



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

AGENDA • OCTOBER 19, 2023

Regular Meeting

Clement V. Sommers Municipal Building

7:00 PM

910 Oceanport Way, Oceanport, NJ 07757

I. Call to Order

II. Statement of Compliance with Open Public Meetings Act:

This meeting complies with the Open Public Meetings Act by adequate and electronic notification on January 5, 2022 of this meeting and its location, date and time to the Asbury Park Press and Two River Times and by the posting of same on the municipal bulletin board and Borough's Web Site.

III. Flag Salute, Statement to the Public

Often times it may appear that the Mayor & Council take action with very little comment and in many cases by unanimous vote. Many items are of routine business that are placed on a Consent Agenda as they do not require additional discussion. Items not of a routine nature are first listed for discussion at a Workshop meeting prior to being listed for action at a Regular Meeting. Where appropriate, items are referred to a Council Committee for further study and investigation before being returned with a recommendation for the full Council to consider. The members of the Borough Council work via committees along with the Mayor, Borough Clerk and Administration to assure that the members fully understand the matter. There are occasions where matters are presented to the Mayor & Council for discussion and action at the same meeting when of a timely nature.

IV. Roll Call

V. MAYOR'S PROCLAMATIONS:

1. Presentation & Proclamation for Joanne Hunt
2. Proclamation - Halloween Curfew 2023

VI. PUBLIC COMMENT - Action Items Only

At this time, comments are invited on agenda items only. Upon being recognized by the Mayor, anyone wishing to address the Governing Body, please state your name and address. No member of the public may address or question individual Governing Body members or administration. Although public participation is welcomed and encouraged, the governing body may, through the Mayor or presiding officer, terminate remarks to and/or by any individual not keeping with the conduct of a proper and efficient meeting. The Borough bears no responsibility for comments made by members of the public. In order to permit the fair and orderly expression of public comment, questions from the public will be responded to, if feasible, after the public comment portion of the meeting is closed.

VII. Administrators Report

VIII. Clerk's Report

IX. Consent Agenda

All items listed under Consent Agenda, are considered routine by the Borough Council and will be enacted by one motion in the form listed below. There will not be separate discussion of these items.. If discussion is desired, that item will be removed from the Consent Agenda by request of the Council member and considered separately. There will be one motion for all items listed.

- | | | |
|------------------|----|--|
| #2023-235 | 1. | Resolution authorizing payment of BILL LIST 10-19-2023 |
| #2023-236 | 2. | Resolution authorizing purchase of shed through State Contract |
| #2023-237 | 3. | Resolution awarding a contract to Sunbelt Rentals for temporary lighting at Gatta Park |
| #2023-238 | 4. | Resolution authorizing Tax Sale Redemption #23-00011 |
| #2023-239 | 5. | Resolution authorizing Tax Sale Redemption #20-00006 |
| #2023-240 | 6. | Resolution authorizing Change Order #1 decreasing the contract for Pickleball Courts Project |

7. Receipt & Acceptance of Minutes, Historical Committee, 07/13/2023
8. Receipt & Acceptance of Minutes, Historical Committee, 08/10/2023
9. Receipt & Acceptance of Minutes, Parks & Recreation Committee, 8/16/2023

X. Minutes

1. Minutes of Jan 19, 2023 7:00 PM - *To Be Provided*
2. Minutes of Jul 20, 2023 7:00 PM - *To Be Provided*
3. Regular Meeting Minutes, September 21, 2023
4. Workshop Minutes, October 5, 2023

XI. Resolutions

- #2023-241** Resolution authorizing release of performance guarantee to Fort Partners Group
- #2023-242** Resolution amending Personnel Policy to reflect new JIF requirements

XII. First Reading Ordinances

- Introduction of Ordinance Amending Land Development Chapter 390-27 "Portable On Demand Storage"
- Introduction of Ordinance Repealing Chapter 35, Public Contracts

XIII. Second Reading & Public Hearing Ordinances

- #1083 2nd Reading and PUBLIC HEARING of Ordinance Amending Special Event Fees for First Aid/Fire Standby

XIV. Council Standing Committee Reports

1. Councilman Deerin, Parks & Recreation
2. Councilman Gallo, Public Works & Engineering
3. Councilman Keeshen, Public Safety
4. Councilman O'Brien, Finance & Administration
5. Councilman Salnick, Health & Human Services
6. Councilman Tvrdik, Planning & Development

XV. Mayor Coffey's Report**XVI. Public Comments**

The meeting has been opened for comments from the public. Upon being recognized by the Mayor or presiding officer, anyone wishing to address the Mayor & Council, please state your name and address. Any member of the public wishing to speak a second time or more will only be recognized after all members of the public wishing to be heard for a first time have been recognized. No member of the public may address or question individual Council members or administration. Although public participation is welcomed and encouraged, the governing body may, through the Mayor or presiding officer, terminate remarks to and/or by any individual not keeping with the conduct of a proper and efficient meeting. The Borough bears no responsibility for comments made by members of the public. In order to permit the fair and orderly expression of public comment, questions from the public will be responded to, if feasible, after the public comment portion of the meeting is closed.

XVII. Adjourn to Executive Session

- #2023-243** Resolution authorizing an Executive Session, October 19, 2023

- X N.J.S.A. 10:4-12(b)(7) *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege*
- *Shared Services Proposal*
 - *Potential Litigation - 60 Shore Road*
- X N.J.S.A. 10:4-12(b)(8) *Matters Relating to the Employment Relationship*
- *Special Labor Counsel Investigation Report*

XVIII. Return from Executive Session

XIX. Adjournment

PROCLAMATION

Office of the Mayor

WHEREAS, pursuant to N.J.S.A. 40:87-31 which confers upon the Mayor, the obligation to maintain peace and good order, I hereby declare that there exists the potential for disturbances injurious to the peace and good order of the Borough of Oceanport on Sunday, October 29th , Monday, October 30th and Tuesday, October 31st more commonly known as “**MISCHIEF NIGHTS**” and “**HALLOWEEN**”; and

WHEREAS, accordingly, I hereby impose a curfew restricting all minors not accompanied by a parent or guardian from assembling on the streets or other public places within the jurisdiction limits of the Borough of Oceanport from 8:00 P.M. to 6:00 A.M. on each of the respective dates mentioned above.

NOW, THEREFORE, I, JOHN F. COFFEY, II, MAYOR of the Borough of Oceanport do hereby direct the Oceanport Police Department to post at appropriate public places throughout the Borough, the provisions of this curfew.

**Given under my hand and Seal
of the Borough of Oceanport,
this 19th day of October 2023.**

JOHN F. COFFEY, II, MAYOR

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING PAYMENT OF BILL LIST FOR OCTOBER 19, 2023**

**Resolution #2023-235
10/19/23**

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of October 19, 2023.

BE IT RESOLVED, by the Mayor and Council that the bills be paid as on the attached bill list for \$371,976.14.

CERTIFICATION OF FUNDS

I, Catherine D. LaPorta, Chief Financial Officer, of the Borough of Oceanport, do hereby certify that funds are available for the purpose stated herein.



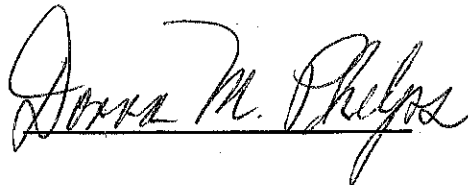
Catherine D. LaPorta, CFO

BOROUGH OF OCEANPORT BILL LIST

19-Oct-23

PAYEE	AMOUNT
PAYROLL ACCOUNT	\$148,988.90 21ST PAY
DCRP	\$266.02
MANUAL CHECKS	
MVC	\$240.00
GRANT FUND	\$0.00
CAPITAL	\$0.00
DOG REGISTRY TOTAL	\$0.00
OPEN SPACE TRUST TOTAL	\$20,428.22
SUI	\$0.00
OFF DUTY TRUST	\$0.00
UCC TRUST	\$5,097.82
TRUST OTHER TOTAL	\$50.00
ESCROW TRUST TOTAL	\$8,761.07
NON BUDGETARY	\$325.00
2022 VOUCHERS PAID THIS MEETING	\$0.00
2023 VOUCHERS PAID THIS MEETING	\$187,819.11
TOTAL	\$371,976.14

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



List of Bills - (All Funds)

9.1.b

Vendor	Description	Payment	Check Total
Current Fund			
1658 - AMAZON CAPITAL SERVICES, INC	PO 14986 SUPPLIES - POLICE	30.27	30.27
1116 - ASBURY PARK PRESS	PO 14811 Legal Notice - Tax Sale	218.04	
	PO 14908 Legal Notice	135.32	
	PO 14996 Legal Notice	51.72	405.08
1029 - BEATRIZ C CRANEY	PO 14874 INTERPRETING - SEPT 2023	120.00	120.00
1472 - BOROUGH OF EATONTOWN	PO 14978 Annual Fee Central Monmouth Active Shoot	1,000.00	1,000.00
1516 - CANON FINANCIAL SERVICES, INC	PO 14891 PD COPIER SERVICE - SEPT 2023	58.92	58.92
1047 - CENTRAL JERSEY HEALTH INSURANC	PO 15058 HEALTH / DENTAL INSURANCE - NOV 2023	69,723.71	69,723.71
1987 - CINTAS CORPORATION NO 2	PO 14988 DRAWDOWN FROM BLANKET P013142 - AUGUST C	196.56	196.56
1056 - COAST CITIES EQUIPMENT, INC	PO 14930 2018 INT 26608MG	824.71	
	PO 14931 FOR INSPECTIONS 2017 INT 21979MG	867.90	
	PO 14933 FOR 2018 INT 26607MG	1,676.40	
	PO 14934 REPAIRS. INSPECTIONS	161.50	3,530.51
1056 - COAST CITIES EQUIPMENT, INC	PO 14935 REPAIRS. INSPECTIONS	161.50	
	PO 14936 REPAIRS. INSPECTIONS	159.00	
	PO 14937 REPAIRS. INSPECTIONS	161.50	
	PO 14938 REPAIRS. INSPECTIONS	161.50	
	PO 14939 REPAIRS 2003 43728MG	1,439.00	2,082.50
1837 - COASTAL REFRIGERATION CORP	PO 14932 SERVICE CALL AT PAP FIREHOUSE 07/26/2023	467.66	467.66
2102 - DCH FORD OF EATONTOWN	PO 14989 SERVICE - SCHOOL VEHICLE	5,603.01	5,603.01
1446 - DIRECT ENERGY BUSINES	PO 15095 PARK 08/31-10/03/23	126.29	
	PO 15098 TRAFFIC LIGHTS - 08/01-30/23	123.37	
	PO 15107 STREET LIGHTS - 0/831-09/30/23	14.48	264.14
1453 - DONNA PHELPS	PO 15108 TRAVEL PASS REIMBURSEMENT	106.75	106.75
1099 - EUROFINS ENVIRONMENT TESTING PHILAD	PO 14984 WATER TESTING - SEPT 2023	480.00	480.00
1109 - FMERA	PO 15033 BLDG 900 - 09/01-30/23 - DPW	458.06	
	PO 15034 RT 537 - 09/01-30/23	273.26	
	PO 15035 BLDG 901 - SEPT 2023 - BORO HALL SEWER	30.00	
	PO 15036 BLDG 901 - 09/01-10/02/23 - BORO HALL	1,617.57	
	PO 15037 BLDG 977 - SEPT 2023 - POLICE SEWER	30.00	
	PO 15038 BLDG 977 - 09/01-10/02/23 - POLICE	2,089.40	4,498.29
2125 - GLOCK PROFESSIONALS, INC	PO 14897 Armorers Course (Fire Arms) Resnyk & Pet	500.00	
	PO 14997 MOS Instructors Workshop for Hang guns	500.00	1,000.00
1506 - GRANICUS, LLC	PO 15047 AGENDA & MINUTE SOFTWARE - OCT 2023	415.00	415.00
1203 - HACKENSACK MERIDIAN WORKS	PO 14901 Physical for Rogers	498.00	498.00
1143 - I.D.M. MEDICAL SUPPLY INC	PO 14921 FAS OXYGEN	252.40	252.40
1145 - INSTITUTE FOR FORENSIC	PO 14973 Psychological exam-Shane Carroll	525.00	525.00
1685 - JANITOR SUPPLY CORP	PO 14893 DRAWDOWN FROM BLANKET PO 14585 FOR SUPP	871.75	871.75
1153 - JERSEY CENTRAL POWER & LIGHT	PO 14977 200-00-857-007 - 07/20-08/18/23	5,402.46	
	PO 15059 MAIN & INTERSECTION - OCT 2023	36.47	5,438.93
2097 - JOHN PATTI	PO 15041 REIMBURSEMENT	15.99	15.99
1156 - JOHN WEIR	PO 14990 Uniform Purchase Reimbursement Weir	132.52	132.52
1499 - KEVIN E KENNEDY, ESQ	PO 15064 PB Legal - General Services	120.00	
	PO 15065 PB - 2023 MEETINGS	500.00	
	PO 15068 PB Litigation	225.00	
	PO 15077 PB Legal - General Services	1,965.00	
	PO 15078 PB - 2023 MEETINGS	500.00	3,310.00
1672 - Kyle + McManus Associates LLC	PO 15046 AFFORDABLE HOUSING	183.75	183.75
1182 - LAURA MCCRAE	PO 15076 BULLETIN - OCT / NOV 2023	425.00	425.00
1814 - LEAF	PO 15010 OEM COPIER	82.32	82.32
1206 - MICHAEL KELLY	PO 15042 FBINA-NJ Conference and Reimbursement	550.00	550.00
1216 - MONMOUTH COUNTY CLERK	PO 14991 RIM Shared Service with County	3,500.00	
	PO 15099 Document Recording	8.00	3,508.00
1245 - NJ AMERICAN WATER CO	PO 14980 HYDRANT SERVICE - 08/23-09/25/23	8,776.10	8,776.10
1543 - OTC BRANDS, INC.	PO 14434 TRUNK OR TREAT	918.76	918.76
1286 - PRO JANITORIAL SERVICES, LLC	PO 14983 CLEANING SERVICES - SEPT 2023	3,000.00	3,000.00
1791 - READY FRESH	PO 15060 WATER DELIVERY SERVICE - SEPT 2023	174.89	174.89
2130 - REARDON ANDERSON, LLC	PO 14987 CIVIL LITIGATION	2,905.00	2,905.00
1974 - SERVICE TIRE TRUCK CENTER INC	PO 13767 FOR TIRES ON TRUCK 134 BIG BLUE	2,622.00	
	PO 13769 FOR TIRES ON TRUCK 129 RACK BODY	896.00	3,518.00

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List of Bills - (All Funds)

9.1.b

Vendor	Description	Payment	Check Total
1320 - SHORE BUSINESS SOLUTIONS, INC	PO 14994 OVERAGE USE FOR DPW PRINTER	71.78	71.78
1327 - SLATTERY PEST MANAGEMENT, LLC	PO 14841 FOR PEST SERVICES	400.00	400.00
1337 - SUBURBAN DISPOSAL	PO 15008 DISPOSAL FEE - SEPT 2023	24,809.00	
	PO 15009 COLLECTION - OCT 2023	34,500.00	59,309.00
1580 - THE TWO RIVER TIMES	PO 15053 Legal Notices	35.65	35.65
1447 - TREASURER STATE OF NJ	PO 14982 MARRIAGE LICENSE FEES 3RD QTR 2023	325.00	325.00
2061 - UGI ENERGY SERVICES, LLC	PO 14976 HOOK & LADDER - 07/19-08/16/23	1.11	1.11
1387 - VERIZON	PO 14981 POLICE FIOS - 09/23-10/23/23	332.70	
	PO 15105 LIBRARY PHONE - 10/07-11/06/23	265.67	
	PO 15109 OLD WHARF HOUSE FIRE MONITORING - 10/08-	102.61	700.98
1388 - VERIZON WIRELESS	PO 14972 POLICE WIRELESS - 09/24-10/23/23	687.81	
	PO 15086 FIRE BUREAU WIRELESS - 10/02-11/01/23	28.69	
	PO 15106 DPW - 09/13-10/01/23	37.90	754.40
1558 - Verizon Wireless	PO 15085 FIRE WIRELESS - 10/02-11/01/23	120.17	120.17
1559 - Verizon Wireless	PO 15089 UCC/CLERK WIRELESS - 10/02-11/01/23	24.20	24.20
1389 - VERIZON WIRELESS (OEM)	PO 15087 OEM WIRELESS - 10/02-11/01/23	40.01	40.01
1391 - VIRTUAL FX, LLC	PO 14857 STRIPES, LETTERING & NUMBERS	1,293.00	1,293.00
OPEN SPACE TRUST			
1485 - NJ GRAVEL AND SAND CO.	PO 14941 GRAVEL	2,253.30	2,253.30
2003 - POOR JOHN PORTABLE TOILETS	PO 14922 PORTA JOHNS - GATTA PARK 09/01 & 09/11/23	592.00	592.00
1318 - SEMCORE RENTAL CENTER II	PO 14895 FOR REPAIRS FOR HEAVY EQUIPMENT	31.90	
	PO 14896 DRAWDOWN FROM BLANKET PO 14754 FOR REPAI	903.00	
	PO 14943 DIESEL FUEL FOR EXCAVATOR RETURN- POOL	70.00	1,004.90
1327 - SLATTERY PEST MANAGEMENT, LLC	PO 14903 SPRAY + TREAT LANTERN FLIES	1,500.00	1,500.00
2111 - THE BORJA GROUP	PO 15102 FACILITY USE MANAGEMENT	15,000.00	15,000.00
1388 - VERIZON WIRELESS	PO 15088 BBB & OLD WHARF - 10/02-11/01/23	78.02	78.02
UCC Trust			
1361 - TREASURER: STATE OF NJ	PO 14970 STATE TRAINING FEE - 3RD QUARTER 2023	4,953.00	4,953.00
1559 - Verizon Wireless	PO 15089 UCC/CLERK WIRELESS - 10/02-11/01/23	144.82	144.82
OTHER TRUST			
1434 - Jersey Printing Associates, Inc.	PO 14742 HISTORICAL COMMITTEE SUPPLIES	50.00	50.00
DEVELOPERS ESCROW TRUST			
2134 - BRIAN GILL	PO 15083 ESCROW REFUND	84.75	84.75
1720 - CGP&H	PO 14919 ADM AGENT FOR AFFORDABLE HOUSING - 08/02	1,267.20	1,267.20
1807 - COLLIERS ENGINEERING & DESIGN	PO 13857 PB Engineering - Carchio	131.25	
	PO 14974 PB Engineering - 114 Salzmann Ave,	87.50	
	PO 14975 PB Engineering - 114 Salzmann Ave,	175.00	
	PO 15071 PB Engineering	393.75	
	PO 15072 PB Engineering	363.75	
	PO 15073 PB Engineering	208.75	
	PO 15074 PB Engineering - SCIACCA	175.00	
	PO 15075 PB Engineering - Marina at Oceanport	787.50	2,322.50
1499 - KEVIN E KENNEDY, ESQ	PO 13124 PB Legal - Carcchio	285.00	
	PO 15066 PB Legal - SCIACCA	75.00	
	PO 15067 PB Legal - Signal Point LLC	1,245.00	
	PO 15069 PB Legal - Torregrossa	300.00	
	PO 15070 PB Legal - Marina at Oceanport	1,830.00	
	PO 15079 PB Legal - SCIACCA	300.00	
	PO 15080 PB Legal - DaSilva	60.00	
	PO 15081 PB Legal - Jungfer	60.00	4,155.00
1499 - KEVIN E KENNEDY, ESQ	PO 15082 PB Legal - Marina at Oceanport	780.00	780.00
2135 - PAUL M SKEEN	PO 15097 ESCROW REFUND	151.62	151.62
TOTAL			222,481.22

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
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ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-101-01-000-011	CASH OPERATING			0.00	188,144.11
01-201-20-100-200	ADMINISTRATIVE & EXECUTIVE OE	281.64			
01-201-20-120-200	MUNICIPAL CLERK OE	4,562.69			
01-201-20-145-200	COLLECTION OF TAXES OE	218.04			
01-201-20-155-200	LEGAL SERVICES OE	3,313.75			
01-201-21-180-200	PLANNING BOARD OE	3,093.00			
01-201-23-210-202	HEALTH	65,781.35			
01-201-23-210-203	DENTAL	3,942.36			
01-201-25-240-200	POLICE OE	4,482.52			
01-201-25-240-300	PUBLIC SAFETY EQUIPMENT	5,603.01			
01-201-25-252-200	EMERGENCY MANAGEMENT OE	122.33			
01-201-25-255-200	FIRE HYDRANT SERVICE OE	8,776.10			
01-201-25-260-200	FIRST AID ORGANIZATION OE	1,545.40			
01-201-25-265-200	FIRE DEPARTMENT OE	120.17			
01-201-25-265-400	FIRE BUREAU OE	28.69			
01-201-26-300-271	REPAIRS	5,613.01			
01-201-26-300-272	TIRES	3,518.00			
01-201-26-305-200	SANITATION-TRASH REMOVAL OE	34,500.00			
01-201-26-310-200	PUBLIC BUILDINGS & GROUNDS OE	4,540.09			
01-201-26-310-252	REPAIRS & EQUIPMENT	467.66			
01-201-27-335-300	WATER WATCH COMMITTEE-OTHER	480.00			
01-201-28-371-200	PARKS AND PLAYGROUNDS OE	918.76			
01-201-31-430-201	ELECTRICITY	4,165.03			
01-201-31-430-203	TELEPHONE/INTERNET	763.08			
01-201-31-430-204	WATER/SEWER	60.00			
01-201-31-430-205	NATURAL GAS	1.11			
01-201-31-430-207	STREET LIGHTING	5,976.33			
01-201-31-465-200	SANITATION DUMPING FEES	24,809.00			
01-201-43-490-200	MUNICIPAL COURT OE	135.99			
01-218-55-000-028	DUE STATE-MARRIAGE LICENSES			325.00	
TOTALS FOR	Current Fund	187,819.11	0.00	325.00	188,144.11
06-101-01-100-011	OPEN SPACE CASH - TD			0.00	20,428.22
06-270-00-500-020	RESERVE FOR OPEN SPACE			20,428.22	
TOTALS FOR	OPEN SPACE TRUST	0.00	0.00	20,428.22	20,428.22
18-101-01-100-101	CASH UCC TRUST			0.00	5,097.82
18-270-55-600	RESERVE FOR UCC TRUST			5,097.82	
TOTALS FOR	UCC Trust	0.00	0.00	5,097.82	5,097.82
60-101-01-100-101	CASH-OTHER TRUST - TD			0.00	50.00
60-270-55-600-135	RES.FOR HISTORICAL COMMITTEE			50.00	
TOTALS FOR	OTHER TRUST	0.00	0.00	50.00	50.00
61-101-01-100-101	CASH-DEV.ESCROW/TD			0.00	8,761.07
61-270-55-600-205	RES.FOR DEV.ESCROW			8,761.07	
TOTALS FOR	DEVELOPERS ESCROW TRUST	0.00	0.00	8,761.07	8,761.07

Total to be paid from Fund 01 Current Fund	188,144.11
Total to be paid from Fund 06 OPEN SPACE TRUST	20,428.22
Total to be paid from Fund 18 UCC Trust	5,097.82
Total to be paid from Fund 60 OTHER TRUST	50.00
Total to be paid from Fund 61 DEVELOPERS ESCROW TRUST	8,761.07

	222,481.22

9.1.b

9.1.c

Pending Payments (*Not Finalized*) - (..) ALL FUNDS

From 10/01/2023 to 10/31/2023 With a Line Amount > 10000

DATE	ENTRY #	PO#	CHECK #	ACCOUNT	VENDOR/EXPLANATION	DEBIT	CREDIT	ACCOUNT
10/12/2023	15009			01-201-26-305-201	SOLID WASTE & RECYCLING SUBURBAN DISPOSAL	34,500.00	34,500.00	01-101-01-000-011
10/12/2023	15008			01-201-31-465-201 01-201-31-465-201 01-201-31-465-201	DISPOSAL RECYCLING ENHANCEMENT ACT RECYCLING FEE SUBURBAN DISPOSAL	18,232.30 662.19 5,914.51	24,809.00	01-101-01-000-011
10/16/2023	15058			01-201-23-210-202 01-201-23-210-203	HEALTH DENTAL CENTRAL JERSEY HEALTH INSURANC	65,781.35 3,942.36	69,723.71	01-101-01-000-011
10/16/2023	15102			06-270-00-500-024	CONSULTING SERVICES THE BORJA GROUP	15,000.00	15,000.00	06-101-01-100-011

OCTOBER SUMMARY BY ACCOUNT:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	PENDING CR
01-101-01-000-011	CASH OPERATING				129,032.71
06-101-01-100-011	OPEN SPACE CASH - TD				15,000.00
01-201-23-210-202	HEALTH		65,781.35		
01-201-23-210-203	DENTAL		3,942.36		
01-201-26-305-201	SANITATION-TRASH REMOVAL		34,500.00		
01-201-31-465-201	SANITATION DUMPING FEES		24,809.00		
06-270-00-500-024	RESERVE FOR MARIA GATTA FIELDS			15,000.00	
OCTOBER TOTALS (FOR RANGE):			129,032.71	15,000.00	144,032.71
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SUMMARY BY ACCOUNT FOR RANGE:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	DISBURSED
01-101-01-000-011	CASH OPERATING				129,032.71
06-101-01-100-011	OPEN SPACE CASH - TD				15,000.00
01-201-23-210-202	HEALTH		65,781.35		
01-201-23-210-203	DENTAL		3,942.36		
01-201-26-305-201	SANITATION-TRASH REMOVAL		34,500.00		
01-201-31-465-201	SANITATION DUMPING FEES		24,809.00		
06-270-00-500-024	RESERVE FOR MARIA GATTA FIELDS			15,000.00	
TOTALS (FOR RANGE):			129,032.71	15,000.00	144,032.71
		=====	=====	=====	=====

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE PURCHASE OF A SHED THROUGH STATE CONTRACT FOR THE DEPARTMENT
OF PUBLIC WORKS**

Resolution #2023-236
10/19/23

WHEREAS, Public Works desires to purchase a storage shed to place in the public works yard to store various items; and

WHEREAS, N.J.S.A. 40A:11-3(a), allows for the award of a contract without the necessity of public advertising for bids when the procurement is made through a State contract; and

WHEREAS, the recommendation is to purchase the storage shed from State of NJ, Deptcor, PO Box 867, 163 North Olden Ave, Trenton, NJ 08625-0867 which is available through NJ State Contract #49131-T-SU01 for a total amount not to exceed \$17,500.00; and

WHEREAS, the Chief Financial Officer has confirmed that funds are available for the stated purpose as indicated below by the Certification of Funds,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council that the purchase of an 8' x 32' storage shed for the Department of Public Works for a total cost of \$17,500.00 from State of NJ, Deptcor, PO Box 867, 163 North Olden Ave, Trenton, NJ 08625-0867 pursuant with NJ State Contract #49131-T-SU01 is hereby authorized.

CERTIFICATION OF FUNDS

As required by N.J.A.C. 5:34-5.1 et. seq., and any other applicable requirement, I, Catherine D. LaPorta, Chief Financial Officer of the Borough of Oceanport, certify that there are sufficient uncommitted funds available in Account #01-201-44-900-904 in the amount of \$17,500.00 for the stated purpose.



Catherine D. LaPorta, CFO

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AWARDING A CONTRACT TO SUNBELT RENTALS, INC. FOR TEMPORARY LIGHTING EQUIPMENT
FOR USE AT MARIA GATTA PARK**

Resolution #2023-237
10/19/23

WHEREAS, there is a need to obtain temporary lighting for the fields at Maria Gatta Park; and

WHEREAS, quotes were sought and Sunbelt Rentals, Inc. submitted the lowest responsive quotes for the provision of said services; and

WHEREAS, the Borough has determined that the value of the services will exceed \$17,500.00 and requires a Business Entity and Political Contribution Disclosure pursuant with N.J.S.A. 19:44A-20.B and P.L.2023, c.30; and

WHEREAS, the anticipated term of this contract is for the period September 1, 2023 through December 31, 2023; and

WHEREAS, Sunbelt Rentals, Inc., 2341 Deerfield Drive, PO Box 409211, Fort Mill, SC 29715 has completed and submitted a Business Entity Disclosure Certification and Political Contribution Disclosure Form pursuant with N.J.S.A. 19:44A-20.B and P.L.2023, c.30, and;

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport, County of Monmouth, State of New Jersey that:

1. Sunbelt Rentals, Inc., is hereby appointed to provide equipment rental services for lighting equipment at Maria Gatta Park for calendar year 2023 for an amount not to exceed Twenty-three thousand dollars (\$23,000).
2. The Purchasing Agent is hereby authorized to contract for services on behalf of the Borough of Oceanport subject to the availability of funds encumbered by purchase order on an as needed basis pursuant with N.J.A.C. 5:30-5.4

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

CERTIFICATION OF FUNDS

As required by N.J.A.C. 5:34-5.1 et. seq., and any other applicable requirement, I, Catherine D. LaPorta, Chief Financial Officer of the Borough of Oceanport, certify that there are sufficient funds available in the Open Space Trust Account #06-670-00-500-024, not to exceed \$23,000.00.

Catherine D. LaPorta, CFO

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #23-00011 FOR
BLOCK 113 LOT 1.021 KNOWN AS 332 EAST MAIN STREET**

Resolution #2023-238
10/19/23

WHEREAS, at the Borough Tax Sale held on October 5, 2023, a lien was sold on Block 113 Lot 1.021, otherwise known as 332 East Main Street; and

WHEREAS, this lien, known as Tax Sale Certificate 23-00011 was sold to DSHC Enterprises LLC at an interest rate of 18%;
and

WHEREAS, the owner has redeemed Certificate 23-00011 in the amount of \$288.88.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$288.88 payable to DSHC Enterprises LLC, PO Box 524, Plainsboro, NJ 08536 for the redemption of Tax Sale Certificate 23-00011.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #20-00006 FOR
BLOCK 142 LOT 25 KNOWN AS 1339 EATONTOWN BOULEVARD**

**Resolution #2023-239
10/19/23**

WHEREAS, at the Borough Tax Sale held on October 2, 2020, a lien was sold on Block 142 Lot 25, otherwise known as 1339 Eatontown Boulevard; and

WHEREAS, this lien, known as Tax Sale Certificate 20-00006 was sold to KKG RE LLC at an interest rate of 0%; and

WHEREAS, the owner has redeemed Certificate 20-00006 in the amount of \$547.00.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$547.00 payable to KKG RE LLC, 300 Main St. Suite 21, PMB 1255, Madison, NJ 07940 for the redemption of Tax Sale Certificate 20-00006.

BE IT FURTHER RESOLVED, that the CFO be authorized to issue a check in the amount of \$1,200.00 (Premium) to the aforementioned lienholder.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING CHANGE ORDER #1 TO THE CONTRACT FOR THE BLACKBERRY BAY PICKLEBALL
COURTS PROJECT BETWEEN FIORE PAVING COMPANY, INC. AND THE BOROUGH OF
OCEANPORT**

Resolution #2023-240
10/19/23

WHEREAS, the Borough was awarded a Monmouth County Municipal Open Space Grant that partially funded the Blackberry Bay Park Pickleball Courts construction project and the Borough is in the process of completing paperwork to close the grant application; and

WHEREAS, pursuant with adoption of Resolution #2022-178 the Borough of Oceanport awarded a contract to Fiore Paving Company, Inc. for the Blackberry Bay Park Pickleball Courts construction project for the original sum of \$119,906.25; and

WHEREAS, the final project amount came in less than the awarded amount and there is a need to amend the contract by resolution to reflect the decreased contract amount as outlined in a letter from the Borough Engineer dated September 5, 2023; and

WHEREAS, change orders are regulated by Local Finance Board Regulations (N.J.A.C. 5:30-14.4); and

WHEREAS, Change Order #1 will reduce the original contract of \$119,906.25 to reflect adjustments and credits for an overall reduction of \$4,884.25 for a final total contract amount of \$115,022.00; and

WHEREAS, the Borough Council is satisfied that the requested change is necessary and that it has been 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 for the Blackberry Bay Park Pickleball Courts construction project between the Borough of Oceanport and Fiore Paving Company, Inc. is hereby approved.
2. The Mayor or Borough Clerk are hereby authorized to sign the change order on behalf of the Borough.

101 Crawfords Corner Road
Suite 3400
Holmdel New Jersey 07733
Main: 877 627 3772



September 7, 2023

VIA EMAIL

Honorable Mayor and Council
Borough of Oceanport
910 Oceanport Way
P. O. Box 370
Oceanport, NJ 07757

Partial Payment No. 3 – Final, Change Order No.1 - Final
Pickleball Court Construction
Borough of Oceanport, Monmouth County, New Jersey
Colliers Engineering & Design Project No. OPB-0180

Dear Mayor and Council,

We are writing this letter to certify that Fiore Paving Company, Inc., 4 Fiore Court, Oceanport, NJ 07757, contractor for the above-referenced project, has completed the work as listed on the enclosed Partial Payment Certificate No. 3 – Final, Change Order No.1 - Final and is entitled to payment in the amount of \$13,080.44.

Also, enclosed for your reference is a 2-year Maintenance Bond. The original Maintenance Bond will be delivered by our office today. There are no payrolls or manning reports for this period.

Should you have any questions or require additional information, please do not hesitate to contact me directly.

Sincerely,

Colliers Engineering & Design, Inc.
DBA Maser Consulting

A handwritten signature in blue ink, appearing to read "W. H. White, III".

William H.R. White, III, P.E., P.P., C.M.E.
Oceanport Borough Engineer

WHW/rd
Enclosure

cc: Donna Phelps, Administrator (via email)
Jeanne Smith, RMC, Borough Clerk (via email)
Katie LaPorta, CFO (via email)
Fiore Paving (via email)

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PICKLEBALL COURT CONSTRUCTION
BOROUGH OF OCEANPORT
PARTIAL PAYMENT CERTIFICATE NO. 3
FOR WORK COMPLETED THROUGH 7/14/2023
PROJECT NO. OPB-0180

ITEM NO.	DESCRIPTION (BASE BID)	QUANTITY		UNIT PRICE	CONTRACT TOTALS	QUANTITY THIS EST.	AMOUNT THIS EST.	QUANTITY PREV EST.	AMOUNT PREV EST.	QUANTITY TO DATE	AMOUNT TO DATE
	BASE BID 1										
1	CLEARING SITE	1	LS	\$17,000.00	\$17,000.00	0.50	\$8,500.00	0.50	\$ 8,500.00	1.00	\$17,000.00
2	FUEL PRICE ADJUSTMENT	1	ALLOW	\$1,500.00	\$1,500.00	0.00	\$0.00	0.00	\$ -	0.00	\$0.00
3	HMA MILLING, 3" OR LESS	2220	SY	\$7.00	\$15,540.00	0.00	\$0.00	2094.00	\$ 14,658.00	2094.00	\$14,658.00
4	DENSE-GRADED AGGREGATE BASE COURSE, 4" THICK (IF & WHERE DIRECTED)	100	SY	\$2.00	\$200.00	0.00	\$0.00	0.00	\$ -	0.00	\$0.00
5	HOT MIX ASPHALT 9.5 M64 SURFACE COURSE, 3" THICK	315	TON	\$100.00	\$31,500.00	0.00	\$0.00	295.19	\$ 29,519.00	295.19	\$29,519.00
6	PICKLEBALL COURT STRIPING, 2" WIDE	1090	LF	\$2.00	\$2,180.00	990.00	\$1,980.00	0.00	\$ -	990.00	\$1,980.00
7	PORTABLE PICKLEBALL COURT NET AND POSTS (2 POSTS PER UNIT)	5	UNIT	\$500.00	\$2,500.00	5.00	\$2,500.00	0.00	\$ -	5.00	\$2,500.00
8	COLOR COATING	1	LS	\$45,000.00	\$45,000.00	1.00	\$45,000.00	0.00	\$ -	1.00	\$45,000.00
9	TOPSOIL SPREADING, 4" THICK	485	SY	\$8.00	\$3,880.00	0.00	\$0.00	485.00	\$ 3,880.00	485.00	\$3,880.00
10	FERTILIZING AND SEEDING, TYPE F	485	SY	\$1.00	\$485.00	0.00	\$0.00	485.00	\$ 485.00	485.00	\$485.00
11	STRAW MULCHING	485	SY	\$0.25	\$121.25	0.00	\$0.00	0.00	\$ -	0.00	\$0.00
	TOTALS				\$119,906.25						\$115,022.00

I hereby certify that all items, units, quantities and prices of work and material shown in this progress estimate are correct; that the work has been performed and materials supplied and completely paid for in full in accordance with the terms of the contract documents involved; that the foregoing is a true and correct statement of the contract amount up to and including the last day of the period covered by this estimate; and that no part of the "Total Amount Due" has been received:

LESS 2% RETAINAGE:	\$ -
SUBTOTAL AMOUNT DUE:	\$115,022.00
LESS PREVIOUS PAYMENTS:	\$101,941.56
TOTAL AMOUNT DUE:	\$13,080.44
PERCENTAGE COMPLETE:	100%

ORIGINAL CONTRACT AMOUNT	\$119,906.25
CHANGE ORDER NO.1 AMOUNT	(\$4,884.25)
CURRENT CONTRACT AMOUNT	\$115,022.00


FIORE PAVING COMPANY, INC.

DATE:

9/5/2023


COLLIERS ENGINEERING & DESIGN, INC.

DATE:

**CHANGE ORDER
NUMBER 1**



9.6.a

Project	<u>Pickleball Court Construction</u>
Municipality	<u>Borough of Oceanport</u>
County	<u>Monmouth</u>
Contractor	<u>Fiore Paving Co., Inc.</u>

In accordance with the project Supplementary Specification, the following are changes in the contract.
Location and Reason for Change (Attach additional sheets if required) -

- As-Built Quantities

Increased Items -

<u>Item No.</u>	<u>Description</u>	<u>Quantity (+/-)</u>	<u>Unit Price</u>	<u>Amount</u>
N/A				

Total Increase:

\$ -

Decreased Items -

<u>Item No.</u>	<u>Description</u>	<u>Quantity (+/-)</u>	<u>Unit Price</u>	<u>Amount</u>
2	FUEL PRICE ADJUSTMENT	-1 ALLOW	\$ 1,500.00	\$ (1,500.00)
3	HMA MILLING, 3" OR LESS	-126 SY	\$ 7.00	\$ (882.00)
	DENSE-GRADED AGGREGATE			
4	BASE COURSE, 4" THICK (IF &	-100 SY	\$ 2.00	\$ (200.00)
	HOT MIX ASPHALT 9.5 M64			
5	SURFACE COURSE, 3" THICK	-19.81 TON	\$ 100.00	\$ (1,981.00)
	PICKLEBALL COURT STRIPING, 2"			
6	WIDE	-100 LF	\$ 2.00	\$ (200.00)
11	STRAW MULCHING	-485 SY	\$ 0.25	\$ (121.25)

Total Decrease:

\$ (4,884.25)

Supplemental Items -

<u>Item No.</u>	<u>Description</u>	<u>Quantity (+/-)</u>	<u>Unit Price</u>	<u>Amount</u>
N/A	N/A			\$ -

Total Supplemental:

\$ -

Amount of Original Contract	\$ 119,906.25	Extra	\$ 0.00
Adjusted Amount Based on Change		Supplemental	\$ 0.00
Order No. 1	\$ 115,022.00	Reduction	\$ -4,884.25
		Total Change	\$ -4,884.25

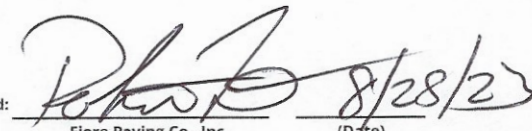
% Change in Contract -4.07%
[(-) Decrease]



Colliers Engineering & Design
(Engineer)

9/5/2023

(Date)

Approved: 

Fiore Paving Co., Inc.
(Contractor)

Borough of Oceanport
(Presiding Officer)

(Date)

Bond No. S336185

MAINTENANCE BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, _____

Fiore Paving Co., Inc., 4 Fiore Court, Oceanport, NJ 07757as principal, and NGM Insurance Company4601 Touchton Road East, Jacksonville, FL 32246a Corporation organized and existing under the laws of the State of Florida

and duly authorized to do business in the State of New Jersey, as Surety, are

held and firmly bound unto Borough of Oceanport910 Oceanport Way, Oceanport, NJ 07757as Owner, in the penal sum of Seventeen Thousand Two Hundred Fifty-Three and 03/100(\$17,253.30)(15% of Final Contract)

for payment of which, well and truly to be made, we hereby, jointly, and severally, bind ourselves, our heirs, executors, administrators, successors and assigns.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that whereas the above named principal did on the _____ day of _____

enter into a Contract with the Owner for Pickleball Court Construction(Project Name)

which said Contract is made a part of this bond the same as though set forth herein.

Now, if the said principal shall remedy without cost to the Owner any defects which may develop during the **two (2)** year guarantee period of the work performed under the said Contract, provided such defects, in the judgement of the Owner are caused by defective or inferior materials or workmanship, then this obligation shall be void, otherwise it shall be and remain in full force and effect. The **two (2)** year guarantee period shall commence on the date established in the Certificate of Substantial Completion. **Date of Substantial Completion – July 18, 2023**

MAINTENANCE BOND
Page 1 of 2 Pages

The said Surety hereby stipulates and agree that no modifications, deletions or additions in or to the terms of the said Contract or the plans or specifications therefor shall in any way affect its obligations on this bond.

Signed and Sealed this 29th day of August, 2023.

Fiore Paving Co., Inc.

(Principal) (Seal)

Vincent J. Fiore
(Witness)
Vincent J. Fiore
President

Robert P. Fiore
(Title) Vice-President

NGM Insurance Company

(Surety) (Seal)

Gemma Doster
(Witness)
Gemma Doster, Witness

Jeanne Primavera
(Title)
Jeanne Primavera, Attorney-in-fact

Surety Disclosure Statement and Certification

Pursuant to N.J.S.A. 2A:44-143

(For use when Surety has a certificate from U.S. Secretary of the Treasury in accordance with 31 U.S.C. Section 9305)

NGM Insurance Company, Surety on the attached bond, hereby certifies the following:

- 1) The capital and surplus, as determined in accordance with the applicable laws of this State, of the Surety participating in the issuance of the attached bond is in the following amounts as of the calendar year ended December 31, 2022 (most recent calendar year which capital and surplus amounts are available), which amounts have been certified by is PricewaterhouseCoopers LLP, One North Wacker, 11th Floor, Chicago, IL 60606

<u>Surety Company</u>	<u>Capital</u>	<u>Surplus</u>
NGM Insurance Company	\$5,250,000	\$600,023,203

- 2) With respect to each surety participating in the issuance of the attached bond that has received from the U.S. Secretary of the Treasury, a certificate of authority: pursuant to 31 U.S.C. Section 9305, the underwriting limitation established there on July 1, 2023 (most recent calendar year available) is as follows:

<u>Surety Company</u>	<u>Limitations</u>
NGM Insurance Company	\$57,978,000

- 3) The amount of the bond to which the statement and certification is attached is \$ \$17,253.00
- 4) If, by virtue of one or more contracts of reinsurance, the amount of the bond indicated under item 4 above exceeds the total underwriting limitation of all sureties on the bond as set forth in item 3 above, then for each such contract of reinsurance:
- a) The name and address of each such reinsurer under the contract and the amount of the reinsurer's participation in the contract is as follows:

<u>Reinsurer</u>	<u>Address</u>	<u>Amount</u>
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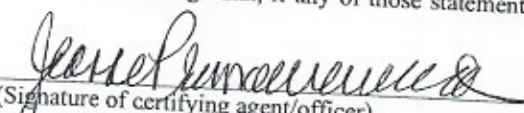
And;

- b) Each surety that is party to such contract of reinsurance certifies that each reinsurer listed under item 4(a) satisfies the credit for reinsurance requirement established under P.L. 1993, c.243(C.17:51B-1 et seq.) and any applicable regulations in effect as of the date on which the bond to which this statement and certification is attached shall have been filed with the appropriate public agency.

I, Jeanne Primavera

Certificate

as Attorney in Fact, for NGM Insurance Company, a company domiciled in the State of Florida, Hereby certify that, to the best of my knowledge, the foregoing statements made by me are true, and acknowledge that, if any of those statements made by me are false, this bond is void.


(Signature of certifying agent/officer)

Jeanne Primavera, Attorney-In-Fact
(Print name of certifying agent/officer)

Date: August 29, 2023

Attorney in Fact



**MAIN
STREET
AMERICA**
INSURANCE



I certify that at the Annual Meeting of the Directors of the NGM Insurance Company duly called and held at Jacksonville, Florida on March 9th, 2023, the following officers were elected and remain in office:

CHRISTOPHER R. LISTAU.....CHIEF EXECUTIVE OFFICER AND PRESIDENT
KIMBERLY K. LAW..... VICE PRESIDENT, GENERAL COUNSEL & SECRETARY
JOSEPH D. FREITASTREASURER
NANCY L. GIORDANO-RAMOS, ANDREW S. ROSE, THERESA E. BREUNIG-SILBERNAGEL, RICHARD C VAUGHN,
J. DAVID RANDLE VICE PRESIDENTS

I further certify that the following statement of the Company is true as taken from the records of said Company as of December 31, 2022.

ADMITTED ASSETS

Bonds at Amortized Values	\$116,798,405
Stocks at Market Value	\$126,706,473
First Mortgage Loans	0
Real Estate	\$2,782,171
Cash in Office and Banks.....	(3,387,785)
Short Term Investments	\$3,871,410
Agent's Balance (Less than 90 Days)	\$326,236,450
Accrued Interest.....	\$872,443
Other Assets	\$316,485,941
TOTAL ADMITTED ASSETS	\$890,365,508

LIABILITIES

Reserve for Losses	0
Reserve for Loss Adjustment Expenses	0
Reserve for Unearned Premiums	0
Reserve for Other Underwriting Expenses.....	\$48,512,561
Reserve for Taxes, Licenses, and Fees.....	\$3,616,620
Loss Drafts in Transit.....	0
Other Liabilities	\$238,213,124
Total Liabilities	\$290,342,305
Policyholders' Surplus.....	\$600,023,203
TOTAL	\$890,365,508

Securities as deposited by law, included above = \$5,440,621

I further certify that the following is true and exact excerpt from Article IV, Section 2 of the By-Laws of NGM Insurance Company which is still valid and existing.

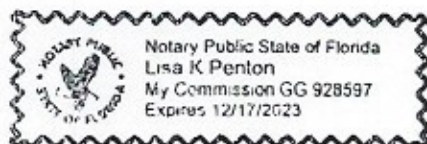
The board of directors, the president, any vice president, secretary, or the treasurer shall have the power and authority to appoint attorneys-in-fact and to authorize them to execute on behalf of the company and affix the seal of the company thereto, bonds, recognizances, contracts of indemnity or writings obligatory in the nature of a bond, recognizance or conditional undertaking and to remove any such attorneys-in-fact at any time and revoke the power and authority given to them."

Subscribed and sworn to before me on
this 9th day of March, 2023

IN WITNESS THEREOF I hereunto subscribe
my name and affix the seal of said company
this 9th day of March, 2023

[Signature]

[Signature]
Kimberly K. Law
Vice President, General Counsel & Secretary





POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That NGM Insurance Company, a Florida corporation having its principal office in the City of Jacksonville, State of Florida, pursuant to Article IV, Section 2 of the By-Laws of said Company, to wit:

"Article IV, Section 2. The board of directors, the president, any vice president, secretary, or the treasurer shall have the power and authority to appoint attorneys-in-fact and to authorize them to execute on behalf of the company and affix the seal of the company thereto, bonds, recognizances, contracts of indemnity or writings obligatory in the nature of a bond, recognizance or conditional undertaking and to remove any such attorneys-in-fact at any time and revoke the power and authority given to them."

does hereby make, constitute and appoint **Kenneth A. Gelok, Dawn M. Jones, Jeanne Primavera, Thomas S. Caruso** -----

its true and lawful Attorneys-in-fact, to make, execute, seal and deliver for and on its behalf, and as its act and deed, bonds, undertakings, recognizances, contracts of indemnity, or other writings obligatory in nature of a bond subject to the following limitation:

1. No one bond to exceed Thirty Million Dollars (\$30,000,000.00)

and to bind NGM Insurance Company thereby as fully and to the same extent as if such instruments were signed by the duly authorized officers of NGM Insurance Company; the acts of said Attorney are hereby ratified and confirmed.

This power of attorney is signed and sealed by facsimile under and by the authority of the following resolution adopted by the Directors of NGM Insurance Company at a meeting duly called and held on the 2nd day of December 1977.

Voted: That the signature of any officer authorized by the By-Laws and the company seal may be affixed by facsimile to any power of attorney or special power of attorney or certification of either given for the execution of any bond, undertaking, recognizance or other written obligation in the nature thereof; such signature and seal, when so used being hereby adopted by the company as the original signature of such office and the original seal of the company, to be valid and binding upon the company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, NGM Insurance Company has caused these presents to be signed by its Vice President, General Counsel and Secretary and its corporate seal to be hereto affixed this 7th day of January, 2020.

NGM INSURANCE COMPANY By:

Kimberly K. Law
Kimberly K. Law
Vice President,
General Counsel and Secretary



State of Florida,
County of Duval.

On this 7th day of January, 2020, before the subscriber a Notary Public of State of Florida in and for the County of Duval duly commissioned and qualified, came Kimberly K. Law of NGM Insurance Company, to me personally known to be the officer described herein, and who executed the preceding instrument, and she acknowledged the execution of same, and being by me fully sworn, deposed and said that she is an officer of said Company, aforesaid: that the seal affixed to the preceding instrument is the corporate seal of said Company, and the said corporate seal and her signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Company; that Article IV, Section 2 of the By-Laws of said Company is now in force.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Jacksonville, Florida this 7th day of January, 2020.

Loe K. Pentz



I, Nancy Giordano-Ramos, Vice President of NGM Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said Company which is still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Company at Jacksonville, Florida this 29th day of August, 2023.

Nancy Giordano-Ramos
Nancy Giordano-Ramos, Vice President

WARNING: Any unauthorized reproduction or alteration of this document is prohibited.
TO CONFIRM VALIDITY of the attached bond please call 1-800-225-5646.
TO SUBMIT A CLAIM: Send all correspondence to 55 West Street, Keene, NH 03431 Attn: Bond Claims.



State of New Jersey
Department of Banking and Insurance

CERTIFICATE OF AUTHORITY

Date: May 02, 2023

NAIC Company Code: 14788

THIS IS TO CERTIFY THAT THE NGM INSURANCE COMPANY, HAVING COMPLIED WITH THE LAWS OF THE STATE OF NEW JERSEY, AND ANY SUPPLEMENTS OR AMENDMENTS THERETO WITH RESPECT TO THE TRANSACTION OF THE BUSINESS OF INSURANCE, IS LICENSED TO TRANSACT IN THIS STATE UNTIL THE 1st DAY OF MAY, 2024, THE LINES OF INSURANCE SPECIFICALLY DESIGNATED BELOW:

- 01 - Fire and Allied Lines
- 11 - Other Liability
- 12 - Boiler and Machinery
- 13 - Fidelity and Surety
- 15 - Burglary and Theft
- 16 - Glass
- 17 - Sprinkler Leakage and Water Damage
- 02 - Earthquake
- 20 - Physical Loss to Buildings
- 22 - Mechanical Breakdown/Power Failure
- 03 - Growing Crops
- 04 - Ocean Marine
- 05 - Inland Marine

- 06 - Workers Compensation and Employers Liability
- 07 - Automobile Liability Bodily Injury
- 08 - Automobile Liability Property Damage
- 09 - Automobile Physical Damage



MARLENE CARIDE

COMMISSIONER OF

BANKING AND INSURANCE

COMPANY NAME: NGM INSURANCE COMPANY NAIC COMPANY CODE: 14788

STATUTORY HOME ADDRESS:
4601 TOUCHTON ROAD EAST
SUITE3400
JACKSONVILLE, FL 32246

SPECIAL CONDITIONS:

**CONSENT OF
SURETY COMPANY
TO FINAL PAYMENT**

OWNER
ARCHITECT
CONTRACTOR
SURETY
OTHER

AIA DOCUMENT G707

Bond No. S336185

PROJECT: Pickleball Court Construction
(name, address)

To (Owner) ☐ Borough of Oceanport ☐
910 Oceanport Way
Oceanport, NJ 07757

ARCHITECT'S PROJECT NO:
CONTRACT FOR: as stated above

CONTRACT DATE:

CONTRACTOR: Fiore Paving Co., Inc.
4 Fiore Court
Oceanport, NJ 07757

In accordance with the provisions of the Contract between the Owner and the Contract and the Contractor as indicated above, the
(here insert name and address of Surety Company)

NGM Insurance Company
4601 Touchton Road East
Jacksonville, FL 32246

, SURETY COMPANY,

on bond of (here insert name and address of Contractor)

Fiore Paving Co., Inc.
4 Fiore Court
Oceanport, NJ 07757

, CONTRACTOR,

hereby approves of the final payment to the Contractor, and agrees that final payment to the Contractor shall not
relieve the Surety Company of any of its obligations to (here insert name and address of Owner)

Borough of Oceanport
910 Oceanport Way
Oceanport, NJ 07757

OWNER,

as set forth in the said Surety Company's bond.

IN WITNESS WHEREOF,

the Surety Company has hereunto set its hand this 29th day of August, 2023

NGM Insurance Company
Surety Company

Signature of Authorized Representative

Jeanne Primavera, Attorney-in-fact
Title

Attest: Gemma Doster
(Seal): Gemma Doster, Witness

NOTE: This form is to be used as a companion document to AIA DOCUMENT G706, CONTRACTOR'S AFFIDAVIT OF PAYMENT OF DEBTS AND CLAIMS. Current Edition

AIA DOCUMENT G707. CONSENT OF SURETY COMPANY TO FINAL PAYMENT. APRIL 1970 EDITION. AIA
1970. THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK AVE., NW, WASHINGTON, D.C. 20006

ONE PAGE



I certify that at the Annual Meeting of the Directors of the NGM Insurance Company duly called and held at Jacksonville, Florida on March 9th, 2023, the following officers were elected and remain in office:

CHRISTOPHER R. LISTAU.....CHIEF EXECUTIVE OFFICER AND PRESIDENT
 KIMBERLY K. LAW..... VICE PRESIDENT, GENERAL COUNSEL & SECRETARY
 JOSEPH D. FREITAS.....TREASURER
 NANCY L. GIORDANO-RAMOS, ANDREW S. ROSE, THERESA E. BREUNIG-SILBERNAGEL, RICHARD C VAUGHN,
 J. DAVID RANDLE..... VICE PRESIDENTS

I further certify that the following statement of the Company is true as taken from the records of said Company as of December 31, 2022.

ADMITTED ASSETS

Bonds at Amortized Values.....	\$116,798,405
Stocks at Market Value.....	\$126,706,473
First Mortgage Loans.....	0
Real Estate.....	\$2,782,171
Cash in Office and Banks.....	(3,387,785)
Short Term Investments.....	\$3,871,410
Agent's Balance (Less than 90 Days).....	\$326,236,450
Accrued Interest.....	\$872,443
Other Assets.....	\$316,485,941
TOTAL ADMITTED ASSETS.....	\$890,365,508

LIABILITIES

Reserve for Losses.....	0
Reserve for Loss Adjustment Expenses.....	0
Reserve for Unearned Premiums.....	0
Reserve for Other Underwriting Expenses.....	\$48,512,561
Reserve for Taxes, Licenses, and Fees.....	\$3,616,620
Loss Drafts in Transit.....	0
Other Liabilities.....	\$238,213,124
Total Liabilities.....	\$290,342,305
Policyholders' Surplus.....	\$600,023,203
TOTAL.....	\$890,365,508

Securities as deposited by law, included above = \$5,440,621

I further certify that the following is true and exact excerpt from Article IV, Section 2 of the By-Laws of NGM Insurance Company which is still valid and existing.

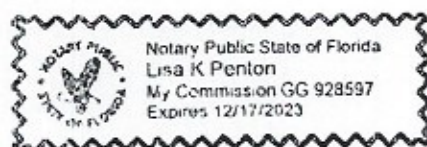
The board of directors, the president, any vice president, secretary, or the treasurer shall have the power and authority to appoint attorneys-in-fact and to authorize them to execute on behalf of the company and affix the seal of the company thereto, bonds, recognizances, contracts of indemnity or writings obligatory in the nature of a bond, recognizance or conditional undertaking and to remove any such attorneys-in-fact at any time and revoke the power and authority given to them."

Subscribed and sworn to before me on
 this 9th day of March, 2023

IN WITNESS THEREOF I hereunto subscribe
 my name and affix the seal of said company
 this 9th day of March, 2023

Lisa K. Penton

Kimberly K. Law
 Kimberly K. Law
 Vice President, General Counsel & Secretary





NGM INSURANCE COMPANY
A member of The Main Street America Group

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That NGM Insurance Company, a Florida corporation having its principal office in the City of Jacksonville, State of Florida, pursuant to Article IV, Section 2 of the By-Laws of said Company, to wit:

"Article IV, Section 2. The board of directors, the president, any vice president, secretary, or the treasurer shall have the power and authority to appoint attorneys-in-fact and to authorize them to execute on behalf of the company and affix the seal of the company thereto, bonds, recognizances, contracts of indemnity or writings obligatory in the nature of a bond, recognizance or conditional undertaking and to remove any such attorneys-in-fact at any time and revoke the power and authority given to them."

does hereby make, constitute and appoint **Kenneth A. Gelok, Dawn M. Jones, Jeanne Primavera, Thomas S. Caruso** -----

its true and lawful Attorneys-in-fact, to make, execute, seal and deliver for and on its behalf, and as its act and deed, bonds, undertakings, recognizances, contracts of indemnity, or other writings obligatory in nature of a bond subject to the following limitation:

1. No one bond to exceed Thirty Million Dollars (\$30,000,000.00)

and to bind NGM Insurance Company thereby as fully and to the same extent as if such instruments were signed by the duly authorized officers of NGM Insurance Company; the acts of said Attorney are hereby ratified and confirmed.

This power of attorney is signed and sealed by facsimile under and by the authority of the following resolution adopted by the Directors of NGM Insurance Company at a meeting duly called and held on the 2nd day of December 1977.

Voted: That the signature of any officer authorized by the By-Laws and the company seal may be affixed by facsimile to any power of attorney or special power of attorney or certification of either given for the execution of any bond, undertaking, recognizance or other written obligation in the nature thereof; such signature and seal, when so used being hereby adopted by the company as the original signature of such office and the original seal of the company, to be valid and binding upon the company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, NGM Insurance Company has caused these presents to be signed by its Vice President, General Counsel and Secretary and its corporate seal to be hereto affixed this 7th day of January, 2020.

NGM INSURANCE COMPANY By:

Kimberly K. Law
Kimberly K. Law
Vice President,
General Counsel and Secretary



State of Florida,
County of Duval.

On this 7th day of January, 2020, before the subscriber a Notary Public of State of Florida in and for the County of Duval duly commissioned and qualified, came Kimberly K. Law of NGM Insurance Company, to me personally known to be the officer described herein, and who executed the preceding instrument, and she acknowledged the execution of same, and being by me fully sworn, deposed and said that she is an officer of said Company, aforesaid: that the seal affixed to the preceding instrument is the corporate seal of said Company, and the said corporate seal and her signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Company; that Article IV, Section 2 of the By-Laws of said Company is now in force.

Lisa K. Penite



I, Nancy Giordano-Ramos, Vice President of NGM Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said Company which is still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Company at Jacksonville, Florida this

29th day of August, 2023.

Nancy Giordano-Ramos
Nancy Giordano-Ramos, Vice President

WARNING: Any unauthorized reproduction or alteration of this document is prohibited.
TO CONFIRM VALIDITY of the attached bond please call 1-800-225-5646.
TO SUBMIT A CLAIM: Send all correspondence to 55 West Street, Keene, NH 03431 Attn: Bond Claims.



State of New Jersey
Department of Banking and Insurance

CERTIFICATE OF AUTHORITY

Date: May 02, 2023

NAIC Company Code: 14788

THIS IS TO CERTIFY THAT THE NGM INSURANCE COMPANY, HAVING COMPLIED WITH THE LAWS OF THE STATE OF NEW JERSEY, AND ANY SUPPLEMENTS OR AMENDMENTS THERETO WITH RESPECT TO THE TRANSACTION OF THE BUSINESS OF INSURANCE, IS LICENSED TO TRANSACT IN THIS STATE UNTIL THE 1st DAY OF MAY, 2024, THE LINES OF INSURANCE SPECIFICALLY DESIGNATED BELOW:

- 01 - Fire and Allied Lines
- 11 - Other Liability
- 12 - Boiler and Machinery
- 13 - Fidelity and Surety
- 15 - Burglary and Theft
- 16 - Glass
- 17 - Sprinkler Leakage and Water Damage
- 02 - Earthquake
- 20 - Physical Loss to Buildings
- 22 - Mechanical Breakdown/Power Failure
- 03 - Growing Crops
- 04 - Ocean Marine
- 05 - Inland Marine

- 06 - Workers Compensation and Employers Liability
- 07 - Automobile Liability Bodily Injury
- 08 - Automobile Liability Property Damage
- 09 - Automobile Physical Damage



MARLENE CARIDE

COMMISSIONER OF

BANKING AND INSURANCE

COMPANY NAME: NGM INSURANCE COMPANY NAIC COMPANY CODE: 14788

STATUTORY HOME ADDRESS:

4601 TOUCHTON ROAD EAST

SUITE3400

JACKSONVILLE, FL 32246

SPECIAL CONDITIONS:

Approved Minutes of the Oceanport Historical Committee Meeting on 07/13/23

The meeting was held at the Old Wharf House and began at 7:00 p.m.

Attendees:

Tom Cavanagh
 Joe Foster
 Robin Kelly
 Rosanne Letson
 Paula Lombardo
 Mike MacStudy
 Toni Sverapa

Introduction of guests: Bob Cartwright, River Street.

The meeting minutes for June were approved. Rosanne will submit June's approved minutes to Jeanne Smith at Borough Hall.

Financial Status: Toni told us that we have \$16,376.19.

We reviewed the Action Items from the last meeting.

1. Rosanne submitted the approved minutes from May's meeting to Jeanne Smith.
2. Rosanne emailed some photos from Camp Vail/Fort Monmouth to Joe and Ric in early June.
3. Toni talked to Steve Briskey about storage space for the display cases when they're being worked on.
4. Mike did not have an opportunity to speak to Monmouth Stamp & Coin about the necessity of an IBN number for our books for sale.
5. Rosanne went through the box of papers and photographs from Frank, she added them to the inventory lists for the closet at the Old Wharf House, and she sent out updated inventory lists to everyone.
6. Rosanne and Toni went to Borough Hall one time and began to inventory the historical items they have there. They're not finished yet.
7. Rosanne was able to sell 2 copies of the book at the 63rd Army Band Concert.
8. Rosanne emailed everyone looking for suggestions for the display cases at Borough Hall. Robin volunteered to organize this effort. Mike suggested that when people loan us things to display, that we have them sign a waiver of some sort that we ask the Borough Attorney to put together for us for liability.
9. Rosanne spoke to Mayor and Council about their Veterans' Day plans, and Paula spoke to Kim Parent. Both were told that it was too early to discuss it. We decided as a committee to not get involved in this.
10. Rosanne spoke to Mayor and Council about the status of the River Walk and the residents who were putting up no trespassing signs there. She was assured that it was taken care of, and that there would not be a problem. Councilman Tom Tvrdik told her that a

woman representing the homeowners' association there wanted to work with us when we're ready to place outdoor historical markers there.

11. Rosanne and Toni met with Dean Wanda Rutledge from Jersey City University. They presented to the committee Wanda's ideas about a "Welcome Home to the Fort" weekend in June 2024, which would encompass all three towns (Oceanport, Eatontown, and Tinton Falls), their councils, rec committees, and/or historical committees. Her ideas included bands, dance and other performances by students of the university, using the parade grounds, food trucks, family-oriented/child friendly activities, trading pins (Toni suggested coins, which were given at Fort Monmouth for various reasons), and passports (visiting all the new businesses on the property for punches on the passports, with a tee shirt at the end of the weekend in exchange for the punched passport, etc.). The committee agreed that we could not handle all of this on our own, but we could work with the rec committee on it. Rosanne said she heard from Mayor Coffey that he had spoken to Wanda at length, and that he was in favor of proceeding.

Discuss Joe Foster's ideas about setting up displays in some of the buildings on the Fort Monmouth property and about putting historical signs on the Riverwalk there: We talked about starting with Birdsmouth Brewery, as they had already expressed interest, and Rosanne had recently been there and she saw the available space they had, which was a lot. We discussed that the large wooden logos that Joe has stored in the closet at the Old Wharf House would be perfect for the Brewery. We talked about perhaps having an overall Camp Vail/Fort Monmouth display at Birdsmouth, not necessarily just one that focuses on what the building was before (the Mess Hall). Especially because they are up and running, they have so much space, and they're eager to have a display. We decided that we would not try to locate any more display cases until we can place and fill the ones we have.

Discuss the status of the sales of and reordering of the book. Discuss donating some books and to whom. Rosanne stated that a representative from Oceanport Gardens told her at the 63rd Army Band Concert that their communal copy of *Oceanport A Great Place To Live* had been taken from their library. Toni suggested donating to them a copy of the book she had that was a bit wrinkled, and we agreed. We also agreed to not continue to donate to them every time the book gets stolen from their library. Rosanne did manage to sell 2 softcover copies of the book at the Band Concert. Otherwise, sales are slow. We discussed looking at donating books and to whom in the fall. Sales are slow. We will try to sell some copies at the 63rd Army Band Concert on June 28th. Robin agreed to take a hardcover and softcover of the book to have on hand in case Toni is not available. Rosanne also has one hardcover and two softcover copies.

Talk about the displays to place in the display cases at Borough Hall. We discussed possible displays, including a display about Bud Waite, the Antarctic explorer, the Marine cap, patches, photos, etc., of David W. Ayers, SSGT, that Rosanne and Toni found at Borough Hall, etc. Toni suggested reaching out to the various groups in town, like the scouts, for displays. Ric was not able to attend the meeting, but he emailed in advance and asked that we discuss grouping items for display into categories, such as military/Fort Monmouth, Oceanport Borough's memorabilia (donations from residents, old photos, carved wooden chain, etc.), items borrowed from Monmouth Park, etc. Robin volunteered to organize this effort. Mike suggested that when

people loan us things to display, that we have them sign a waiver of some sort that we ask the Borough Attorney to put together for us for liability.

Discuss the 63rd Army Band Concert, June 28th. We discussed that the concert was once again a success, and that we plan on doing it next year. Paula will contact them on January 2nd to secure a date. She had some small American flags left over, and she put them in the closet at the Old Wharf House. Paula said she sent a thank-you note to Steve Briskey for all of his and the DPW's help with the event. Toni suggested sending a thank-you to Borough Hall as well. Rosanne will thank Mayor and Council and staff publicly at the next Council meeting, which is July 20th. Paula said that she had spoken to Jay Coffey, who said that he'd look into getting Maple Place for us to use for the concert next year so that weather wouldn't be a concern.

Discuss the Holiday Home Tour. We decided that Rosanne will resume posting on the Facebook pages asking for people to donate their homes to be part of the tour. Paula said that the Garden Club suggested a limit of 8 houses. They don't have a place this year to make their floral arrangements. We discussed supplementing their cost for this. Robin said so far that we have 4 houses committed to this.

Discuss the banners for Main Street. Paula and Toni are continuing to work on this with the Borough. Rosanne said that a resident suggested honoring military service with the banners, at least part of the time (near Veterans' Day of course). We discussed that Monmouth Beach had done that. (Rosanne later sent a photo sample to all members of military service banners she saw at Lake Mohawk in Sparta.)

Discuss the historical signs and Nora. Rosanne and Toni told everyone that Nora was working on the 3 signs for Old Wharf Park, and that they had been in touch with her several times about them. Toni approached Steve Briskey about placing the signs there, who sent her to the Rec Committee. The Rec Committee was in favor of the project and said to go ahead with it.

Discuss having someone set up notifications from eBay to look for Oceanport, Fort Monmouth, Camp Vail, Monmouth Park, Elkwood Part memorabilia. Rosanne volunteered to do this. In conjunction with this, Rosanne noted that the previous Historical Society made up scrapbooks of various newspaper articles from the many local newspapers available at that time that had anything at all to do with Oceanport. We discussed that it would probably be a good idea to do that. Joe suggested using newspapers.com. Rosanne has a subscription to newspapers.com, and volunteered to start doing this.

Discuss making up a small amount of business cards to leave at locations where people might inquire about purchasing the book. Toni spoke with Pat Pfleger about this, and she can make them up. She spoke to Donna Phelps, who said we could do that. We want a Committee member's name and contact information on it. Toni and Robin volunteered.

Discuss donating the old American flag stored at Borough Hall to Allaire Village for their collection. (Also, we have "The Bicentennial of New Jersey's Ratification of the United States Constitution, 12/18/1987" flag from Borough Hall storage. We discussed this, and the group was not completely in favor of doing that without investigating it further. Toni will call Allaire

Village and get more information about this, and she will look into the previous Historical Society's minutes to see if she can find out where the flag came from. It was with the vintage/historic clothing and quilts that we donated to the Eatontown Historical Society.

Discuss the Borough's storage issues for the display cases, and the Mayor's feelings that he would rather we pay for display cases outright. We decided that for right now, we will work with the cases we have. Should we need more, we will address it at that time.

Other items and open discussion:

Rosanne will try to locate some information/photos about Squire, after whom Squire's Hall was named, which is the building the university is in now. Wanda Rutledge, the Dean at the university, expressed interest in portable/movable displays.

Rosanne will advertise that we will be selling *Oceanport A Great Place To Live* at Summer's End.

Joe suggested making an electronic copy of the book available on line, and we decided that we would wait until December before we put the PDF for the book on the Borough's website. That is one thing that former Borough Historian Frank Barricelli had expressed approval for.

Joe asked that we find out from Council if the Borough has appointed a Veterans' Service Officer? (Rusty Kleiberg?) Rosanne will ask at the next Council meeting.

Action Items for this meeting.

1. Rosanne will submit June's minutes to Jeanne Smith.
2. Mike did not have an opportunity to speak to Monmouth Stamp & Coin about the necessity of an IBN number for our books for sale.
3. Rosanne and Toni will continue to go through and document the items that are being stored at Borough Hall.
4. The subcommittee working on the display cases at Borough Hall will meet and choose new displays for the two cases.
5. Toni will donate a copy of *Oceanport A Great Place To Live* to Oceanport Gardens.
6. Paula will send a thank-you note to Borough Hall for their help with the 63rd Army Band Concert, and Rosanne will publicly thank Mayor, Council, and staff at the next Council meeting.
7. Rosanne will post about the Holiday Home Tour.
8. Paula and Toni will continue working with the Borough about the banners for Main Street.
9. Rosanne and Toni will continue working with Nora Monaghan with the historical markers for Old Wharf Park.
10. Rosanne will set up notifications from eBay for Oceanport, etc., memorabilia, and she will begin saving articles about Oceanport, etc.
11. Toni will have business cards made up.

12. Toni will call Allaire Village and she will look through old Historical Society minutes for information about the old American flag.
13. Rosanne will try to get some information about Squire, after whom Squire's Hall was named.
14. Rosanne will post about selling *Oceanport A Great Place To Live* at Summer's End.
15. Rosanne will ask Mayor and Council at the next Council meeting about the Veterans' Service Officer.
16. Toni had 2 red well folders of information and photos about the building of the Community Center. She gave it to Mike MacStudy, who will what?
17. Robin took the Oceanport Bulletins from the 1970's. She will organize them and put them together in a binder.
18. Robin had scans of photos from the family of Dr. Harold Jacobs, who worked at Fort Monmouth. The family decided not to loan us originals. He had patents.
19. Rosanne will ask Mayor and Council if the Mayor's Achievement Award has been hung, and will ask if they will reinstitute the honor.

The meeting adjourned close to 9:00 p.m.

Our next meeting: August 10th at the Old Wharf House. (September 14th, October 12th, November 9th, and December 7th)

Approved Minutes of the Oceanport Historical Committee Meeting on 08/10/23

The meeting was held at the Old Wharf House and began at 7:00 p.m.

Attendees:

Tom Cavanagh
 Joe Foster
 Robin Kelly
 Rosanne Letson
 Mike MacStudy
 Toni Sverapa

Introduction of guests: No guests.

The meeting minutes for July were approved. Rosanne will submit July's approved minutes to Jeanne Smith at Borough Hall.

Financial Status: Toni told us that we have \$17,076.19. She has deposits of \$30.00, \$75.00, and \$30.00 to add to that. She will ask Katie LaPorta about the Committee's allotment from Council for the year.

We reviewed the Action Items from the last meeting.

1. Rosanne submitted the approved minutes from June's meeting to Jeanne Smith.
2. Mike spoke to his friend at Monmouth Stamp & Coin about the necessity of an IBN number for our books for sale. If you're just selling a couple of books, he said he wouldn't worry about it. Mike will take over three copies of the book for him to sell in his shop. Robin will be back-up in case Mike can't get over there.
3. Rosanne and Toni will resume going through and documenting the items that are being stored at Borough Hall in the fall.
4. The subcommittee working on the display cases at Borough Hall met and chose new displays for the two cases. The new displays are in place. Robin said the subcommittee planned on the following themes in upcoming months: November – Wolf Hill and Maple Place; Fire, Police, and First Aid. February – Bud Waite, Harold Jacobs, and Walter McAfee; maybe Oceanport sports. We discussed highlighting the waterways, steamships, and boats, and also the items donated by the family of David W. Ayers, SSGT, including the Marine cap, patches, photos, etc. Rosanne requested that they display some of the items that Laura Hornung donated from her mom quite some time ago, such as the booklet about crime from the Oceanport Police Department, Chief Walling's violation booklet, maps of Oceanport, and zoning ordinances.
5. Toni has not had a chance to donate a copy of *Oceanport A Great Place To Live* to Oceanport Gardens yet, but she will.
6. Paula will send a thank-you note to Borough Hall for their help with the 63rd Army Band Concert. Paula wasn't able to make the meeting this evening so this will be addressed at the next meeting. Rosanne did publicly thank Mayor, Council, and staff at the last Council meeting.

7. Rosanne posted about the Holiday Home Tour, and will do so again. We need at least four more homes to commit in order to conduct this event.
8. Paula and Toni are continuing to work with the Borough about the banners for Main Street. Toni said that Borough Hall had to get measurements of the pole/stanchions approved, and they found them to be 24" x 60". The vendor provided four to five designs. We discussed this, and we discussed that our measurements were 24" x 61". There are eight long poles, eighteen poles that are double-sided, and eight poles by the Jockey Club Estates. The Borough will split the cost with us 50/50, and we will get reimbursed first as people purchase the banners.
9. Rosanne and Toni are continuing to work with Nora Monaghan with the historical markers for Old Wharf Park. She has been out of town a lot, so they're waiting to hear from her to come again to look at the park and the location for the signs. Toni added that Nora had asked about some kind of a dedication or tribute to Frank Barricelli to be placed at the bottom of the signs. Rosanne suggested, "Dedicated in memory of Frank Barricelli, without whose vision, effort, and dedication this would not have been possible." (Or something to that effect.)
10. Rosanne set up notifications from eBay for Oceanport, etc., memorabilia. She has begun saving articles, etc., about Oceanport for our ongoing history, and she asked the members to do the same, especially with anything they see in local papers and with anything they receive in the mail that has anything to do with Oceanport, such as local election flyers, etc.
11. Toni has not had a chance to have business cards made up to be used in conjunction with book sales, but she will. She will talk to Pat Pfleger about making them up for us.
12. Toni called Allaire Village about the antique American flag that we have. They will gladly take the flag as a donation and display it yearly with the other flags they display. They want more information about the flag. Toni is still going through the former Historical Committee's Minutes looking for clues. Joe suggested contacting the Monmouth Historical Society. Toni said she'd also go to the Red Bank Antique Center.
13. Rosanne did not get any information about Squier, after whom Squier's Hall on Fort Monmouth was named. She will.
14. Rosanne has not yet posted about selling copies of *Oceanport A Great Place To Live* at Summers End, but she will. We discussed ordering more books. Toni has 19 softcover and 28 hardcover copies left. We decided that she should order 50 copies from Pat Pfleger. Mike will take three copies to the Monmouth Stamp & Coin, and we will sell books at Summers End. We talked about possibly selling copies at the PTO Fall Festival and the Christmas Tree Lighting.
15. Rosanne asked Mayor and Council at the last Council meeting if they had appointed a Veterans' Service Officer, and they said they had not. They have people working on something to do with the veterans, but no one is appointed as an officer of any sort.
16. Mike took two red well folders of information and photos about the building of the Community Center. He's working his way through them. He says they're worth saving. He's going to see if his mom can help identify some of the people pictured, especially from the groundbreaking, which was June 2, 1951. It was called the Oceanport Municipal Playground. Toni suggested using some of those photos in the library. We talked about possibly having the building of the Community Center – a total volunteer effort including the donation of the materials to build it – to be the focus of one of the display cases at

Borough Hall at some point. Mike said there are monthly reports and three different names of the Rec Committee before it became the Rec Committee.

17. Robin stated that she had a folder with old Bulletins in it. She will put them in a binder.
18. Robin has the scans of photos from the family of Dr. Harold Jacobs. She said that he would be featured in one of the display cases at Borough Hall.
19. The Mayor's Achievement Award has been hung at Borough Hall just outside the door to the courtroom. Rosanne asked Mayor and Council at the last Council meeting to reinstate awarding it to worthy residents.

Discuss Joe Foster's ideas about setting up displays in some of the buildings on the Fort Monmouth property and about putting historical signs on the Riverwalk there: We discussed the Riverwalk, and the ongoing construction there. We discussed the Riverwalk extending over to the museum. Ric and Joe will be going to InfoAge next week to look at the two paintings – one of them is 5' x 10'. Joe suggested it could be hung behind the bar at Birdsmouth Brewery. Toni suggested that the heavy wooden logo signs we have in the closet at Old Wharf would be perfect for display on the walls of the brewery. She also suggested that we have a meeting there so everyone can see it. Joe also discussed the coins that were given at Fort Monmouth to staff for a job well done, and somehow incorporating them into displays.

Discuss the status of the sales of and reordering of the book. Discuss donating some books and to whom. See above, #14. We decided to table discussing donating books until the fall.

Discuss the Holiday Home Tour. See above, #7.

Discuss the banners for Main Street. See above, #8.

Discuss the historical signs and Nora. See above, #9.

Discuss having someone set up notifications from eBay to look for Oceanport, Fort Monmouth, Camp Vail, Monmouth Park, Elkwood Part memorabilia. See above, #10.

Discuss having everyone keep an eye out for things of historical significance to Oceanport. See above, #10.

Discuss making up a small amount of business cards to leave at locations where people might inquire about purchasing the book. See above, #11.

Discuss donating the old American flag stored at Borough Hall to Allaire Village for their collection. (Also, we have "The Bicentennial of New Jersey's Ratification of the United States Constitution, 12/18/1987" flag from Borough Hall storage. See above, #12.

The meeting adjourned close to 9:00 p.m.

Our next meeting: September 14th at the Old Wharf House. (October 12th, November 9th, and December 7th).

Action Items for the next meeting can be found in items 1 through 19 above.

**OCEANPORT RECREATION COMMITTEE
MEETING MINUTES
August 16, 2023**

Minutes of the regular meeting of the Oceanport Recreation Committee held on
Wednesday evening, August 16, 2023

In attendance: Members:

Scott Marcantonio
Dave Walker
Melanie Patterson
Beth Watkins
Joanne Hunt
Jackie Patterson
Jay Silverman
Kevin Guilford

Absent: Chris Farrell

Bill Deerin
Lexi Hetzel
Debbie Peterson

Also Present: Kathy Lynch

Open Meeting/Flag Salute

Meeting called to order by Scott Marcantonio at 7:30pm. Motion to open the meeting was made by Jay Silverman and seconded by Dave Walker.

Approval of Minutes

The July 12, 2023, meeting minutes were reviewed. The motion to approve the meeting minutes was made by Dave Walker and seconded by Jay Silverman.

Correspondence:

Joanne Hunt shared that many emails were sent from Action Camp parents thanking them the staff for an excellent camp experience. Families were also very generous with tips and gifts for counselors.

Joanne Hunt also shared that she has received emails and calls regarding the placement of the 5 benches in the sun along the CC tennis courts. People stated they need to be in the shade at playgrounds and areas where people go to sit.

Public Comments: Motion to open to the public was made by Scott Marcantonio and seconded by Jackie Patterson at 7:35 pm.

As there was no public present, in a motion made by Dave Walker and seconded by Jackie Patterson, the meeting was closed to the public at 7:35 pm.

Council Liaison Report and Public Works Updates:

Bill Deerin reported:

Fields at Gatta are being rented out.

Contract has been signed for Trinity Park work.

CBA& Monmouth University are very close to securing BBB boat ramp and old pool area.

Pool area being cleaned up.

Beth Watkins commented on the issue of private lessons being taught at various fields. This was also mentioned by Melanie Patterson as many out-of-town children also. All agreed this is hard to police.

Kathy Lynch:

Solar Lights are being used to maximize field play time.

New price structure for fields has been approved.

Gatta rented out.

Recreation Coordinator Report- Joanne Hunt

Next Movie “Aladdin” on 8/19

Banner up and information sent to all camp parents, Facebook and Instagram

Action Camp suggestions for 2024

Keep snapology and library.

Out trios for older campers

All camp events/themes weeks

Price can increase for trips.

Possible Jr. Counselor posts for 8th graders who age out as campers.

CITs for rising 9th graders

Would re hire Kate and most staff (she has a list)

Summer’s End 9/9- all set-Jay will report.

Halloween Trunk or Treat

Candy and bags ordered.

Date riders need to be updated.

We will have people take their own pictures and pose in front of “step and repeat “and then send them in for judging.

Halloween Decorating Contest-

Categories:

Spookiest

Most Family Friendly

Most Creative

Blue Grotto – TBD for prizes

Beerfest- TBD Chris will report this week.

Subcommittee Reports:

Subcommittee & Officer Review Panel- Scott Marcantonio- No report

Sonny Giordano Award- Beth Watkins- Beth suggested that this process starts earlier and go directly to coaches.

Egg Scramble- Beth Watkins- No report

Mini Golf- Scott Marcantonio – No report

Memorial Day Parade Committee- Kevin Guilford- No report

Movies- Joanne Hunt/Alexa Hetzel- All set for movie #2

Summer’s End & Summer’s End Finance Subcommittee- Jay Silverman-

QR code for donations went out with tax bill- we are up about \$1350.

Reviewed layout and all logistics

All set with municipal services:

Arrive at 10 am for walk through and back at 4 pm

All items such as portable toilets, rock wall, stage etc. have been secured.

Additional lighting – Scott will work with football.

Mody (ice cream) and Enzo are confirmed.

Banners will go up when movie banners come down.

Halloween Event- Dave Walker –previously reported.

Tree Lighting- Debbie Peterson/Jackie Patterson- No report, no lights

Decorating Contest- Jay Silverman- No Report

Grants/Parks- Joanne Hunt- No Report

Park Maintenance Reports- No Report

Halloween Decorating Contest- Melanie Patterson- we are good with the 3 categories as discussed.

Beerfest Exploratory Committee-Chris Farrell – No Report. A discussion was held about various similar events in the area and if it cannot happen for late September- mid October/November would still be OK.

Finance Report- Kevin Guilford – Budget for 2023 has been passed. The Recreation Committee reviewed the budget sheets.

Old Business:

- Benches-Discussion was started- not sure why benches were placed as they were.
- Tennis is still using the old reservation system and there are times blocked off for “paddle up: which is open play for pickleball. A new system needs to be decided and used next season.
- Kathy Lynch reported that the fees will be in place for everyone for all courts next year. Self-policing badge system is being considered.
- Possible pickle ball tournaments for 2024 as there are many players in the area.
- There was no other old business.

New Business:

Other New Business:

Melanie Patterson suggested some new events for next year to be considered: scavenger hunt (Jay Silverman explained we ran years ago), Corn Hole Tournament, Color Run

Beth Watkins suggested that we work closer with PTO to be sure that calendars are in sync- even a liaison to Rec Committee might work. Melanie Patterson volunteered to be liaison to PTO if that works out.

There was no other new business.

In a motion made by Beth Watkins Alexa Hetzel and seconded by Dave Walker, the meeting was adjourned at 8:50 pm.

Next meeting: October 11, 2023, at Old Wharf Park.

Respectfully submitted, Joanne Hunt

**BOROUGH OF OCEANPORT****MAYOR & COUNCIL****MINUTES • SEPTEMBER 21, 2023****Regular Meeting****Clement V. Sommers Municipal Building****7:00 PM****910 Oceanport Way, Oceanport, NJ 07757**

- I. **Call to Order:** Mayor Coffey called the meeting to order at 7:00 PM
- II. **Statement of Compliance with Open Public Meetings Act:** This meeting complies with the Open Public Meetings Act by adequate and electronic notification on January 5, 2022 of this meeting and its location, date and time to the Asbury Park Press and Two River Times and by the posting of same on the municipal bulletin board and Borough's Web Site.
- III. **Flag Salute, Statement to the Public:** Mayor Coffey led attendees and the members of Council in the flag salute.
- IV. **Roll Call:**

Attendee Name	Title	Status	Arrived
Jay Coffey	Mayor	Present	
William Deerin	Councilman	Remote	
Richard Gallo	Councilman	Present	
Bryan Keeshen	Councilman	Late	7:26 PM
Michael O'Brien	Councilman	Present	
Keith Salnick	Councilman	Absent	
Thomas Tvrdik	Councilman	Present	
Jeanne Smith	Borough Clerk	Present	
Andrew Bayer	Borough Attorney	Present	
Donna M. Phelps	Administrator	Absent	
Catherine D. LaPorta	Chief Financial Officer	Present	

- V. **PUBLIC COMMENT - Action Items Only:** Mayor Coffey opened the meeting for comments from the public on action items only. As one appeared the comment period was closed.
- VI. **Clerk's Report:** No report.
- VII. **Consent Agenda:**
- #2023-210 1. Resolution authorizing payment of BILL LIST 09-21-2023
 - #2023-211 2. Resolution renewing membership in the Monmouth Municipal Joint Insurance Fund
 - #2023-212 3. Resolution acknowledging receipt of 2022 annual audit
 - #2023-213 4. Resolution authorizing the purchase of Audio/Video Upgrades
 - #2023-214 5. Resolution authorizing an Interlocal Agreement with OPBOE for Class III SLEOs
 - #2023-215 6. Resolution authorizing an MOU with FMERA for Engineering Services - Demolition of Bldgs 550, 551
 - #2023-216 7. Resolution awarding contract for Engineering Services for FMERA MOU for Bldgs 550/551 demolition
 - #2023-217 8. Resolution awarding contract to Blaze Emergency Equip for 2023 fire equipment services
 - #2023-218 9. Resolution authorizing an Interlocal Agreement with OPBOE for ground maintenance and snow plowing
 - #2023-219 10. Resolution adopting an Affordability Assistance Manual
 - #2023-220 11. Resolution approving First Aid Membership - Schmid, Danial

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael O'Brien, Councilman
SECONDER:	Thomas Tvrdik, Councilman
AYES:	Deerin, Gallo, O'Brien, Tvrdik
ABSENT:	Keeshen, Salnick

- VIII. **Minutes:**
- 1. Mayor & Council - Workshop - Aug 17, 2023 7:00 PM

RESULT: **ACCEPTED [UNANIMOUS]**
MOVER: Michael O'Brien, Councilman
SECONDER: Richard Gallo, Councilman
AYES: Deerin, Gallo, O'Brien, Tvrdik
ABSENT: Keeshen, Salnick

2. Mayor & Council - Regular Meeting - Aug 17, 2023 7:30 PM

RESULT: **ACCEPTED [UNANIMOUS]**
MOVER: Michael O'Brien, Councilman
SECONDER: Thomas Tvrdik, Councilman
AYES: Deerin, Gallo, O'Brien, Tvrdik
ABSENT: Keeshen, Salnick

3. Mayor & Council - Workshop - Sep 7, 2023 7:00 PM

RESULT: **ACCEPTED [UNANIMOUS]**
MOVER: Michael O'Brien, Councilman
SECONDER: Richard Gallo, Councilman
AYES: Deerin, Gallo, O'Brien, Tvrdik
ABSENT: Keeshen, Salnick

IX. First Reading Ordinances:

#1083 Introduction of Ordinance Amending Special Event Fees for First Aid/Fire Standby

Councilman Tvrdik called for the introduction of "AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH STATE OF NEW JERSEY AMENDING CHAPTER 204 FEES FOR SPECIAL EVENTS REQUIRING FIRST AID/FIRE DEPARTMENT STANDBY" and then asked the Clerk to read the proposed ordinance by title only, after which Councilman Tvrdik moved to approve the Ordinance upon first reading and to hold the PUBLIC HEARING on the proposed ordinance at the Council meeting of October 19, 2023 and to advertise same in accordance with the law, which was seconded by Councilman O'Brien.

RESULT: **APPROVED OF FIRST READING [UNANIMOUS]** **Next: 10/19/2023 7:00 PM**
MOVER: Thomas Tvrdik, Councilman
SECONDER: Michael O'Brien, Councilman
AYES: Deerin, Gallo, O'Brien, Tvrdik
ABSENT: Keeshen, Salnick

X. Second Reading & Public Hearing Ordinances:

#1080 An Ordinance Setting Salary Ranges for Various Positions

Councilman Tvrdik called for the 2nd reading and Public Hearing of an ordinance authorizing the vacation of Leonard Ave and asked the Clerk to read the affidavit of publication of the proposed ordinance by title only "AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY SETTING FORTH AND AMENDING THE SALARY RANGES OF CERTAIN BOROUGH OFFICERS AND BOROUGH EMPLOYEES PASSED AND APPROVED MARCH 16, 1939 AND LAST REVISED AND APPROVED ON JULY 20, 2023" was published one time in the Asbury Park Press on August 31, 2023.

PUBLIC HEARING: Mayor Coffey opened the meeting for public comment for this ordinance. As no one else from the public presented to be heard, the public hearing was closed on a motion by Councilman O'Brien and seconded by Councilman Tvrdik.

Councilman Tvrdik made a motion to adopt the ordinance and advertise in accordance with law, which was seconded by Councilman O'Brien.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Tvrdik, Councilman
SECONDER:	Michael O'Brien, Councilman
AYES:	Deerin, Gallo, O'Brien, Tvrdik
ABSENT:	Keeshen, Salnick

#1081 An Ordinance Amending Chapter 331 Streets & Sidewalks

Councilman Tvrdik called for the 2nd reading and Public Hearing of an ordinance authorizing the vacation of Leonard Ave and asked the Clerk to read the affidavit of publication of the proposed ordinance by title only "**AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING CHAPTER 331 "STREETS & SIDEWALKS"**" was published one time in the Asbury Park Press on August 31, 2023.

PUBLIC HEARING: Mayor Coffey opened the meeting for public comment for this ordinance. As no one else from the public presented to be heard, the public hearing was closed on a motion by Councilman O'Brien and seconded by Councilman Gallo.

Councilman Tvrdik made a motion to adopt the ordinance and advertise in accordance with law, which was seconded by Councilman O'Brien.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Tvrdik, Councilman
SECONDER:	Michael O'Brien, Councilman
AYES:	Deerin, Gallo, O'Brien, Tvrdik
ABSENT:	Keeshen, Salnick

#1082 An Ordinance Amending Parks & Recreation 279

Councilman Tvrdik called for the 2nd reading and Public Hearing of an ordinance authorizing the vacation of Leonard Ave and asked the Clerk to read the affidavit of publication of the proposed ordinance by title only "**AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING CHAPTER 279 "PARKS & RECREATION AREAS" OF THE CODE OF THE BOROUGH OF OCEANPORT"**" was published one time in the Asbury Park Press on August 31, 2023.

PUBLIC HEARING: Mayor Coffey opened the meeting for public comment for this ordinance. As no one else from the public presented to be heard, the public hearing was closed on a motion by Councilman O'Brien and seconded by Councilman Tvrdik.

Councilman Tvrdik made a motion to adopt the ordinance and advertise in accordance with law, which was seconded by Councilman O'Brien.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Tvrdik, Councilman
SECONDER:	Michael O'Brien, Councilman
AYES:	Deerin, Gallo, O'Brien, Tvrdik
ABSENT:	Keeshen, Salnick

XI. Resolutions:

#2023-221 Resolution confirming SLEO appointments to the Police Department

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael O'Brien, Councilman
SECONDER:	Thomas Tvrdik, Councilman
AYES:	Deerin, Gallo, O'Brien, Tvrdik
ABSENT:	Keeshen, Salnick

#2023-222 Resolution acknowledging retirement of Margaret Herchakowski - Councilman Tvrdik took time to acknowledge the retirement of Peggy Herchakowski and thanked her for her time and commitment to the Borough especially after Superstorm Sandy working tirelessly to get the residents back into their homes, she put in the hours and this is the part of the fabric of Oceanport. She

will be deeply missed. Many residents have a special place their heart for Peggy. Mayor Coffey added that he spoke with Peggy more than his wife during the Sandy recovery, she was fantastic and the department was all part time and while a nightmarish time, she handled it. Councilman O'Brien was in agreement.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Thomas Tvrdik, Councilman
SECONDER: Richard Gallo, Councilman
AYES: Deerin, Gallo, O'Brien, Tvrdik
ABSENT: Keeshen, Salnick

#2023-223 Resolution amending the 2023 Salary Resolution

RESULT: ADOPTED AS AMENDED [UNANIMOUS]
MOVER: Michael O'Brien, Councilman
SECONDER: Thomas Tvrdik, Councilman
AYES: Deerin, Gallo, O'Brien, Tvrdik
ABSENT: Keeshen, Salnick

XII. Council Standing Committee Reports:

1. Councilman Deerin, Parks & Recreation – reported that he was not able to attend, but that Summer's End went great and gave special thanks to Jay Silverman and the rest of the Recreation Committee, also thanked public works, fire, first aid and police. Maria Gatta Park is bustling and looks great, reminded everyone that kids are back in school and to please drive carefully.
2. Councilman Gallo, Public Works & Engineering – reported on items including punch list for the 2022 road program, and his committee will be meeting next week regarding the tree ordinance.
3. Councilman Keeshen, Public Safety - Absent
4. Councilman O'Brien, Finance & Administration – reported on items including intention of Borough to apply to County for next round of funding for the road program; not required but keeps the Borough in the system, will be reviewing with the Committee and then a recommendation to the governing body; Maria Gatta Park has brought in revenue thus far in the amount of \$248,000 YTD, the debt service for the project was \$235,000 which has been covered this year; thanked the various parties involved for their efforts including DPW, BA, CFO and Clerk; the Borough has also received payment in the amount of \$32,000 for the rental agreements at Blackberry Bay Park for dock use – the cost of the new low profile dock was \$17,000. Councilman O'Brien closed with comments echoing Councilman Tvrdik's and wished Mrs. Herchakowski all the best in her retirement.
5. Councilman Salnick, Health & Human Services - Absent
6. Councilman Tvrdik, Planning & Development – reported on items including ongoing drainage issues behind Wolf Hill School and continue to work on alternative solutions, thanked the affected residents for their patience; Conrail has dredged and maintenance their right of way near Main Street and Mrs. Krotzer's property and consideration being given to raising the drain on Main Street; met with residents that petitioned for sidewalks on South Pemberton; extended thanks to Peggy Herchakowski for all her hard work

XIII. Mayor Coffey's Report: Mayor Coffey's report included updates on the mailbox issue at Balmer Court which the US Post Office had just approved the Borough's appeal with conditions on placement of the mailboxes; Netflix has a due diligence date coming up, the proposed reuse plan that would allow for Netflix's development is expected in October to FMERA; driving through the Fort you can see the progress and Oceanport is nearing completion once the Netflix deal goes through.

XIV. Public Comments: Mayor Coffey opened the meeting for petitions from the public. As no one else from the public presented, Mayor Coffey closed that portion of the meeting.

Ms. Smith advised the public that the Yard Sale Weekend was being postponed to the rain date due to the pending storm weather.

Councilman Keeshen entered the meeting at 7:26 PM

XV. Adjourn to Executive Session: At 7:27 PM Councilman O'Brien made a motion to adopt the resolution to enter Executive Session which was seconded by Councilman Tvrdik and received the following roll call.

#2023-224 Resolution authorizing an Executive Session, September 21, 2023

N.J.S.A. 10:4-12(b)(7) *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege*
 - Police Department

- Financial Agreement – will not be discussed

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael O'Brien, Councilman
SECONDER:	Thomas Tvrdik, Councilman
AYES:	Deerin, Gallo, Keeshen, O'Brien, Tvrdik
ABSENT:	Salnick

XVI. Return from Executive Session: At 7:44 PM, the Regular Meeting was re-opened on a motion by Councilman O'Brien, seconded by Councilman Tvrdik.

XVII. Adjournment: As there was no further business, the meeting was adjourned at 7:45 PM on a motion by Councilman Deerin, seconded by Councilman Keeshen and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

MINUTES • OCTOBER 5, 2023

Workshop

Clement V. Sommers Municipal Building

7:00 PM

910 Oceanport Way, Oceanport, NJ 07757

- I. **Meeting Called to Order:** Mayor Coffey called the meeting to order at 7pm.
- II. **Statement of Compliance with Open Public Meetings Act:** This meeting complies with the Open Public Meetings Act by adequate and electronic notification on January 5, 2023 of this meeting and its location, date and time to the Asbury Park Press and Two River Times and by the posting of same on the municipal bulletin board and Borough's Web Site.
- III. **Flag Salute, Statement to the Public:** Often times it may appear that the Mayor & Council take action with very little comment and in many cases by unanimous vote. Many items are of routine business that are placed on a Consent Agenda as they do not require additional discussion. Items not of a routine nature are first listed for discussion at a Workshop meeting prior to being listed for action at a Regular Meeting. Where appropriate, items are referred to a Council Committee for further study and investigation before being returned with a recommendation for the full Council to consider. The members of the Borough Council work via committees along with the Mayor, Borough Clerk and Administration to assure that the members fully understand the matter. There are occasions where matters are presented to the Mayor & Council for discussion and action at the same meeting when of a timely nature.
- IV. **Roll Call:**

Attendee Name	Title	Status
Jay Coffey	Mayor	Present
William Deerin	Councilman	Present
Richard Gallo	Councilman	Present
Bryan Keeshen	Councilman	Absent
Michael O'Brien	Councilman	Absent
Keith Salnick	Councilman	Present
Thomas Tvrdik	Councilman	Present
Jeanne Smith	Borough Clerk	Present
Andrew Bayer	Borough Attorney	Present
Donna M. Phelps	Administrator	Present
Catherine D. LaPorta	Chief Financial Officer	Present

- V. **Public Comment on Action Items:** Mayor Coffey opened the meeting for comments from the public on action items only. Gary LaBruno, Wyandotte Ave, asked questions about Agenda Item #2, and how the rate for the Class III position was determined. Discussion ensued on the market rates in the area versus what was agreed upon by the Board of Education and the appointed. Mayor Coffey added that the Council has been working to bring Oceanport staff to market rates including public works and administration.
- Stuart Briskey, 46 Werah Place, asked questions about Agenda Item #3, and asked why was 6' fencing selected for the pickleball courts versus 8' or 10' and have room for a windscreen. Discussion ensued with Council ultimately decided on keeping the specs as presented in the resolution.
- As no one else from the public appeared, that portion of the meeting was closed.

VI. **Action Items:**

#2023-225 Resolution authorizing payment of BILL LIST 10-05-2023

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	William Deerin, Councilman
SECONDER:	Keith Salnick, Councilman
AYES:	Deerin, Gallo, Salnick, Tvrdik
ABSENT:	Keeshen, O'Brien

#2023-226 Resolution amending the 2023 Salary Resolution for certain SLEOs

RESULT: ADOPTED [UNANIMOUS]
MOVER: Thomas Tvrdik, Councilman
SECONDER: Richard Gallo, Councilman
AYES: Deerin, Gallo, Salnick, Tvrdik
ABSENT: Keeshen, O'Brien

#2023-227 Resolution authorizing purchase of fencing through State Contract

RESULT: ADOPTED [UNANIMOUS]
MOVER: Thomas Tvrdik, Councilman
SECONDER: William Deerin, Councilman
AYES: Deerin, Gallo, Salnick, Tvrdik
ABSENT: Keeshen, O'Brien

#2023-228 Resolution rescinding Resolution #2023-216, contract for Bldgs 550, 551 demo

Question(s) on the motion: Councilman Salnick asked questions about when this item was discussed, has seen several of these with Fort Monmouth, as he has no understanding of anything going on and there's constantly contracts and things at Fort Monmouth and he would like to know what he's voting for and asked for an explanation. Mayor Coffey stated he should never vote on anything he doesn't understand. Councilman Salnick responded then he shouldn't vote on anything. Councilman Tvrdik commented that discussions have been held about the demolition of the buildings at several public meetings and he includes it in his Committee reports. Mayor Coffey further explained the shared service of providing the Borough's engineer to perform the work for FMERA who was paying the Borough dollar for dollar. The agreement was in the packet and details the terms. Ms. Smith advised the Councilman that the original approval for the MOU for 4 buildings was discussed and approved in January and that subsequent MOUs were related to a specific building and its specifications.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Thomas Tvrdik, Councilman
SECONDER: William Deerin, Councilman
AYES: Deerin, Gallo, Salnick, Tvrdik
ABSENT: Keeshen, O'Brien

#2023-229 Resolution to amend 2023 budget for FMERA MOU Buildings 550 & 551 project

RESULT: ADOPTED [UNANIMOUS]
MOVER: William Deerin, Councilman
SECONDER: Richard Gallo, Councilman
AYES: Deerin, Gallo, Salnick, Tvrdik
ABSENT: Keeshen, O'Brien

#2023-230 Resolution awarding contract for engineering services for FMERA MOU for Bldgs 550, 551

RESULT: ADOPTED [UNANIMOUS]
MOVER: William Deerin, Councilman
SECONDER: Richard Gallo, Councilman
AYES: Deerin, Gallo, Salnick, Tvrdik
ABSENT: Keeshen, O'Brien

#2023-231 Resolution authorizing change order to Special Labor Counsel contract - *Added on Late*

RESULT: ADOPTED [UNANIMOUS]
MOVER: Thomas Tvrdik, Councilman
SECONDER: William Deerin, Councilman
AYES: Deerin, Gallo, Salnick, Tvrdik
ABSENT: Keeshen, O'Brien

#2023-232 Resolution authorizing Change Order #1 decreasing the contract for Community Center Improvements - *Added on Late*

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	William Deerin, Councilman
SECONDER:	Richard Gallo, Councilman
AYES:	Deerin, Gallo, Salnick, Tvrdik
ABSENT:	Keeshen, O'Brien

VII. Clerk's Report: Ms. Smith advised that minutes would be ready for the regular meeting.

Old Business:

1. Mayor & Council - Regular Meeting - Jan 19, 2023 7:00 PM
2. Mayor & Council - Workshop - Jul 20, 2023 7:00 PM

Ms. Smith advised that minutes would be ready for the regular meeting.

New Business:

1. Resolution authorizing purchase of shed through State Contract – reviewed and moved forward.
2. **#2023-234** Resolution authorizing solicitation of bids for 2023 Road Program - *Added for Action*

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Richard Gallo, Councilman
SECONDER:	Keith Salnick, Councilman
AYES:	Deerin, Gallo, Salnick, Tvrdik
ABSENT:	Keeshen, O'Brien

3. Resolution awarding a contract to Sunbelt Rentals for temporary lighting at Gatta Park – there was discussion on the use of the lights until permanent lighting was installed. Councilman Gallo asked if its for the lights that are already there and was told yes – the period of use was being extended to December and brings the total contract above the pay to play threshold which requires it be authorized by resolution.
3. Ordinance Amending Chapter 35, Public Contracts – Ms. Smith led discussion on the need for the Borough's ordinance to be amended to address recent legislature related to the Elections Transparency Act. Discussion included the changes to the pay to play threshold and reporting of contributions, the State law prohibits local government from establishing its own ordinance and the need to repeal that section of the ordinance. Also discussed was removal of the procurement language for use of fair and open process which is addressed by the Borough's purchasing policy and as currently stated restricts the Borough in procurement choices.
4. Ordinance Amending Land Development Chapter 390-27 "Portable On Demand Storage" – Ms. Smith advised of proposed changes to the ordinance including requiring a zoning permit so that it can be reviewed for setbacks and other zoning requirements; adds an extension request with fee, limits the size of the storage structure, implements setback requirements, placement in a driveway unless otherwise approved, added enforcement and penalty language. With no objections, ordinance scheduled for introduction at next regular meeting.

VIII. Administrator's Report: Ms. Phelps reported on items including close out and reimbursements for county grants; receipt of notice of award for the 2023 Open Space Grant program application in the amount of \$330,000; reimbursements received from FEMA for storm activities; notice of a dividend from the Central Jersey Health Insurance Fund; health insurance rates will be going up but substantially less than those of the State plan; reviewed the handout discussed with OEM from FEMA for different mitigation projects funding available, potential projects and the Borough's contribution cost of 25%; sought guidance from the governing body as to whether this would be a capital project they desire to pursue. OEM Director Baldanza was present and added that the proposal would be to position oystering in the Shrewsbury River in a manner that would protect the Gooseneck Point and Cayuga Ave area – which was most impacted by Superstorm Sandy; would create a 'living' shoreline to handle waves, not necessarily flooding. Mayor Coffey asked questions about the replacement of storm pipes and drains option which Mr. Baldanza described in further detail. Discussion included the success of the recent check valve program and that it could be handled in a similar way depending on the areas selected to be targeted.

Ms. Phelps also advised that resident Ron Sickler had stopped in to Borough Hall and complimented the DPW on the appearance of the parks; she also wished Steve Briskey well, he was missed and hoped he'd be back soon.

IX. Mayor's Report: Mayor Coffey reported that progress has been made with the Netflix deal - they are beyond the due diligence period, during which an issue arose related to ingress/egress of County roads through the parcel being purchase by Netflix; a Plan Amendment Draft will likely be before the Council later this month or early November. Mayor Coffey also advised that his upcoming Mayor's message would include information concerning the Fort/Netflix and the status of the proposed development at Monmouth Park. A new restaurant has opened - Baseline Social which looks great and should prove to be a destination place while complementing other local facilities. Mayor Coffey also wished Steve Briskey well and wishes for soon return.

X. Public Comment: Mayor Coffey opened the meeting to petitions from the public.

Patty Cooper, 24 Osprey Lane, appearing on behalf of the First Aid Squad, thanked the Council and Mayor for the newer ambulance purchased from Rumson which they have begun to spec out but it has an electrical system problem that they are working to fix. She next appealed to the Council on behalf of the Squad concerning Maria Gatta Park which has the new turf fields. The Squad has concerns because the setup of the fields they are unable to bring the ambulance into the park and reaching patients without driving and possibly damaging fields. Also, the grade of the fields makes it difficult to roll a cot in there. They have borrowed a gator (quad) from Long Branch that enables them to bring a cot around the fields and restricted areas. They have found a 10-yr old John Deere gator for \$16,000, with all equipment from another town versus a brand new Polaris gator without equipment at \$17,000+. Councilman Deerin asked how much for a brand new one with equipment cost. Ms. Cooper estimated about \$25,000. There was discussion on how soon for the need, as soon as possible because fields continue actively, 90 days would be great and was seeking assistance from the Borough. Consensus was to pursue quotes for brand new Polaris. Ms. Phelps suggested use of the American Rescue funds to cover cost. Councilman Tvrdik requested the quotes be sent through Donna to the Finance Committee for review. Mr. Baldanza offered that the Polaris was on State contract. Ms. Cooper concluded with thanks and appreciation, they continue to fundraise through Bingo, but this expense would drain their funding account.

Both Councilmen Tvrdik and Deerin complimented the First Aid Squad and expressed appreciation for their services as they were both assisted during family medical event.

As no one else from the public appeared, Mayor Coffey closed that portion of the meeting.

XI. Adjourn to Executive Session: At 8:08 PM Councilman Deerin made a motion to adopt the resolution to enter Executive Session which was seconded by Councilman Gallo and received the following roll call.

#2023-233 Resolution authorizing an Executive Session, October 5, 2023
 X N.J.S.A. 10:4-12(b)(8) *Matters Relating to the Employment Relationship*
- *Special Labor Counsel*

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	William Deerin, Councilman
SECONDER:	Richard Gallo, Councilman
AYES:	Deerin, Gallo, Salnick, Tvrdik
ABSENT:	Keeshen, O'Brien

Councilman Salnick and Ms. Smith exited the meeting at 8:08 PM

XII. Return from Executive Session: At 8:19 PM, the Regular Meeting was re-opened on a motion by Councilman Deerin, seconded by Councilman Tvrdik.

At 8:19 PM, Ms. Smith re-entered the meeting.

XIII. Adjournment: As there was no further business, the meeting was adjourned at 8:20 PM on a motion by Councilman Deerin, seconded by Councilman Gallo and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT AUTHORIZING THE RELEASE OF
PERFORMANCE GUARANTY TO FORT PARTNERS GROUP LLC FOR THE PROJECT KNOWN AS
1600 AVENUE OF MEMORIES AND FURTHER DESCRIBED AS THE FORT ATHLETIC CLUB**

Resolution #2023-241
10/19/23

WHEREAS, Fort Partners Group (Developer) posted Performance Guarantees for site plan improvements of the development known as 1600 Avenue of Memories (aka Fort Athletic Club) located on Block 110.06, Lots 1 and 3, Borough of Oceanport; and

WHEREAS, the Developer has requested release of the Performance Guarantees now that the project is nearly completed; and

WHEREAS, William White, Borough Engineer, has reviewed and does not object to the release of the balance of the performance guarantee posted in cash totaling \$8,585.96 in a letter report dated September 25, 2023; and

WHEREAS, the Borough Council of the Borough of Oceanport has considered the request and the report of the Borough Engineer,

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Oceanport, County of Monmouth and State of New Jersey, that the Performance Guaranty posted by the Developer is hereby authorized for release subject to the developer's satisfaction of the following conditions:

1. Satisfaction and payment of all outstanding escrow and inspection charges attributable to this project;
2. Developer's continued conformance with all requirements of the approvals governing the project and the directives of the Planning Board and Borough Engineer;

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to forward a certified copy of this Resolution accompanying correspondence from the Borough Engineer to Fort Partners Group, the Borough's Chief Financial Officer and Borough Engineer.

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby authorized to issue a check to Fort Partners Group for the balance of the cash performance guarantee posted for the project less any amounts necessary to satisfy outstanding escrow and inspection charges.

101 Crawfords Corner Road
Suite 3400
Holmdel, New Jersey 07733
Main: 877 627 3772



September 25, 2023

VIA EMAIL

Jeanne Smith, RMC
Borough of Oceanport
910 Oceanport Way
Oceanport, NJ 07757

Fort Monmouth Fitness Center
Performance Guarantee Reduction
Block 110.06, Lot 1
Borough of Oceanport, Monmouth County, New Jersey
Colliers Engineering & Design Project No. OPC-111

Dear Ms. Smith,

Our office performed a site inspection regarding release of the Performance Guarantee posted for the above-referenced site. The Applicant has addressed all outstanding punch list items. Therefore, we recommend release of the Performance Guarantee subject to the payment of all outstanding professional fees.

Should you have questions or require additional information, please do not hesitate to contact me directly.

Sincerely,

Colliers Engineering & Design

A handwritten signature in blue ink, appearing to read "W. White", written over a faint circular stamp.

William H.R. White, III, PE, PP, CME, CFM, CPWM
Oceanport Borough Engineer

WHW/dmm

cc: Scott Marchakitus (via email)

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**RESOLUTION OF THE BOROUGH OF OCEANPORT
AMENDING THE PERSONNEL POLICY TO UPDATE AND IMPLEMENT NEW POLICIES REQUIRED BY
THE MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND**

Resolution #2023-242
10/19/23

WHEREAS, the Borough of Oceanport participates in the Municipal Excess Liability Joint Insurance Fund and its Employment Practices Liability (EPL) Program; and

WHEREAS, every two years, in order to qualify for a deductible incentive program through the MEL JIF, members are required to adopt the MEL's model employment practices to reduce the employer's liability; and

WHEREAS, after review of the Personnel Policy, the Borough Administrator has recommended significant amendments including but not limited to the following:

- General Personnel Policies - Equal Employment Opportunity Policy
- General Personnel Policies - Americans With Disabilities
- Employee Benefits - Overtime
- Employee Benefits - Medical Benefits
- Employee Benefits - Compensation for Unused Sick Leave
- Employee Benefits - Worker's Compensation
- Leaves of Absence - Personal Day Policy
- Leaves of Absence - Sick Leave Policy
- Leaves of Absence - Family and Medical Leave Act
- Leaves of Absence - New Jersey Family Leave
- Leaves of Absence - Military Service Leave Policy
- Personnel Rules and Regulations - Alcohol and Drug-Free Workplace
- Personnel Rules and Regulations - Conduct of Employees (new)
- Personnel Rules and Regulations - Discipline and Termination Policy
- Personnel Rules and Regulations - Domestic Violence Reporting Procedures
- Personnel Rules and Regulations - Employment References
- Personnel Rules and Regulations - Ethical Conduct (new)
- Personnel Rules and Regulations - Resignation Policy
- Personnel Rules and Regulations - Policy for Use of Employer Vehicles (Non-Law Enforcement)
- Personnel Rules and Regulations - Work from Home Policy and Procedure (new)

WHEREAS, proposed amendments have been incorporated within the personnel policy attached hereto as last revised and passed on October 21, 2021.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport that the proposed Personnel Policy with amendments attached hereto will be effective immediately upon passage by the Governing Body.

BE IT FURTHER RESOLVED that the Borough Administrator shall distribute updated copies of the Personnel Policy to managerial/supervisory employees and all employees.

ORDINANCE

AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING LAND DEVELOPMENT CHAPTER 390, SECTION 27 "PORTABLE ON DEMAND STORAGE"

BE IT ORDAINED by the Council of the Borough of Oceanport, in the County of Monmouth, in the State of New Jersey that the following ordinance amendment be and the same is hereby enacted:

Note: Additions are noted in bold with underline. Deletions are noted in bold with crosshatch.

Chapter 390. Land Development
Article IV. General Zoning Regulations

§ 390-27. Portable on-demand storage structures.

A portable on-demand storage structure may be utilized as a temporary structure within the Borough when in compliance with the standards of this section. Any use of such structures within the Borough not in compliance with this section shall be unlawful and subject to fines and penalties as permitted under this Code.

§ 390-27.1 Definitions

PORTABLE STORAGE UNIT

A transportable unit designed and used for the temporary storage of household goods, personal items, construction materials and supplies, and other materials which are placed on a site for the use of occupants of a dwelling or building on a temporary or limited basis. Portable storage units include, but are not limited to "PODS," "mobile attics" and other similar portable on demand storage containers. A dumpster is not considered a temporary storage structure.

STORAGE

Shall mean the act of storing goods or the state of being stored; a space for storing goods.

§ 390-27.2 Permit Required.

Use of a portable on-demand storage structure shall only be permitted where **a zoning** permit has been issued by the Borough Zoning Officer.

- (1) Applications for the permitted use of a portable on-demand storage structure may be obtained **from the Zoning Officer through the Borough's online application portal available on the website.** Failure to obtain permission for placement of such temporary structure shall result in the issuance of an after-the-fact permit with a fee set at 10 times the amount of a permit issued prior to erection of such structure **(\$200).**
- (2) The application shall be submitted **when completed** by the **party property owner** requesting use of a portable on-demand storage structure **on that form provided by the Code Enforcement Officer, to the Code Enforcement Officer** with a **sketch copy of the property survey** showing the location of the structure on the site and detailing the distance of the structure(s) ~~trailers~~ from other buildings, fire hydrants, Fire Department connections and/or utilities.
- (3) All portable on-demand storage units shall be placed in driveways **or side yard** unless otherwise approved by the Zoning Officer, but in no case shall the portable on-demand structure be located in the street or right-of-way.
- (4) **Front yards: No temporary storage unit/structure shall be located within a front yard unless located on an existing driveway and shall be at least fifteen (15') feet back from the street line and not set on the driveway apron**
- (5) **Side and Rear Yards: All temporary storage unit/structures must be located at least five (5') feet from any rear or side yard line of the property.**
- (6) **The maximum size of a temporary/portable structure shall be eight feet in height, 10 feet in width and 20 feet in length.**
An application fee of \$20 shall accompany the form requesting such permission. Failure to obtain permission for placement of such temporary structure shall result in the issuance of an after the fact permit with a fee set at 10 times the amount of a permit issued prior to erection of such structure **(\$200).**

§ 390-27.3 Length of time structures may be on property; extensions.

(1) A portable on-demand storage structure may be located as a temporary structure on property within the Borough for a period not exceeding ~~30-60~~ days in duration from time of delivery to time of removal in circumstances where a construction permit for the property has not been issued. Where exceptional circumstances exist, the ~~Code Enforcement~~ **Zoning** Officer may alter the permit to extend the time where these structures may be permitted on property.

(2) In such circumstances where a construction permit has been issued for the property, the portable on-demand storage structure may be located as a temporary structure on property for a period not exceeding 90 days, with the right to three thirty-day extensions if deemed necessary and appropriate by the ~~Code Enforcement~~ **Zoning** Officer. In no event may a portable on-demand storage structure be located on property for a period in excess of 180 days in any twelve-month period. Extensions beyond 180 days may be granted by resolution of the Borough Council. The property owner seeking said extension must **submit their request through the Borough Clerk** ~~apply to the Council~~ at the time that the last thirty-day extension is applied for.

(3) An application for an extension of time shall be accompanied by a \$25 fee.

§ 390-27.4 Number of Units.

No more than two portable on-demand storage structures may be located on a specific piece of property within the Borough at one time; such structures shall be individually limited to the duration time period established herein.

§ 390-27.5 Toxic or Hazardous Materials.

No portable on-demand storage structures located within the Borough shall contain toxic or hazardous materials.

§ 390-27.6 Enforcement Provisions.

(1) The Zoning Officer shall notify the person or entity in control of the property upon which the portable storage container is located, the person or entity that controls, owns or leases the subject container, or the agent thereof in the event of a violation. Notice shall be made in writing by certified mail, return receipt requested and regular mail or hand delivery.

(2) Failure to comply. If the owner, tenant, person or entity or the agent thereof fails, neglects or refuses to comply with this section upon notice of any violation, the Borough may remove the subject storage structure without further notice.

§ 390-27.7 Fines.

Failure to comply with any section of this section may result in a fine not to exceed \$1,000 per violation, a term of imprisonment not to exceed 90 days or any combination thereof.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances in conflict or inconsistent with this ordinance are hereby repealed, but only, however to the extent of such conflict or inconsistency, it being the legislative intent that all other ordinances or parts of ordinances now existing and in effect, unless the same be in conflict or inconsistent with any of the provisions of this ordinance, shall remain in full force and effect.

BE IT FURTHER ORDAINED this amending ordinance shall become effective upon due passage and publication according to law.

APPROVED ON FIRST READING

DATED: November 2, 2023

JEANNE SMITH

Clerk of the Borough of Oceanport

ADOPTED ON SECOND READING

DATED: October 19, 2023

JEANNE SMITH

Clerk of the Borough of Oceanport

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____.

JOHN F. COFFEY, II

Mayor

ORDINANCE

AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING CHAPTER 35 "CONTRACTS PUBLIC" ARTICLE I "PUBLIC CONTRACTS" AND ARTICLE II PROFESSIONAL SERVICE CONTRACTS REPEALING SECTIONS 35-1 TO 35-8 LOCAL PAY-TO-PLAY RESTRICTIONS IN CONFORMANCE WITH THE ELECTIONS TRANSPARENCY ACT

WHEREAS, the Legislature adopted Public Law 2023, Chapter 30 known as the Elections Transparency Act ("ETA"), which significantly changed New Jersey's pay-to-play laws in April 2023 which included a provision prohibiting municipalities from imposing local pay-to-play provisions; and

WHEREAS, the New Jersey Department of Community Affairs, Division of Local Government Services issued LFN 2023-14 to provide guidance to municipalities in implementing the ETA (the "LFB Directive") and in part, directed municipalities to repeal any local pay-to-play ordinances in effect; and

WHEREAS, the Borough Council adopted Ordinance 782 in 2004 establishing local pay-to-play limits in the Borough through the establishment of Chapter 35, Article I, Sections 35-1 through 35-8 in the Borough Code; and

WHEREAS, the Borough Council believes it is in the best interest of the Borough to ensure the Borough Code is in conformance with state law and the LFB Directive and it is therefore eliminating the local pay-to-play standards in the Borough Code.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Oceanport, that Chapter 35 "Contracts, Public", Article I "Public Contracts" and Article II "Professional Service Contracts" Sections 35-1 through 35-8 of the Borough Code are hereby repealed in their entirety.

IT IS FURTHER ORDAINED, that if any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

IT IS FURTHER ORDAINED that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

IT IS FURTHER ORDAINED that this Ordinance shall take effect upon passage and publication in accordance with applicable law. All other Ordinances or parts of Ordinances, which are inconsistent herewith, are repealed, only to the extent of such inconsistency. All other parts not inconsistent herewith are ratified and confirmed. This Ordinance shall become effect immediately upon final passage and publication as required by law.

APPROVED ON FIRST READING

DATED: October 19, 2023

JEANNE SMITH
Clerk of the Borough of Oceanport

ADOPTED ON SECOND READING

DATED: October 19, 2023

JEANNE SMITH
Clerk of the Borough of Oceanport

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____.

JOHN F. COFFEY, II
Mayor

ORDINANCE #1083

AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AMENDING CHAPTER 204 FEES FOR SPECIAL EVENTS REQUIRING FIRST AID/FIRE DEPARTMENT STANDBY

WHEREAS, the First Aid Captain for the Oceanport Volunteer First Aid & Rescue Squad has submitted a request on behalf of the Squad proposing an increase to the fees collected for first aid/fire presence related to Special Events; and

WHEREAS, the Borough Administrator has reviewed the request with the Public Safety Committee and the Finance and Administration Committee and find the request to be reasonable and in line with fees set by surrounding municipalities; and

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Oceanport, County of Monmouth and State of New Jersey that the following amendments be made as follows:

NOTE: Additions are underlined and deletions are marked by strike through.

Chapter 204. Fees

Article VII. Special Events, Boat Ramps and Athletic Fields

§ 204-13.1. Special events requiring first aid and/or Fire Department presence.

A. The following is established as the fee to be paid for a nonmunicipal sponsored event requiring a first aid and/or Fire Department presence:

(1) Event hours one through four: ~~\$200~~ \$500 per department utilized.

(2) Events greater than four hours: \$150 per hour per department.

(3) Payments shall be made directly to the organization supplying the services

B. The above fees may be waived or reduced by the governing body subject to good cause.

BE IT FURTHER ORDAINED that all other terms and provisions of Chapter 204 Fees of the Borough Code shall remain unchanged.

BE IT FURTHER ORDAINED this amending ordinance shall become effective upon due passage and publication according to law.

APPROVED ON FIRST READING

DATED: September 21, 2023

JEANNE SMITH

Clerk of the Borough of Oceanport

ADOPTED ON SECOND READING

DATED: October 19, 2023

JEANNE SMITH

Clerk of the Borough of Oceanport

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____.

JOHN F. COFFEY, II
Mayor



OCEANPORT VOLUNTEER FIRST AID & RESCUE SQUAD

13.1.a

Oceanport Volunteer First Aid and Rescue Squad

2 Pemberton Ave
Oceanport, NJ 07757

Dear Mayor and Council,

The Oceanport Volunteer First Aid and Rescue Squad is asking you to consider changing Chapter 204 Fees 204-13.1 for Services by First Aid and Fire Department to be as follows:

- A. The following is established as the fee to be paid for a non municipal sponsored event requiring a first aid and/or fire department presence
1. Event hours one through four \$500 per department utilized.
 2. Events greater than four hours: \$150 per hour per department
 3. The money is to be paid directly to the department supplying the services

Thank you in advance for your time and consideration to this matter.

Respectfully,

Captain Fred Filippone

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE GOVERNING BODY TO ENTER EXECUTIVE SESSION, OCTOBER 19, 2023**

**Resolution #2023-243
10/19/23**

WHEREAS, the Mayor & Council of the Borough of Oceanport are subject to the requirements of the Open Public Meeting Act N.J.S.A. 10:4-6 et seq.; and

WHEREAS, the Open Public Meetings Act of the State of New Jersey generally requires that all meetings of public bodies be open to the public; and

WHEREAS, the Open Public Meetings Act further provides that a public body may exclude the public from a portion of a meeting at which time the public body discusses items enumerated in the Open Public Meetings Act at N.J.S.A. 10:4-12b, which items are recognized as requiring confidentiality; and

WHEREAS, it is necessary and appropriate for the Mayor & Council of the Borough of Oceanport to discuss certain matters in a meeting not open to the public consistent with N.J.S.A. 10:4-12b.

NOW, THEREFORE, BE IT RESOLVED by the Mayor & Council of the Borough of Oceanport, pursuant to the Open Public Meetings Act of the State of New Jersey, as follows:

1.) The Mayor & Council shall hold a closed meeting from which the public shall be excluded on **October 19, 2023**.

2.) The general nature of the subjects to be discussed at said closed meeting shall be related to

☐ N.J.S.A. 10:4-12(b)(1)	<i>Matters Required by Law to be Confidential</i>
☐ N.J.S.A. 10:4-12(b)(2)	<i>Matters Where the Release of Information Would Impair the Right to Receive Funds</i>
☐ N.J.S.A. 10:4-12(b)(3)	<i>Matters Involving Individual Privacy</i>
☐ N.J.S.A. 10:4-12(b)(4)	<i>Matters Relating to Collective Bargaining Agreements</i>
☐ N.J.S.A. 10:4-12(b)(5)	<i>Matters Relating to the Purchase, Lease or Acquisition of Real Property</i>
	<i>Municipal boundary</i>
☐ N.J.S.A. 10:4-12(b)(6)	<i>Matters Relating to Public Safety and Property</i>
☒ N.J.S.A. 10:4-12(b)(7)	<i>Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege</i>
	- <i>Shared Services Proposal</i>
	- <i>Potential litigation – 60 Shore Road</i>
☒ N.J.S.A. 10:4-12(b)(8)	<i>Matters Relating to the Employment Relationship</i>
	- <i>Special Labor Counsel Investigation Report</i>
☐ N.J.S.A. 10:4-12(b)(9)	<i>Matters Relating to the Potential Imposition of a Penalty</i>

3.) The minutes of said closed meeting shall be made available for disclosure to the public consistent with N.J.S.A. 10:4-13, when the items which are subject of the closed session discussion are resolved and a reason for confidentiality no longer exists.

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