p.m. the Mayor asked for a motion on **Resolution #2014-219** authorizing the meeting to enter Executive Session for the purposes of Personnel, Potential Property Acquisition and Contract Negotiations which was moved by Councilman Gallo and seconded by Councilman Bertekap and approved by Council.

At 9:15 p.m. Council returned from Executive Session and the regular meeting was reopened on a motion by Councilman Gallo, seconded by Councilman Bertekap and approved by Council.

Mayor Mahon advised of the Borough Administrator and Public Works Committee's recommendation to hire a temporary, hourly seasonal person for Public Works and that funds were available in the budget. Councilman Gallo made a motion giving consent to the Borough Administrator which was seconded by Councilman Bertekap. Councilman Lynch stated that the Finance & Administration Committee saw the need for the skill set of the individual being considered that was not currently available and was in support of the recommendation.

The Clerk called roll:

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

The Clerk stated that the motion carried.

At 9:17 p.m. the regular meeting was adjourned on a motion by Councilman Irace which was seconded by Councilman Lynch and approved by Council.

Respectfully submitted,



JEANNE SMITH
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING PAYMENT OF BILL LIST FOR NOVEMBER 6, 2014**

**RESOLUTION #2014-206
11-06-14**

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated November 6, 2014.

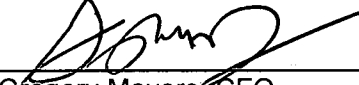
WHEREAS, the Governing Body has determined that the bill list as prepared comports with the vouchers submitted by various vendors; and

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of November 16, 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 November 6, 2014 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

CERTIFICATION OF FUNDS

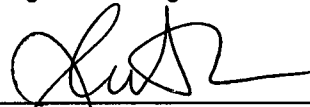
I, Gregory S. Mayers, Chief Financial Officer, of the Borough of Oceanport, do hereby certify that funds are available for the purpose stated herein.



Gregory Mayers, CFO

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

I certify this to be a true copy of Resolution #2014-206 approved by the Oceanport Borough Council at the Regular Meeting held November 6, 2014



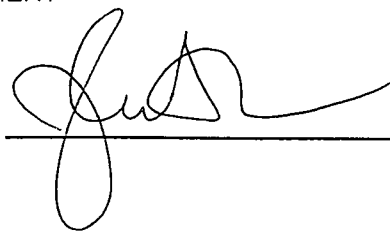
JEANNE SMITH, RMC
BOROUGH CLERK

**BOROUGH OF OCEANPORT
BILL LIST**

NOVEMBER 6 2014

PAYEE	AMOUNT
PAYROLL ACCOUNT	\$ 94,193.36 22nd Pay
	\$ 110,497.95 23rd Pay
Selective Insurance	\$ 725.00
Treas: State of NJ	\$ 250.00
2014 EXPENDITURES	
CAPITAL TRUST TOTAL	\$ 29,877.38
R Mosloski Excavating	\$ 27,594.30
ESCROW TRUST TOTAL	\$ 9,551.50
OPEN SPACE TRUST TOTAL	\$ 13,943.80
TRUST OTHER TOTAL	\$ 2,667.50
SUI TRUST TOTAL	\$ 3,938.00
2013 VOUCHERS PAID	\$ 318,548.94
2013 VOUCHERS PAID THIS MEETING	\$ -
TOTAL	\$ 318,548.94
2014 VOUCHERS PAID	\$ 19,162,304.01
2014 VOUCHERS PAID THIS MEETING	\$ 2,254,771.50
TOTAL	\$ 21,417,075.51

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



A handwritten signature in black ink, appearing to be 'J. F. ...', is written over a horizontal line.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
ACCEPTING THE DRIVER SOBER, GET PULLED OVER GRANT**

**Resolution #2014-207
11-06-2014**

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

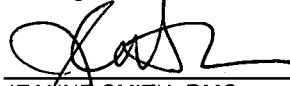
WHEREAS FY2012 EMPG Exercise Pass Through Grant from the NJ State Police Office of Emergency Management 2010-EMPG 330-17 has been awarded to the Oceanport Office of Emergency Management in the amount of \$40,000.00 with an in kind match of \$40,000.00.

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.

Motion: *Maier* Second: *Bertekap*

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

I certify this to be a true copy of Resolution #2014-207 approved by the Oceanport Borough Council at the Regular Meeting held November 6, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
ACCEPTING THE ZONING CODE ENFORCEMENT GRANT**

**Resolution #2014-208
11-06-2014**

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.

Motion: *Irace* Second: *Bertekap*

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

I certify this to be a true copy of Resolution #2014-208 approved by the Oceanport Borough Council at the Regular Meeting held November 6, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
ESTABLISHING A POLICY FOR THE USE OF ELECTRONIC CONFERENCING
FOR MEETING ATTENDANCE AND VOTING REQUIREMENTS**

Resolution #2014-209

11-06-14

WHEREAS, the New Jersey Open Public Meetings Act, in particular, N.J.S.A. 10:4-8(b) defines a public meeting as "...[a]ny gathering whether corporeal or by means of a communication equipment, which is attended by, or open to, all of the members of a public body, held with the intent, on the part of the members of the body present, to discuss or act as a unit upon the specific public business of that body"; and

WHEREAS, the Municipal Council of the Borough of Oceanport, believes it is in the best interest of its residents and taxpayers that the fullest participation and attendance in all Council meetings be achieved whenever possible; and

WHEREAS, the use of electronic conferencing for meeting attendance and voting requirements, at least in some governmental meetings, is not prohibited so long as the meeting is conducted in accordance with the Open Public Meetings Act; and

WHEREAS, the Oceanport Municipal Council in all of its regular, special, and committee meetings complies and intends to comply with the provisions of the Open Public Meeting Act; now, therefore, be it

RESOLVED, that the Oceanport Municipal Council, having considered the aforesaid matters hereby adopts this policy, to be used when needed, to make use of the capabilities for conferencing by electronic means or any other type of conferencing for its meetings as more specifically set out in this Resolution, and to adopt, establish and set forth the Rules of the Council applicable thereto:

1. All pertinent provisions of the Open Public Meetings Act must be complied with, including specifically the proper notice of any regular or special meeting, the proper record keeping or minutes of each meeting, the appropriate agenda preparation for each meeting, which in addition shall be posted along with the notice of the meeting, and, in particular, any use of closed sessions shall be in compliance with the provisions of the Act.
2. That sufficient security and identification procedures be employed, either at the outset of any meeting or at any time during the meeting as appropriate, to ensure that any and all members attending for discussion or voting purpose are in fact an authorized member with right to speak and vote.
3. A quorum of members of the Oceanport Municipal Council **MUST** be physically present at the location of the meeting for all regularly scheduled meetings, advertised on January 1st each year. Only additional members, i.e., those members not part of the required physically present quorum, may attend by video and/or audio conferencing or by other electronic means. Only at special meetings not regularly scheduled will teleconferencing be allowed to create a quorum.
4. All Municipal Council members attending meetings by electronic conferencing shall be entitled to vote as if they were personally and physically present at the meeting site so long as a

physical quorum is present, but their votes shall be recorded by the Secretary as done by electronic attendance.

5. A Municipal council member who attends a meeting by video or audio conference must provide notice to the recording secretary or clerk of the Municipal Council at least 24 hours prior to the meeting unless such advanced noticed is impracticable.

6. A Municipal Council member may attend a meeting through electronic conferencing if his or her physical presence at the meeting is prevented due to i) personal illness or disability; ii) employment purposes or the business of the Municipal Council; or iii) a family or other emergency.

7. As soon as it becomes apparent to the Municipal Council that a meeting will include electronic conferencing, all subsequent notices of the meeting shall indicate that one or more Municipal Council members will or may be attending by electronic means. In the event that the notice of the meeting has already been disseminated and posted, a follow-up notice indicating the above shall be placed as soon as possible. In the event any news media have filed the annual request for notice of meetings, they shall receive an updated notice in the same manner as given to all members of the Municipal Council.

8. The meeting minutes shall include, but need not be limited to: i) the date, time and place of the meeting; ii) the members of the Municipal Council who were either present or absent from the meeting and whether those members in attendance were physically present or present by audio conference, video conference or by other electronic means; and iii) a summary of discussion on all matters proposed, deliberated, or decided, and a record of any votes taken.

9. This policy shall not be construed to mean that conferencing by electronic means shall be regularly used or used at every meeting of the Municipal council but shall be used only as necessary to allow the participation of Municipal Council members who are unable to attend in person due to such circumstances listed in Provision 6 of this policy.

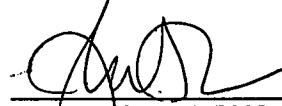
10. The location of the meeting included on the notice shall be equipped with a suitable transmission system (e.g., a speakerphone) in order that the public audience, the Municipal Council members in attendance and any staff will be able to hear any input, vote or discussion of the conference and that the member attending by electronic means shall have a similar capability of hearing such input, vote or discussion.

Motion: *hau*

Second: *Bertekap*

I certify this to be a true copy of Resolution #2014-209 approved by the Oceanport Borough Council at the Regular Meeting held November 6, 2014

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


JEANNE SMITH, RMC
BOROUGH CLERK

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

**RESOLUTION #2014-210
11-06-14**

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	Assessment of Taxes S&W	2,000.00
2	Assessment of Taxes OE	3,000.00
3	Code Enforcement OE	2,000.00
4	Employee Group Health Insurance OE	20,000.00
5	Dental Insurance OE	1,000.00
6	Police S&W	25,000.00
7	Fire Hydrant Service OE	2,000.00
8	Road Repairs and Maintenance S&W	2,500.00
9	Shade Tree Commission OE	3,000.00
10	Electricity OE	5,000.00
11	Street Lighting OE	2,000.00
12	Bloodborne Pathogen OE	500.00
13	Salary Adjustment Account	21,675.00
14	Public Employees Retirement System	8,325.00
15	Defined Contribution Retirement Plan	1,000.00
		99,000.00
TO:		
1	Administrative & Executive S&W	6,000.00
2	Financial Administration S&W	525.00
3	Engineering Services & Costs OE	10,000.00
4	Municipal Prosecutor S&W	4,000.00
5	Collection of Taxes S&W	625.00
6	Legal Services and Costs OE	5,000.00
	Borough Property Planner Services and	
7	Fees OE	9,000.00
8	Code Enforcement S&W	125.00
9	Health Benefits Waiver OE	6,000.00
10	Board of Health S&W	800.00
11	Recreation and Education S&W	250.00
12	Participation in Free County Library S&W	500.00
13	Public Buildings & Grounds OE	10,000.00
14	Telephone OE	1,000.00
15	Social Security System (OASI)	4,175.00
16	Police & Fire Retirement System	39,000.00
17	Gasoline OE	2,000.00
		99,000.00

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

Financial Officer.

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

I certify this to be a true copy of Resolution #2014-210 approved by the Oceanport Borough Council at the Regular Meeting held November 6, 2014.

[Signature]
JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING EXECUTION OF THE
LEASE AGREEMENT BETWEEN
THE BOROUGH OF OCEANPORT AND THE FORT MONMOUTH ECONOMIC
REVITALIZATION AUTHORITY**

**Resolution #2014-211
11-06-14**

WHEREAS, the Oceanport Police Department (OPD) offices located in trailers were severely impacted by Superstorm Sandy; and

WHEREAS, there is a building known as the Main Post Fire House located at 282 Hildreth Avenue ("the Property") has a 6,089 square foot, two-story facility constructed in 1935 with associated parking covering approximately 0.62 acres in the Oceanport Reuse Area's historic district that would be suitable to adapt for use by the Oceanport Police Department; and

WHEREAS, FMERA staff proposed that the Army lease the Main Post Fire House to FMERA for a term of one year with an option for an additional six month extension at the discretion of FMERA; and

WHEREAS, a sublease of the property to OPD would allow for renovations and the occupation of the Fire House on an interim basis while the Borough arranges for a permanent location and renovation costs will be offset by Federal Emergency Management Agency assistance; and

WHEREAS, the Borough will insure the property for liability, fire and extended coverage and indemnify and hold FMERA harmless against all claims, and the consideration for the sublease is the operation and maintenance of the property by the Borough including all utility costs; and

NOW THEREFORE BE IT RESOLVED, that Borough Council of the Borough of Oceanport authorize the Mayor and Clerk to sign and effectuate said documents of the Lease Agreement between FMERA and the Borough of Oceanport subject to review by the Borough Attorney.

Motion: *Irace*

Second: *Bertekap*

I certify this to be a true copy of Resolution #2014-211 approved by the Oceanport Borough Council at the Regular Meeting held November 6, 2014

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

[Signature]

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #14-00006
FOR BLOCK 26, LOT 14 KNOWN AS 47 MOHICAN AVE**

**Resolution #2014-212
11-06-14**

WHEREAS, at the Borough Tax Sale held on September 26, 2014, a lien was sold on Block 26 Lot 14, otherwise known as 47 Mohican Ave; and

WHEREAS, this lien, known as Tax Sale Certificate 14-00006 was sold to US Bank cust for PC 4 First Trust Bank at an interest rate of 0% and a premium of \$1,000; and

WHEREAS, the owner's mortgage company has redeemed certificate 14-00006 in the amount of \$ 513.55.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$513.55 payable to US Bank cust for PC 4 First Trust Bank, US Bank Global Corp Trust Serv, 50 S 16th St Suite 2050, Philadelphia PA 19102 for the redemption of Tax Sale Certificate 14-00006.

BE IT FURTHER RESOLVED, that the CFO be authorized to issue a check in the amount of \$1,000 (Premium) to the aforementioned lienholder.

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

I certify this to be a true copy of Resolution #2014-212 approved by the Oceanport Borough Council at the Regular Meeting held November 6, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #14-00024
FOR BLOCK 142, LOT 1 KNOWN AS 114 MAIN STREET**

**Resolution #2014-213
11-06-14**

WHEREAS, at the Borough Tax Sale held on September 26, 2014, a lien was sold on Block 142 Lot 1, otherwise known as 114 Main St; and

WHEREAS, this lien, known as Tax Sale Certificate 14-00024 was sold to Tower Fund Serv as Cust for Ebury Fund 1 NJ LLC at an interest rate of 0% and a premium of \$13,000; and

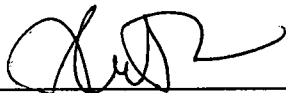
WHEREAS, the owner has redeemed certificate 14-00024 in the amount of \$ 5,760.50.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$5,760.50 payable to Tower Fund Serv as Cust for Ebury Fund 1 NJ LLC, PO Box37695, Baltimore MD 21297 for the redemption of Tax Sale Certificate 14-00024.

BE IT FURTHER RESOLVED, that the CFO be authorized to issue a check in the amount of \$13,000 (Premium) to the aforementioned lienholder.

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

I certify this to be a true copy of Resolution #2014-213 approved by the Oceanport Borough Council at the Regular Meeting held November 6, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
IN SUPPORT OF INCREASING THE SHORE PROTECTION FUND TO AT LEAST
\$50 MILLION TO SUPPORT FUTURE BEACH PRESERVATION PROJECTS**

**RESOLUTION #2014-214
11-06-14**

WHEREAS, the dedicated \$25 million annual allocation for the New Jersey Shore Protection Fund has supported a unique and successful cost-sharing partnership with the federal government in replenishing eroded beaches along the 137 mile Jersey coast from Middlesex to Cape May County and provides needed matching funds for the NJ DEP's numerous other municipal coastal projects; and

WHEREAS, Super Sandy demonstrated the value of well-nourished wide beaches with dune systems in protecting life and property along the coast and preventing more extensive damage to critical infrastructure; and

WHEREAS, miles of sandy beaches, bustling boardwalks, and busy coastal waterways contribute over \$19 billion in tourism revenue annually- one half of the State's total \$38 billion tourism revenue; and

WHEREAS, the Jersey Shore coastline provides an unsurpassed combination of ecological riches, economic opportunity, and quality of life for both residents and visitors alike; and

WHEREAS, we must be proactive, not reactive, in preparing for the inevitable onset of more frequent Sandy-like storms in light of sea level rise, climate change and increasing development along the coast; and

WHEREAS, New Jersey, working with the Army Corps of Engineers, must develop a more comprehensive plan that includes inland waterways that increasingly flood coastal and urban communities, including the back bays and barrier islands; and

WHEREAS, the \$25 million allocated from the Shore Protection Fund is insufficient to meet current and anticipated future matching costs of Corps of Engineers and State replenishment projects and other needed coastal protection projects by the numerous coastal municipalities in New Jersey;

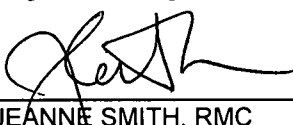
NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oceanport calls on the New Jersey Legislators to at least double the Shore Protection Fund to \$50 million to meet the needs for future coastal protection projects and to provide a further incentive for federal matching funds.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed and authorized to send copies of this Resolution to Oceanport's representatives in the New Jersey Legislature. And, be it further resolved that a copy of this Resolution shall be forwarded to Governor Chris Christie and to the Jersey Shore Partnership.

Motion: *Irace* Second: *Bertekap*

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

I certify this to be a true copy of Resolution #2014-214 approved by the Oceanport Borough Council at the Regular Meeting held November 6, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
ADOPTING THE 2014 DRAFT MONMOUTH COUNTY HAZARD MITIGATION PLAN**

**Resolution #2014-215
11-06-14**

WHEREAS, the Borough of Oceanport has experienced natural hazards that result in public safety hazards and damage to private and public property; and

WHEREAS, the Borough of Oceanport adopted the Monmouth County Multi-Jurisdictional Hazard Mitigation Plan (HMP) on February 19, 2009 in order to be eligible for mitigation grants for disaster planning and disaster recovery as well as participation in FEMA's Community Rating System for the National Flood Program; and

WHEREAS, FEMA guidelines require the HMP be updated every 5 years; and

WHEREAS, the Monmouth County Office of Emergency Management has prepared and posted a draft of the updated Hazard Mitigation Plan.

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Oceanport that the 2014 draft *Hazard Mitigation Plan* is hereby adopted.

BE IT FURTHER RESOLVED, that the Borough Council will consider for adoption as the official plan of the Borough upon completion of the public comment period and review by the State Office of Emergency Management and the Federal Emergency Management Agency.

Motion: *Mac* Second: *Bertekap*

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

I certify this to be a true copy of Resolution #2014-215 approved by the Oceanport Borough Council at the Regular Meeting held November 6, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING CHANGE ORDER #1 FOR
2012 ROAD PROGRAM**

**RESOLUTION#2014-218
11-06-14**

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 October 20, 2014; and

WHEREAS, the contract will be decreased by \$1,999.92 as the Borough is due a credit of \$1,999.92 as a result of an incorrect computation by the Contractor for the escalation for fuel and asphalt cement that is now required on all projects that utilize over 1,000 tons of asphalt and 500 gallons of fuel; and

WHEREAS, Fiore Paving Co., Inc. has also been awarded the contract for the 2014 Road Program and has requested that the credit be applied to that contract; 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,

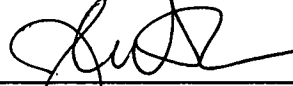
1. Change Order #1 to the contract between the Borough of Oceanport and Fiore Paving Co. Inc. is hereby approved.
2. That the credit of \$1,999.92 be applied to the Contract awarded to Fiore Paving Co. Inc. for the 2014 Road Program.
3. The Administrator or Borough Clerk are hereby authorized to sign the change order on behalf of the Borough.

Motion: *Irace*

Second: *Bertekap*

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

I certify this to be a true copy of Resolution #2014-218 approved by the Oceanport Borough Council at the Regular Meeting held November 6, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

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

**Resolution #2014-219
11-06-2014**

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:

Personnel Matters – N.J.S.A. 10:4-12(b)(8)
Court Clerk retirement

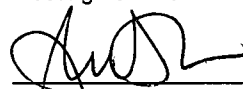
Potential Property Acquisitions or Sales – N.J.S.A. 10:4-12(b)(5)
Fort Monmouth – 900 & 917 Murphy Drive (DPW)
3 Pemberton Avenue (Habitat for Humanity)

Contract Negotiations – N.J.S.A. 10:4-12(b)(4)
Fort Monmouth – updates on Officer's Housing and Russell Hall
Fort Monmouth – Lease Agreement for 282 Hildreth Ave (Police)

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

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

I certify this to be a true copy of Resolution #2014-219 approved by the Oceanport Borough Council at the Regular Meeting held November 6, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

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, 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.

The foregoing resolution was adopted by the following vote:

Motion: *Shaw* Second: *Bertekap*

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

I certify this to be a true copy of Resolution #2014-216 approved by the Oceanport Borough Council at the Regular Meeting held November 6, 2014


 JEANNE SMITH, RMC
 BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #14-00018
FOR BLOCK 117, LOT 27.195 CS195 KNOWN AS 96 PADDOCK COURT**

**Resolution #2014-217
11-06-14**

WHEREAS, at the Borough Tax Sale held on September 26, 2014, a lien was sold on Block 117 Lot 27.195 CS195, otherwise known as 96 Paddock Ct; and

WHEREAS, this lien, known as Tax Sale Certificate 14-00018 was sold to Tower Fund Serv as Cust for Ebury Fund 1 NJ LLC at an interest rate of 0% and a premium of \$12,000; and

WHEREAS, the owner has redeemed certificate 14-00018 in the amount of \$ 9,307.98.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$9,307.98 payable to Tower Fund Serv as Cust for Ebury Fund 1 NJ LLC, PO Box37695, Baltimore MD 21297 for the redemption of Tax Sale Certificate 14-00018.

BE IT FURTHER RESOLVED, that the CFO be authorized to issue a check in the amount of \$12,000 (Premium) to the aforementioned lienholder.

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

Second: *Bertekap*

I certify this to be a true copy of Resolution #2014-217 approved by the Oceanport Borough Council at the Regular Meeting held November 6, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$1,733,750
GENERAL OBLIGATION BONDS, SERIES 2014 OF THE BOROUGH OF
OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY AND
PROVIDING FOR OTHER DETAILS OF SAID BONDS**

**Resolution #2014-216
11-06-2014**

WHEREAS, the Borough Council of the Borough of Oceanport, in the County of Monmouth, New Jersey (the "Borough"), has heretofore adopted three 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 2014 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 \$1,733,750 and it is deemed advisable and in the best interests of the Borough to issue the aggregate principal amount of \$1,733,750 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. Numbe r</u>	<u>Date Adopted</u>	<u>Purpose</u>	<u>Amount of Bonds Authorized</u>	<u>Useful Life</u>	<u>Bonds to be Issued</u>
922	12/04/13	Construction of building	\$665,000	30 years	\$665,000
929	03/20/14	Acquisition of computers and radios	\$209,000	10 years	\$209,000
931	05/01/14	Various capital improvements	\$859,750	9.47514 years	\$859,750

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 \$1,733,750 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 2014".

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 17.41095 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, 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, 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

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING SUBMITTAL OF A GRANT APPLICATION AND EXECUTE A GRANT
CONTRACT WITH THE NJ DEPARTMENT OF TRANSPORTATION FOR THE
OCEANPORT BOROUGH BIKEABILITY IMPROVEMENT PROJECT**

**Resolution #2014-220
11-06-2014**

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

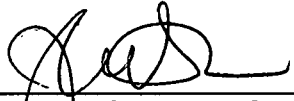
BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as BIKE-2015-Oceanport Borough-00058 to the New Jersey Department of Transportation on behalf of the Borough of Oceanport.

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.

Motion: *Bertekap* Second: *Acillo*

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

I certify this to be a true copy of Resolution #2014-220 approved by the Oceanport Borough Council at the Regular Meeting held November 6, 2014



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



Clerk



Mayor