



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

AGENDA • OCTOBER 17, 2024

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, 2024 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. PROCLAMATION

1. Oceanport Preschool

VI. PUBLIC COMMENT - Action Items Only

At this time, comments are invited on action 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. Administrator's Report

VIII. Clerk's Report

1. Health Insurance Renewal and Open Enrollment

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.

- | | | |
|------------------|----|--|
| #2024-242 | 1. | Resolution authorizing payment of BILL LIST 10-17-2024 |
| #2024-243 | 2. | Resolution appointing Donald Baldwin as a per diem Plumbing/Mechanical Subcode & Inspector |
| #2024-244 | 3. | Resolution appointments to Boards & Committees, HIS, WW |
| #2024-245 | 4. | Resolution authorizing refund of funds balance for FMERA MOU 600 Area Water Project |
| #2024-246 | 5. | Resolution authorizing endorsement of TRWRA Applications to NJDEP for Foggia Way |
| #2024-247 | 6. | Resolution accepting resignation of James McCormick |

- #2024-248 7. Resolution accepting resignation and retirement of Michael P. Kelly
- #2024-249 8. Resolution awarding contract to Poor John's Portable Toilets
- #2024-250 9. Resolution awarding contract for 2024 Road Program - *Added*
- #2024-251 10. Resolution authorizing solicitation of bids for Trinity Park Improvements Project
- #2024-252 11. Resolution appointing Fire Police member - Thomas Corsentino, Jr
- #2024-253 12. Resolution awarding contract for Allenhurst Ave Bulkhead Project - *Added*
- #2024-254 13. Resolution authorizing contract with Barnabas Health for Employee & Volunteer Healthcare Services
- #2024-255 14. Resolution authorizing payment for vacation time

X. Minutes

- 1. Workshop Minutes, May 2, 2024
- 2. Workshop Minutes, August 15, 2024
- 3. Regular Meeting Minutes, August 15, 2024

XI. Resolutions

- #2024-256 Resolution promoting Gary Grimes to Chief of Police in the Oceanport Police Department

XII. First Reading Ordinances

- #1102 Introduction of Ordinance Amending Chapter 64 "Vehicles & Traffic" pertaining to Low Speed Electric Vehicles

XIII. Second Reading & Public Hearing Ordinances**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. Councilwoman Cooper, Planning & Development

XV. Mayor Tvrdik'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

- #2024-257 Resolution authorizing an Executive Session, October 17, 2024

 X N.J.S.A. 10:4-12(b)(5) *Matters Relating to the Purchase, Lease or Acquisition of Real Property - Potential Open Space Acquisition*

XVIII. Return from Executive Session**XIX. Adjournment**

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING PAYMENT OF BILL LIST FOR OCTOBER 17, 2024**

**Resolution #2024-242
10/17/24**

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of October 17, 2024.

BE IT RESOLVED, by the Mayor and Council that the bills be paid as on the attached bill list for \$1,452,370.01.

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.



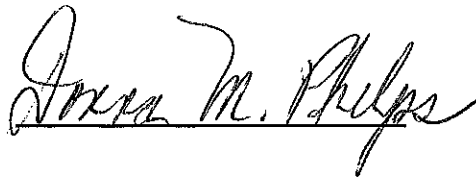
Catherine D. LaPorta, CFO

BOROUGH OF OCEANPORT BILL LIST

17-Oct-24

PAYEE	AMOUNT
PAYROLL ACCOUNT	\$159,704.95 PR #21
DCRP	\$585.00
MANUAL CHECKS	
Freehold Soil	\$1,520.00
Payflex	\$1,600.00
Payflex	\$3,200.00
 GRANT FUND	 \$57,296.24
CAPITAL	\$25,936.46
DOG REGISTRY TOTAL	\$7.80
OPEN SPACE TRUST TOTAL	\$15,992.36
SUI	\$172.50
UCC TRUST	\$219.53
TRUST OTHER TOTAL	\$0.00
ESCROW TRUST TOTAL	\$50,287.41
NON BUDGETARY	\$945,612.08
2023 VOUCHERS PAID THIS MEETING	\$0.00
2024 VOUCHERS PAID THIS MEETING	\$190,235.68
 TOTAL	 \$1,452,370.01

TO THE MAYOR AND COUNCIL FOR PAYMENT



List of Bills - (All Funds)

9.1.b

Vendor	Description	Payment	Check Total
Current Fund			
1007 - ACTION UNIFORMS, LLC	PO 17773 Blanket for Uniforms	752.00	752.00
1738 - AIR GAS TECHNOLOGIES INC	PO 17695 AIR COMPRESSOR RECHARGING SYSTEM	44,923.74	44,923.74
2248 - ANGELO'S PAVING INC.	PO 17785 REPAIR AND PAVE 30'X15' PATCH ON MASSARO	1,850.00	1,850.00
2045 - BIRDS BEWARE, INC	PO 17806 GEESE CONTROL SERVICES	1,375.00	1,375.00
1525 - BOUND TREE MEDICAL	PO 17116 FIRST AID SUPPLIES	706.59	706.59
1851 - CHRIS HENRY, JR.	PO 18039 Reimbursement for Uniform Purchase Henry	100.00	100.00
1987 - CINTAS CORPORATION NO 2	PO 18178 MONTHLY CLEANING BORO HALL + POLICE DEPT	285.94	285.94
1056 - COAST CITIES EQUIPMENT, INC	PO 17302 AC REPAIR OF TRUCK 134 "BIG BLUE"	1,825.83	1,825.83
1807 - COLLIERS ENGINEERING & DESIGN	PO 18161 2024 ROAD PROGRAM - (RESOLUTION #2024-18	20,739.15	
	PO 18164 GENERAL ENGINEERING - 10/04/24	6,000.00	
	PO 18165 BLDG 550 & 551 ASBESTOS ABATEMENT & DEMO	3,222.50	
	PO 18166 ASBESTOS SURVEY & DEMO OF BLDGS - 10/04/	6,790.24	
	PO 18167 FMERA STORMWATER INFRASTRUCTURE STUDY -	9,150.00	45,901.89
2102 - DCH FORD OF EATONTOWN	PO 18042 Repairs to Unit 8	958.06	958.06
2002 - DEPTCOR	PO 18090 BLANKET 15888 DRAWDOWN FOR BOROUGH SIGNS	42.00	
	PO 18179 BOROUGH PADS	105.00	147.00
1446 - DIRECT ENERGY BUSINES	PO 18124 TRAFFIC LIGHTS - 08/30-09/30/24	125.44	
	PO 18125 STREET LIGHTS - 08/29-09/29/24	18.62	
	PO 18126 PARKS - 08/30-09/30/24	95.21	239.27
1421 - EASTERN SURPLUS & EQUIPMENT CO	PO 17812 FUEL FILTER	264.00	264.00
1106 - FIORE PAVING COMPANY, INC	PO 17855 EAST MAIN STREET INLET	3,800.00	3,800.00
2190 - FIS ON SITE SERVICE LLC	PO 17756 REPLACE ENGINE BELTS	554.89	554.89
1109 - FMERA	PO 18053 RT 537 - 09/01-30/24	273.26	
	PO 18054 BLDG 977 - 09/03-10/01/24 - POLICE	1,590.71	
	PO 18055 BLDG 900 - 09/01-30/24 - DPW	458.06	
	PO 18056 BLDG 901 - 09/03-10/01/24 - BORO HALL	1,288.58	3,610.61
1116 - GANNETT NEW YORK/NEW JERSEY LOCALiQ	PO 17798 BID Notice - OWHP	117.72	
	PO 18031 BID Notice - 2024 Road Program	101.88	
	PO 18032 BID Notice - Allenhurst Ave Bulkhead	131.36	350.96
1941 - GOTO TECHNOLOGIES USA, INC	PO 18030 MONTHLY SERVICES - 9/21/24-10/20/24	199.00	199.00
1506 - GRANICUS, LLC	PO 18011 AGENDA & MINUTE SOFTWARE - SEPT 2024	435.75	
	PO 18147 AGENDA & MINUTE SOFTWARE - OCT 2024	435.75	871.50
1889 - GREAT AMERICA FINANCIAL SERVICES	PO 18122 MONTHLY RENTAL	159.00	159.00
1209 - GROFF TRACTOR MID ATLANTIC	PO 17763 CASE 521D S/N JEE020015 CUST UNIT 04034	1,833.39	1,833.39
1143 - I.D.M. MEDICAL SUPPLY INC	PO 17980 FAS OXYGEN - SEPT 2024	128.34	128.34
1518 - IDEMIA IDENTITY & SECURITY	PO 17688 2024-2025 agreement for Livescan	2,805.00	2,805.00
1103 - IIA FIRE DEPARTMENT TESTING SERVICES	PO 17989 Annual pump, hose, ladder, aerial, hard	400.00	400.00
1649 - INTRON TECHNOLOGY, LLC	PO 18035 IT SERVICES	4,823.25	
	PO 18037 IT SERVICES	4,426.25	9,249.50
2141 - JAMIS UPHOLSTERY, LLC	PO 17574 RUMSON FORD F-250 2006 TRUCK SEAT	750.00	750.00
1153 - JERSEY CENTRAL POWER & LIGHT	PO 18064 200-00-857-007 - 08/20-09/18/24	5,948.61	
	PO 18109 MAIN & INTERSECTION - OCT 2024	39.42	5,988.03
1480 - JOHN GUIRE SUPPLY	PO 17813 WHEEL STIMULATOR	475.00	475.00
1158 - JOHN'S AUTO & TRUCK REPAIR LLC	PO 16846 38-57 OIL LEAK	203.99	203.99
1664 - JORGE SEGURA	PO 18143 UNIFORM SUPPLIES/ BOOTS	300.00	300.00
1499 - KEVIN E KENNEDY, ESQ	PO 18069 PB Legal	500.00	
	PO 18070 PB Legal	500.00	1,000.00
1672 - Kyle + McManus Associates LLC	PO 18138 PLANNER SERVICES	110.25	110.25
1814 - LEAF	PO 18131 OEM COPIER	82.32	
	PO 18132 DPW PRINTER CHARGES	82.41	164.73
1206 - MICHAEL KELLY	PO 18129 Reimbursement for 2024 FBINAA NJ confere	685.00	685.00
1216 - MONMOUTH COUNTY CLERK	PO 18034 RIM Shared Service with County	3,600.00	3,600.00
1220 - MONMOUTH COUNTY PUBLIC WORKS	PO 18084 REPAIRS	1,392.34	
	PO 18089 FA GASOLINE - AUG 2042	249.87	
	PO 18092 DPW - GASOLINE - AUG 2024	1,540.89	
	PO 18093 PD GASOLINE - AUG 2024	2,158.88	
	PO 18094 OEM GASOLINE - AUG 2024	184.31	5,526.29
1220 - MONMOUTH COUNTY PUBLIC WORKS	PO 18096 FD - GASOLINE - AUG 2024	322.25	322.25
1225 - MONMOUTH COUNTY TREASURER	PO 18041 Fraud Training	150.00	150.00
1245 - NJ AMERICAN WATER CO	PO 18005 HYDRANT SERVICE - 08/23-09/14/24	9,119.35	

List of Bills - (All Funds)

9.1.b

Vendor	Description	Payment	Check Total
1251 - NJ NATURAL GAS CO	PO 18066 CHARLES PARK - 08/10-09/13/24	707.15	9,826.50
	PO 18016 910 OCEANPORT WAY - 08/16-09/16/24	42.00	
	PO 18017 930 OCEANPORT WAY - 08/16-09/17/24	298.32	
	PO 18018 920 OCEANPORT WAY - 08/16-09/17/24	42.00	383.22
1261 - OCEANPORT BOARD OF EDUCATION	PO 18013 OCT 2024 TAX	945,612.08	945,612.08
1264 - OCEANPORT SENIORS	PO 18015 BUS TRIP - 08/24/24	1,595.00	1,595.00
1520 - PASHMAN STEIN WALDER HAYDEN, PC	PO 18008 GENERAL LEGAL - AUG 2024	4,484.00	4,484.00
1496 - Paul Remington	PO 17874 CLEANING & FILTER FOR FUEL TANK	1,884.00	1,884.00
1279 - PL CUSTOM BODY & EQUIPMENT INC	PO 17949 RADIO REPAIR	195.00	
	PO 18036 Install Radio in New Police Pickup	1,070.00	1,265.00
1284 - POWERHOUSE SIGNWORKS	PO 17954 signs for trunk or treat	30.00	30.00
1482 - PREMIERE PRODUCTIONS	PO 17937 BALANCE - MOVIES IN THE PARK	1,063.50	1,063.50
1791 - READY FRESH	PO 18058 WATER DELIVERY SERVICE - SEPT	101.43	101.43
1879 - RESERVE ACCOUNT - POSTAGE METER	PO 18012 POSTAGE REFILL	1,000.00	1,000.00
2195 - SC BICYCLE, INC	PO 17172 Police Bikes	1,178.94	1,178.94
1322 - SHORE REGIONAL BOARD OF ED	PO 18052 2024 STUDENT TRANSPORT - SEPT & OCT	8,795.88	8,795.88
1325 - SHREWSBURY AUTO PARTS	PO 17931 SUPPLIES	6.68	6.68
1326 - SIPS PAINT & HARDWARE	PO 17926 PAINT SUPPLIES/ CODE ENFORCEMENT/TAX ROO	106.18	
	PO 17977 SUPPLIES	386.36	
	PO 17988 SUPPLIES	23.88	516.42
1643 - STATE TOXICOLOGY LAB	PO 17529 Drug Testing for Officers	180.00	180.00
1337 - SUBURBAN DISPOSAL	PO 18111 COLLECTION - OCT 2024	36,000.00	
	PO 18114 DISPOSAL FEE - SEPT 2024	24,618.90	60,618.90
1849 - TABB INC	PO 17997 BACKGROUND CHECK - NEW EMPLOYEES	84.00	84.00
1348 - THE HOME DEPOT	PO 17449 COMMERCIAL ELECTRIC EMERGENCY LIGHTS	353.64	
	PO 17699 STORAGE BINS	76.48	
	PO 17757 First Aid Kits for all vehicles	796.00	1,226.12
1580 - THE TWO RIVER TIMES	PO 18119 LEGAL NOTICES	46.19	46.19
1358 - TREASURER: COUNTY OF MONMOUTH	PO 18006 SCAT 2ND QTR BILLING - 2024	2,015.00	2,015.00
2061 - UGI ENERGY SERVICES, LLC	PO 18002 PAP FIRE HOUSE - 08/14-09/13/24	22.14	
	PO 18003 FAS UTILITIES - 08/14-09/13/24	16.25	
	PO 18004 HOOK & LADDER - 08/14-09/13/24	2.00	
	PO 18068 DPW - 10/10/24	0.47	40.86
1383 - V&B AUTO REPAIR LLC	PO 17920 Service, Repairs & Dailys to Patrol Vehi	1,242.20	
	PO 17985 Service Unit 12	119.95	
	PO 18033 release order blanket PO 17605- Service	140.45	1,502.60
2260 - VCI EMERGENCY VEHICLE SPECIALISTS, LLC	PO 17995 LITTLE SILVER AMBULANCE REPAIR	4,497.13	4,497.13
1387 - VERIZON	PO 18067 POLICE FIOS - 09/24-10/23/24	324.74	324.74
1388 - VERIZON WIRELESS	PO 18107 POLICE WIRELESS - 09/24-10/23/24	683.02	
	PO 18172 DPW - 10/02-11/01/24	81.35	
	PO 18174 FIRE BUREAU WIRELESS - 10/02-11/01/24	28.82	793.19
1558 - Verizon Wireless	PO 18171 FIRE WIRELESS - 09/02-10/01/24	120.07	120.07
1559 - Verizon Wireless	PO 18175 UCC/CLERK WIRELESS - 10/02-11/01/24	106.92	106.92
1391 - VIRTUAL FX, LLC	PO 17986 Lettering New Police Pick Up	745.00	745.00
1392 - W.B. MASON CO, INC	PO 17758 SUPPLIES	315.88	315.88
1396 - WILLIAM RESNYK	PO 18040 Reimbursement for Uniform Purchase	217.70	217.70
Capital Fund			
2252 - ALL RISK, INC	PO 17925 POLICE DEPARTMENT - REMEDIATION	9,203.96	9,203.96
1807 - COLLIERS ENGINEERING & DESIGN	PO 18162 2023 ROAD PROGRAM - 10/04/24	13,286.25	
	PO 18168 OLD WHARF PARKNG LOT & DESIGN - 10/04/24	2,000.00	
	PO 18169 ALLENHURST AVE BULKHEAD - 10/04/24	1,446.25	16,732.50
DOG TRUST FUND			
1367 - TREASURER:STATE OF NJ HEALTH	PO 18180 MONTHLY DOG REPORT	7.80	7.80
OPEN SPACE TRUST			
1487 - BSN Sports	PO 17379 EXTRA TENNIS & PICKLEBALL NETS	379.98	379.98
1807 - COLLIERS ENGINEERING & DESIGN	PO 18163 TRINITY PARK IMPROVEMENT PROJECT- 10/04/	6,317.50	6,317.50
2259 - HILSON PEST CONTROL LLC	PO 18063 HORNET NESTS REMOVAL	570.00	570.00
1326 - SIPS PAINT & HARDWARE	PO 17905 ATHLETIC STRIPING PAINT @ BLACKBERRY BAY	1,146.86	1,146.86
2111 - THE BORJA GROUP	PO 18076 FACILITY USE MANAGEMENT - RESOLUTION 202	7,500.00	7,500.00
1388 - VERIZON WIRELESS	PO 18173 BBB & OLD WHARF - 10/02-11/01/24	78.02	78.02

Packet Pg. 6

List of Bills - (All Funds)

9.1.b

Vendor	Description	Payment	Check Total
SUI Trust			
1331 - STATE OF NJ - DEPT OF LABOR	PO 18007 LABOR & WORKFORCE DEVELOPMENT -12/2023	172.50	172.50
UCC Trust			
1559 - Verizon Wireless	PO 18175 UCC/CLERK WIRELESS - 10/02-11/01/24	219.53	219.53
DEVELOPERS ESCROW TRUST			
1720 - CGP&H	PO 17952 ADM AGENT FOR AFFORDABLE HOUSING - AUG 2	450.00	750.00
	PO 17953 HOUSING REHABILITATION SERVICES - 08/31/	300.00	
1807 - COLLIERS ENGINEERING & DESIGN	PO 15282 PB Engineering - Triumphant Life Church	1,181.25	2,470.00
	PO 16150 PLOT PLAN REVIEW - CATALOG #7764520001	125.00	
	PO 16273 PB Engineering	370.00	
	PO 16604 CO INSPECTION - CATALOG #7764520001	125.00	
	PO 17878 PLOT PLAN REVIEW - CATALOG #7764520001	125.00	
	PO 17880 PLOT PLAN REVIEW - CATALOG #7764520001	125.00	
	PO 17881 PLOT PLAN REVIEW - CATALOG #7764520001	125.00	
	PO 18023 PB Engineering - TETHERVIEW	293.75	
	PO 18024 Engineering - 196 Monmouth Blvd, LLC	92.50	
	PO 18026 PB Engineering - FMBC	323.75	
1807 - COLLIERS ENGINEERING & DESIGN	PO 18027 PB Engineering - 552 Caren Franzini Way	138.75	416.25
	PO 18028 PB Engineering - 552 Caren Franzini Way	231.25	
	PO 18029 Engineering - MPCC II, LLC	185.00	
	PO 18046 PLOT PLAN REVIEW - CATALOG #7764520001	125.00	
	PO 18047 PLOT PLAN REVIEW - CATALOG #7764520001	125.00	
	PO 18048 PLOT PLAN REVIEW - CATALOG #7764520001	125.00	
	PO 18049 PLOT PLAN REVIEW - CATALOG #7764520001	125.00	
	PO 18059 PLOT PLAN REVIEW - CATALOG #7764520001	125.00	
	PO 18060 PLOT PLAN REVIEW - CATALOG #7764520001	125.00	
	PO 18061 PLOT PLAN REVIEW - CATALOG #7764520001	125.00	
1807 - COLLIERS ENGINEERING & DESIGN	PO 18062 PLOT PLAN REVIEW - CATALOG #7764520001	125.00	1,180.00
	PO 18097 PB Engineering - Netflix	2,657.50	
	PO 18099 PB Engineering - Netflix	9,466.03	
	PO 18100 PB Engineering - FMBC	1,698.75	
	PO 18101 PB Engineering - Somerset-Pulte Lodging	2,377.50	
	PO 18102 PB Engineering - 23 Vreeland	185.00	
	PO 18103 PB Engineering - 23 Vreeland	277.50	
	PO 18110 Engineering - Oport Partners LLC - PH II	416.25	
	PO 18112 PB Engineering - MARTELLI	138.75	
	PO 18121 PB Engineering	138.75	
1499 - KEVIN E KENNEDY, ESQ	PO 18095 PB Legal - Netflix	150.00	277.50
	PO 18098 PB Legal - Netflix	60.00	
	PO 18105 PB Legal - 35 Wyandotte	60.00	
	PO 18106 PB Legal - 35 Wyandotte	90.00	
1491 - RPM DEVELOPMENT	PO 18186 ESCROW REFUND	12,288.52	12,288.52
2163 - SOMERSET DEVELOPMENT	PO 18155 RELEASE ESCROW - SERIVAN	15,091.61	15,091.61
TOTAL			1,285,760.06

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-101-01-000-011	CASH OPERATING			0.00	1,135,847.76
01-201-20-100-200	ADMINISTRATIVE & EXECUTIVE OE	3,476.29			
01-201-20-120-200	MUNICIPAL CLERK OE	14,347.03			
01-201-20-130-200	FINANCIAL ADMINISTRATION OE	55.00			
01-201-20-155-200	LEGAL SERVICES OE	4,484.00			
01-201-20-165-200	BOROUGH ENGINEER OE	6,000.00			
01-201-21-180-200	PLANNING BOARD OE	1,000.00			
01-201-21-181-205	PLANNER SERVICES & FEES	110.25			
01-201-25-240-200	POLICE OE	11,254.72			

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-201-25-252-200	EMERGENCY MANAGEMENT OE	2,230.32			
01-201-25-255-200	FIRE HYDRANT SERVICE OE	9,119.35			
01-201-25-260-200	FIRST AID ORGANIZATION OE	6,027.30			
01-201-25-265-200	FIRE DEPARTMENT OE	1,316.07			
01-201-25-265-209	REPAIRS & MAINTENANCE	554.89			
01-201-25-265-400	FIRE BUREAU OE	28.82			
01-201-26-300-200	STREETS & ROADS OTHER EXPENSES	6,183.36			
01-201-26-300-271	REPAIRS	5,825.44			
01-201-26-300-273	SUPPLIES	191.27			
01-201-26-300-281	UNIFORM	300.00			
01-201-26-300-289	STREETS & ROADS OFFICE SUPPLIES	158.89			
01-201-26-305-200	SANITATION-TRASH REMOVAL OE	28,500.00			
01-201-26-306-200	RECYCLING OE	7,500.00			
01-201-26-310-200	PUBLIC BUILDINGS & GROUNDS OE	1,660.94			
01-201-26-310-252	REPAIRS & EQUIPMENT	459.82			
01-201-28-371-200	PARKS AND PLAYGROUNDS OE	1,093.50			
01-201-28-372-200	SENIOR CITIZEN COMMITTEE OE	1,595.00			
01-201-29-405-200	TRANS OF HS STUDENTS OE	8,795.88			
01-201-31-430-201	ELECTRICITY	3,337.35			
01-201-31-430-203	TELEPHONE/INTERNET	348.98			
01-201-31-430-204	WATER/SEWER	707.15			
01-201-31-430-205	NATURAL GAS	407.83			
01-201-31-430-207	STREET LIGHTING	6,500.56			
01-201-31-430-208	GASOLINE & OIL	4,456.20			
01-201-31-465-200	SANITATION DUMPING FEES	24,618.90			
01-201-41-717-200	FMERA MOU MAIN POST	6,790.24			
01-201-43-490-200	MUNICIPAL COURT OE	61.18			
01-201-44-900-910	BOROUGH ROADS	20,739.15			
01-207-55-000-045	LOCAL SCHOOL TAX			945,612.08	
TOTALS FOR	Current Fund	190,235.68	0.00	945,612.08	1,135,847.76
02-160-05-000-001	DUE TO/FROM CURRENT FUND			0.00	57,296.24
02-213-40-700-011	AMERICAN RESCUE PLAN FIREFIGHTER GRANT			44,923.74	
02-213-40-700-069	FMERA MOU-550 & 551			3,222.50	
02-213-40-700-071	FMERA - STORMWATER INFRASTRUCTURE STUDY			9,150.00	
TOTALS FOR	FEDERAL AND STATE GRANTS	0.00	0.00	57,296.24	57,296.24
04-101-01-100-011	CAPITAL CASH - TD			0.00	25,936.46
04-215-55-474-000	MUNICIPAL COMPLEX ORD #970			9,203.96	
04-215-55-988-A00	ROADS, DRAINAGE, TRAFFIC SIGNAL, BULKHEA			1,446.25	
04-215-55-993-A00	2022 ROAD PROGRAM - ORD #1053			2,000.00	
04-215-55-995-A00	2023 ROAD PROGRAM			13,286.25	
TOTALS FOR	Capital Fund	0.00	0.00	25,936.46	25,936.46
05-101-00-100-011	CASH - TD			0.00	7.80
05-161-00-500-040	DUE TO STATE OF NJ			7.80	
TOTALS FOR	DOG TRUST FUND	0.00	0.00	7.80	7.80
06-101-01-100-011	OPEN SPACE CASH - TD			0.00	15,992.36
06-270-00-500-020	RESERVE FOR OPEN SPACE			15,992.36	
TOTALS FOR	OPEN SPACE TRUST	0.00	0.00	15,992.36	15,992.36
14-101-01-100-101	Cash SUI Trust			0.00	172.50
14-270-55-600-155	Reserve for SUI			172.50	
TOTALS FOR	SUI Trust	0.00	0.00	172.50	172.50

9.1.b

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
18-101-01-100-101	CASH UCC TRUST			0.00	219.53
18-270-55-600	RESERVE FOR UCC TRUST			219.53	
TOTALS FOR	UCC Trust	0.00	0.00	219.53	219.53
61-101-01-100-101	CASH-DEV.ESCROW/TD			0.00	50,287.41
61-270-55-600-205	RES.FOR DEV.ESCROW			50,287.41	
TOTALS FOR	DEVELOPERS ESCROW TRUST	0.00	0.00	50,287.41	50,287.41

Total to be paid from Fund 01 Current Fund	1,135,847.76
Total to be paid from Fund 02 FEDERAL AND STATE GRANTS	57,296.24
Total to be paid from Fund 04 Capital Fund	25,936.46
Total to be paid from Fund 05 DOG TRUST FUND	7.80
Total to be paid from Fund 06 OPEN SPACE TRUST	15,992.36
Total to be paid from Fund 14 SUI Trust	172.50
Total to be paid from Fund 18 UCC Trust	219.53
Total to be paid from Fund 61 DEVELOPERS ESCROW TRUST	50,287.41

	1,285,760.06

9.1.b

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

From 10/01/2024 to 10/31/2024 With a Line Amount > 10000.00

DATE	ENTRY #	PO#	CHECK #	ACCOUNT	VENDOR/EXPLANATION	DEBIT	CREDIT	ACCOUNT
10/09/2024		17695		02-213-40-700-011	COMPRESSOR WITH CO MONITOR	26,616.68		
10/09/2024				02-213-40-700-011	FILL STATION	15,322.06		
10/09/2024				02-213-40-700-011	INSTALLATION & TRAINING	2,985.00		
10/09/2024					AIR GAS TECHNOLOGIES INC		44,923.74	02-160-05-000-001
10/09/2024		18013		01-207-55-000-045	OCT TAX REMITTANCE	945,612.08		
10/09/2024					OCEANPORT BOARD OF EDUCATION		945,612.08	01-101-01-000-011
10/11/2024		18111		01-201-26-305-201	SOLIDE WASTE 10/24	28,500.00		
10/11/2024				01-201-26-306-201	RECYCLING 10/24	7,500.00		
10/11/2024					SUBURBAN DISPOSAL		36,000.00	01-101-01-000-011
10/11/2024		18114		01-201-31-465-201	DISPOSAL	19,345.58		
10/11/2024				01-201-31-465-201	RECYCLING ENHANCEMENT ACT	662.52		
10/11/2024				01-201-31-465-201	RECYCLING FEE	4,360.80		
10/11/2024				01-201-31-465-201	ROLL-OFF CONAINER	250.00		
10/11/2024					SUBURBAN DISPOSAL		24,618.90	01-101-01-000-011
10/11/2024		18155		61-270-55-600-205	ESCROW RELEASE	15,091.61		
10/11/2024					SOMERSET DEVELOPMENT		15,091.61	61-101-01-100-101
10/15/2024		18162		04-215-55-995-A01	2023 OCEANPORT ROAD PROGRAM	13,286.25		
10/15/2024					COLLIERS ENGINEERING & DESIGN		13,286.25	04-101-01-100-011
10/15/2024		18161		01-201-44-900-910	2024 ROAD PROGRAM	20,739.15		
10/15/2024					COLLIERS ENGINEERING & DESIGN		20,739.15	01-101-01-000-011
10/15/2024		18186		61-270-55-600-205	CLOSE OUT ACCT	12,288.52		
10/15/2024					RPM DEVELOPMENT		12,288.52	61-101-01-100-101

OCTOBER SUMMARY BY ACCOUNT:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	PENDING CR
01-101-01-000-011	CASH OPERATING				1,026,970.13
02-160-05-000-001	DUE TO/FROM CURRENT FUND				44,923.74
04-101-01-100-011	CAPITAL CASH - TD				13,286.25
61-101-01-100-101	CASH-DEV.ESCROW/TD				27,380.13
01-201-26-305-201	SANITATION-TRASH REMOVAL		28,500.00		
01-201-26-306-201	OTHER EXPENSES		7,500.00		
01-201-31-465-201	SANITATION DUMPING FEES		24,618.90		
01-201-44-900-910	BOROUGH ROADS		20,739.15		

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

9.1.c

From 10/01/2024 to 10/31/2024 With a Line Amount > 10000.00

OCTOBER SUMMARY BY ACCOUNT:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	PENDING CR
01-207-55-000-045	LOCAL SCHOOL TAX			945,612.08	
02-213-40-700-011	AMERICAN RESCUE PLAN FIREFIGHTER GRANT			44,923.74	
04-215-55-995-A01	2023 ROAD PROGRAM			13,286.25	
61-270-55-600-205	RES.FOR DEV.ESCROW			27,380.13	
OCTOBER TOTALS (FOR RANGE):			81,358.05	1,031,202.20	1,112,560.25

SUMMARY BY ACCOUNT FOR RANGE:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	DISBURSED
01-101-01-000-011	CASH OPERATING				1,026,970.13
02-160-05-000-001	DUE TO/FROM CURRENT FUND				44,923.74
04-101-01-100-011	CAPITAL CASH - TD				13,286.25
61-101-01-100-101	CASH-DEV.ESCROW/TD				27,380.13
01-201-26-305-201	SANITATION-TRASH REMOVAL	28,500.00			
01-201-26-306-201	OTHER EXPENSES	7,500.00			
01-201-31-465-201	SANITATION DUMPING FEES	24,618.90			
01-201-44-900-910	BOROUGH ROADS	20,739.15			
01-207-55-000-045	LOCAL SCHOOL TAX			945,612.08	
02-213-40-700-011	AMERICAN RESCUE PLAN FIREFIGHTER GRANT			44,923.74	
04-215-55-995-A01	2023 ROAD PROGRAM			13,286.25	
61-270-55-600-205	RES.FOR DEV.ESCROW			27,380.13	
TOTALS (FOR RANGE):			81,358.05	1,031,202.20	1,112,560.25

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTMENT OF DONALD BALDWIN AS A PER DIEM BUILDING/MECHANICAL INSPECTOR AND
SUBCODE OFFICIAL FOR THE CONSTRUCTION DEPARTMENT**

Resolution #2024-243
10/17/24

WHEREAS, there is a need for a per diem plumbing/mechanical inspector and subcode official available on an "as needed" basis due to the fluctuating demands for inspections related to redevelopment of the former Fort Monmouth; and

WHEREAS, the Construction Official and Borough Administrator have recommended the appointment of Donald Baldwin as a per diem Plumbing/Mechanical Inspector and Subcode Official to fulfill those duties on an "as needed" basis; and

WHEREAS, Mr. Baldwin is willing and able to accept the position and has the appropriate license requirements.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Oceanport, that Donald Baldwin is hereby appointed as a per diem Plumbing/Mechanical Inspector and Subcode Official at a rate of \$47.00 per hour effective October 3, 2024.

BE IT RESOLVED, that a copy of this resolution shall be forwarded to the Construction Official, Borough Administrator, Chief Financial Officer and the Payroll Clerk.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTMENTS TO BOARDS AND COMMITTEES**

Resolution #2024-244
10/17/24

WHEREAS, the Borough of Oceanport Code Chapter 29 establishes the various Boards and Committees; and

WHEREAS, there are volunteer application(s) of resident(s) interested in serving where there is an opening and having reviewed same, now therefore,

BE IT RESOLVED, that the following appointment be made by the Mayor with advice and consent of Council:

§ 29-116 HISTORICAL COMMITTEE

James Whitson Unexpired 1yr Term expiring 12/31/24

The **HISTORICAL COMMITTEE** is now composed of the following members:

Rosanne Letson	1yr Term expiring 12/31/24
Robin Kelly	1yr Term expiring 12/31/24
Paula Lombardo	1yr Term expiring 12/31/24
Ric Siciliano	1yr Term expiring 12/31/24
Toni Sverapa	1yr Term expiring 12/31/24
John Bonforte	1yr Term expiring 12/31/24
Tom Cavanaugh	1yr Term expiring 12/31/24
Joseph Foster	1yr Term expiring 12/31/24
James Whitson	1yr Term expiring 12/31/24

§ 29-116 WATER WATCH COMMITTEE

Fred Filippone Unexpired 1yr Term expiring 12/31/24

The **WATER WATCH COMMITTEE** is now composed of the following members:

Richard Gruskos	1yr Term expiring 12/31/24
Dr. Jessica Gruskos	1yr Term expiring 12/31/24
Joseph Foster	1yr Term expiring 12/31/24
Joseph Stark	1yr Term expiring 12/31/24
Fred Filippone	1yr Term expiring 12/31/24
Vacant	1yr Term expiring 12/31/24
Vacant	1yr Term expiring 12/31/24
Vacant	1yr Term expiring 12/31/24

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING A REFUND OF THE BALANCE OF FUNDS NOT USED FOR THE
FMERA MOU - 600 AREA WATER SERVICES PROJECT**

**Resolution #2024-245
10/17/24**

WHEREAS, pursuant with adoption of Resolution #2023-259, the Borough of Oceanport entered into a Memorandum of Understanding (MOU) with the Fort Monmouth Economic Revitalization Authority (FMERA) for the 600 Area Water Services Project; and

WHEREAS, FMERA, in accordance with the MOU, provided funding for the project in the amount of \$636,906.00 to the Borough of Oceanport; and

WHEREAS, the final project amount for civil engineering services (\$53,400) and construction services (\$239,335.84) came in less than the project amount anticipated and there is \$344,170.16 available for refund to FMERA which has been certified by the Chief Financial Officer as indicated below; and

WHEREAS, based on the foregoing, the Borough Council has determined that it is necessary and appropriate to refund the balance of project funds no longer needed,

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport the following that the Chief Financial Officer shall issue a check refunding the amount of \$344,170.16 to the Fort Monmouth Economic Revitalization Authority for the unused portion of funds posted for the FMERA MOU for 600 Area Water Services Project.

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 funds are available for refund in the FMERA MOU Project Account # _____ in the amount of \$344,170.16 for the purposes described herein.

Catherine D. LaPorta, CFO

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



August 16, 2024

VIA EMAIL

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

Partial Payment No. 3- Final
Water Service for FMERA Buildings 600-603
Borough of Oceanport, Monmouth County, New Jersey
Colliers Engineering & Design Project No. OPB-0185

Dear Mayor and Council,

We are writing this letter to certify that Vaughan Construction & Excavation, Inc., 82 Grand Avenue, Atlantic Highlands, NJ 07716, contractor for the above-referenced project, has completed the work as listed on the enclosed Partial Payment Certificate No. 3- Final and is entitled to payment in the amount of \$14,102.19. Payrolls and manning reports for the covered period are also attached for reference.

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

Sincerely,

Colliers Engineering & Design, Inc.

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/rb
Enclosure

cc: Donna Phelps, Administrator (via email)
Jeanne Smith, RMC, Borough Clerk (via email)
Katie LaPorta, CFO (via email)
Vaughan Construction & Excavation (via email)

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WATER SERVICE FOR FMERA BUILDINGS 600-603
BOROUGH OF OCEANPORT
PARTIAL PAYMENT CERTIFICATE NO. 3 - FINAL
FOR WORK COMPLETED THROUGH 8/5/2024
PROJECT NO. OPB-0185

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	Water service installation for FMERA Buildings 60-603, as shown on the Plans, including all water service piping, excavation, fittings, valves, bedding, backfill, connection to existing buildings, trench restoration, mobilization, soil erosion and sediment control, demobilization, restoration, and all else necessary thereto; including hot box enclosure, concrete pad, electrical connection panel and meter, backflow preventer and meter, and all else necessary thereto.	1	LS	\$232,000.00	\$232,000.00	0.03	\$6,566.18	0.97	\$ 225,433.82	1.00	\$232,000.00
S1	Removal of Concrete Obstruction	1	LS	\$4,396.44	\$4,396.44	0.00	\$0.00	1.00	\$ 4,396.44	1.00	\$4,396.44
S2	NJAM Required Changes	1	LS	\$2,939.40	\$2,939.40	1.00	\$2,939.40	0.00	\$ -	1.00	\$2,939.40
	TOTALS				\$232,000.00		\$9,505.58				\$239,335.84
	REVISED CONTRACT TOTAL				\$239,335.84						

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

LESS 2% RETAINAGE:	\$ -
SUBTOTAL AMOUNT DUE:	\$239,335.84
LESS PREVIOUS PAYMENTS:	\$225,233.65
TOTAL AMOUNT DUE:	\$14,102.19
PERCENTAGE COMPLETE:	100%

	8/15/24
VAUGHAN CONSTRUCTION & EXCAVATION, INC.	DATE:
	8/16/2024
COLLIERS ENGINEERING & DESIGN, INC.	DATE:

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE MAYOR TO ENDORSE APPLICATIONS TO THE NJDEP BY THE TWO RIVERS
WATER RECLAMATION AUTHORITY FOR FOGGIA WAY SEWER EXTENSION**

Resolution #2024-246
10/17/24

WHEREAS, the Borough of Oceanport is a member of the Two Rivers Water Reclamation Authority (TRWRA); and

WHEREAS, the TRWRA will be installing a new sewer main extension to support 4 single family homes on Foggia Way that requires NJDEP approvals; and

WHEREAS, the applications to the NJDEP require endorsement by the "owner" being the member community where the work is to be performed,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Clerk are hereby authorized to execute the endorsement of the Two Rivers Water Reclamation Authority's applications to the NJDEP for the new sewer main extension to support 4 single family homes on Foggia Way

**RESOLUTION OF THE BOROUGH OF OCEANPORT
ACCEPTING RESIGNATION OF JAMES MCCORMICK**

**Resolution #2024-247
10/17/24**

WHEREAS, James McCormick has served as the Electrical Subcode Official for the Borough of Oceanport since 2016; and

WHEREAS, James McCormick has tendered his resignation by retirement to the Mayor and Council of the Borough of Oceanport from his position as Electrical Subcode Official for the Borough, effective November 29, 2024,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that the resignation of James McCormick from his position as Electrical Subcode Official for the Borough of Oceanport is hereby accepted.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the following: Borough Administrator, Construction Official, Borough Clerk and Borough Attorney.

James E. McCormick
1229 Borealis Ct
Forked River, NJ 08731

October 3, 2024

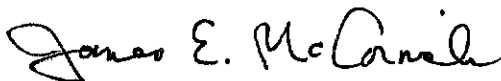
Michael Thule Jr.
Construction Official
Borough of Oceanport
910 Oceanport Way
PO Box 370
Oceanport, NJ 07757

Dear Mr. Thule:

Please accept this letter as my formal notice of resignation from the Borough of Oceanport as the Electrical Sub code. My last day of employment will be November 29, 2024.

I appreciate the opportunities that you have given me over the years. I wish the Borough of Oceanport continued success and hope that we can maintain a professional relationship.

Sincerely,



James E. McCormick
Electrical Sub code

**RESOLUTION OF THE BOROUGH OF OCEANPORT
ACCEPTING RESIGNATION AND RETIREMENT OF MICHAEL P. KELLY**

Resolution #2024-248
10/17/24

WHEREAS, the Borough of Oceanport (Borough) hired Michael P. Kelly on June 1, 1998; and

WHEREAS, Michael P. Kelly has served as the Chief of Police for the Borough of Oceanport since 2017; and

WHEREAS, Chief Kelly will have successfully completed twenty-six years of continuous service with the Borough of Oceanport; and

WHEREAS, Chief Kelly has announced his retirement as an employee of the Borough and the Borough has received notice from the New Jersey Division of Pensions and Benefits that he has applied for retirement effective November 1, 2024; and

WHEREAS, an Employment Agreement between the Borough of Oceanport and Michael P. Kelly provides for hospitalization, medical and dental insurance coverage to be afforded to a retiring employee and their eligible spouse and children at the time of retirement as per that agreement subject to the terms of Chapter 78, P.L., 2011,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that they do hereby accept the resignation of Michael P. Kelly effective October 31, 2024, and afford his and his eligible spouse and children at the time of retirement, hospitalization, medical and dental insurance coverage in accordance with the Borough Ordinances and the Employment Agreement between Michael P. Kelly and the Borough of Oceanport.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the following: Chief of Police, Borough Administrator, Borough Clerk and Chief Financial Officer.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AWARDING A CONTRACT FOR GOODS & SERVICES BETWEEN POOR JOHN'S PORTABLE TOILETS
AND THE BOROUGH OF OCEANPORT**

**Resolution #2024-249
10/17/24**

WHEREAS, the Borough of Oceanport is a duly organized Municipal Corporation (hereinafter referred to as "Borough") having principal offices at 910 Oceanport Way, Oceanport, New Jersey 07757; and

WHEREAS, the Borough of Oceanport is desirous of utilizing an on-line marketplace for the purchase of various products and services where competitively priced; and

WHEREAS, the Borough has determined that the value of goods and services will exceed \$17,500.00 and desires to award the contract by means of a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.B; and

WHEREAS, **Poor John's Portable Toilets** has completed and submitted a Business Entity Disclosure Certification, Political Disclosure pursuant with **P.L. 2023, c.20** and Belarus-Russia Certification,

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

1. **Poor John's Portable Toilets** is hereby appointed to provide goods and services for calendar year 2024 for an amount not to exceed Twenty-five thousand dollars (\$25,000).
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.

**BUSINESS ENTITY DISCLOSURE CERTIFICATION
FOR NON-FAIR AND OPEN CONTRACTS
Required Pursuant to N.J.S.A. 19:44A-20.8
BOROUGH OF OCEANPORT**

Part I – Vendor Affirmation

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that

Poor John's Portable Toilets of 110 W. Front St. Keyport NJ 07735
(Name of Business Entity) (Business Entity Address, City, State, Zip)

has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2023, c. 30 would bar the award of this contract in the one-year period preceding January 1, 2024 to any of the following named candidate committee or joint candidates committee of elected officials of the Borough of Oceanport as defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

Thomas J. Tvrdek	Bryan Keeshen	Oceanport Republican Committee
William Deerin	Michael O'Brien	Oceanport Democratic Committee
Richard A. Gallo	Keith Salnick	Patricia Cooper

Part II – Ownership Disclosure Certification

☐ I certify that the list below contains the names and home addresses of all owners holding ownership or control of more than 10% of the profits or assets of the undersigned or, in the case of a business entity that is a corporation for profit, 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business entity:

- ☐ Partnership
 ☐ Corporation
 ☒ Sole Proprietorship
 ☐ Subchapter S Corporation
☐ Limited Partnership
 ☒ Limited Liability Corporation
 ☐ Limited Liability Partnership

Name of Stock or Shareholder	Home Address

Part 3 – Signature and Attestation:

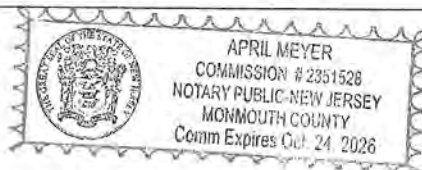
The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: Poor John's Portable Toilets
 Printed Name of Affiant: John J. Caddle Jr.
 Title: President
 Signature of Affiant: [Signature]
 Date: 10/14/2024

Subscribed and sworn before me this 14th day of October, 2024

My Commission expires: 10/24/2026

[Signature]
(Witnessed or attested by)
(Seal)



**CERTIFICATION OF NON-INVOLVEMENT IN PROHIBITED ACTIVITIES IN RUSSIA
OR BELARUS**
Borough of Oceanport

Pursuant to N.J.S.A. 52:32-60.1, et seq. (L. 2022, c. 3) any person or entity (hereinafter "Vendor") that seeks to enter into or renew a contract with a State agency for the provision of goods or services, or the purchase of bonds or other obligations, must complete the certification below indicating whether or not the Vendor is identified on the Office of Foreign Assets Control (OFAC) Specially Designated Nationals and Blocked Persons list, available here: <https://sanctionssearch.ofac.treas.gov/>. If the Department of the Treasury finds that a Vendor has made a certification in violation of the law, it shall take any action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the party.

I, the undersigned, certify that I have read the definition of "Vendor" below, and have reviewed the Office of Foreign Assets Control (OFAC) Specially Designated Nationals and Blocked Persons list, and having done so certify:

(Check the Appropriate Box)

☒ A. That the Vendor is not identified on the OFAC Specially Designated Nationals and Blocked Persons list on account of activity related to Russia and/or Belarus

☐ B. That I am unable to certify as to "A" above, because the Vendor is identified on the OFAC Specially Designated Nationals and Blocked Persons list on account of activity related to Russia and/or Belarus

OR

☐ C. That I am unable to certify as to "A" above, because the Vendor is identified on the OFAC Specially Designated Nationals and Blocked Persons list. However, the Vendor is engaged in activity related to Russia and/or Belarus consistent with federal law, regulation, license or exemption. A detailed description of how the Vendor's activity related to Russia and/or Belarus is consistent with federal law is set forth below.

(Attach Additional Sheets If Necessary.)

Signature of Vendor's Authorized Representative	Date
Print Name and Title of Vendor's Authorized Representative	Vendor's FEIN
Vendor's Name	Vendor's Phone Number
Vendor's Address (street address)	Vendor's fax number
Vendor's Address (City/State/Zip Code)	Vendor's email address

i Vendor means: (1) A natural person, corporation, company, limited partnership, limited liability partnership, limited liability company, business association, sole proprietorship, joint venture, partnership, society, trust, or any other nongovernmental entity, organization, or group; (2) Any governmental entity or instrumentality of a government, including a multilateral development institution, as defined in Section 1701(c)(3) of the International Financial Institutions Act, 22 U.S.C. 262r(c)(3); or (3) Any parent, successor, subunit, direct or indirect subsidiary, or any entity under common ownership or control with, any entity described in paragraph (1) or (2)

DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

BOROUGH OF OCEANPORT

PART 1: CERTIFICATION

VENDORS/BIDDERS MUST COMPLETE PART 1 BY CHECKING EITHER BOX.

Bid Solicitation # _____ Vendor/Bidder _____

Pursuant to Public Law 2012, c. 25, any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract must complete the certification below to attest, under penalty of perjury, that neither the person or entity, nor any of its parents, subsidiaries, or affiliates, is identified on the Department of Treasury's Chapter 25 list as a person or entity engaging in investment activities in Iran. The Chapter 25 list is found on the Division's website at <http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>. Vendors/Bidders **must** review this list prior to completing the below certification. **Failure to complete the certification will render a bidder's proposal non-responsive.** If the Director of the division of Purchase and Property finds a person or entity to be in violation of law, s/he shall take action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the party

PLEASE CHECK THE APPROPRIATE BOX:

- ☒ I certify, pursuant to Public Law 2012, c. 25, that neither the bidder listed above nor any of the bidder's parents, subsidiaries, or affiliates is listed on the N.J. Department of the Treasury's list of entities determined to be engaged in prohibited activities in Iran pursuant to P.L. 2012, c. 25 ("Chapter 25 List"). I further certify that I am the person listed above, or I am an officer or representative of the entity listed above and am authorized to make this certification on its behalf. I will skip Part 2 and sign and complete the Certification below.
- OR
- ☐ I am unable to certify as above because the bidder and/or one or more of its parents, subsidiaries, or affiliates is listed on the Department's Chapter 25 list. I will provide a detailed, accurate and precise description of the activities in Part 2 below and sign and complete the Certification below. Failure to provide such will result in the proposal being rendered as non-responsive and appropriate penalties, fines and/or sanctions will be assessed as provided by law

PART 2: PLEASE PROVIDE FURTHER INFORMATION RELATED TO INVESTMENT ACTIVITIES IN IRAN

You must provide a detailed, accurate and precise description of the activities of the bidding person/entity, or one of its parents, subsidiaries or affiliates, engaging in the investment activities in Iran outlined above by completing the boxes below.

EACH BOX WILL PROMPT YOU TO PROVIDE INFORMATION RELATIVE TO THE ABOVE QUESTIONS. PLEASE PROVIDE THOROUGH ANSWERS TO EACH QUESTION. IF YOU NEED TO MAKE ADDITIONAL ENTRIES, CLICK THE "ADD AN ADDITIONAL ACTIVITIES ENTRY" BUTTON.

Name	Relationship to Bidder/Offeror
Description of Activities	
Duration of Engagement	Anticipated Cessation Date
Bidder/Offeror Contact Name	Contact Phone Number:

Certification: I, being duly sworn upon my oath, hereby represent that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I acknowledge: that I am authorized to execute this certification on behalf of the bidder; that the State of New Jersey is relying on the information contained herein and that I am under a continuing obligation from the date of this certification through the completion of any contracts with the State to notify the State in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the State, permitting the State to declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print):	Signature:
Title:	Date:

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AWARDING A CONTRACT FOR THE 2024 ROAD PROGRAM BETWEEN THE BOROUGH OF
OCEANPORT AND FIORE PAVING CO., INC.**

Resolution #2024-250
10/17/24

WHEREAS, the Borough of Oceanport advertised for bids for the 2024 Road Program; and

WHEREAS, the said bid solicitation process was effectuated in accordance with prevailing provision of the Local Public Contracts Law, pursuant to N.J.S.A 40A:11-1 et seq.; and

WHEREAS, in response to the subject bid solicitations process, the Borough of Oceanport received six (6) bids; and

WHEREAS, the lowest responsible bid submitted by Fiore Paving Co., Inc. of Oceanport, New Jersey hereinafter referred to as "Contractor" was as follows:

Base Bid	\$ 171,884.87
Add Alternate Bid A	\$ 134,473.80

WHEREAS, the Borough Engineer's recommendation is to award the Base Bid and Alternate Bid A a contract total in the sum of Three Hundred Six Thousand Three Hundred Fifty-Eight Dollars and sixty-seven cents (\$306,358.67); and

WHEREAS, the Contractor has complied with the mandatory requirements of N.J.S.A. 40A:11-23.2; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Oceanport as follows:

1. That the Borough of Oceanport is hereby authorized to award the 2024 Road Program, Base Bid and Alternate Bid A to Fiore Paving Co., Inc. subject to the conditions set forth herein.
2. That said Contract shall be in the total sum of Three Hundred Six Thousand Three Hundred Fifty-Eight Dollars and sixty-seven cents (\$306,358.67).
3. That the within award of Contract shall be contingent upon the Contractor submitting an Appropriate Performance Security, which guarantees shall be approved as to form by the Borough Attorney.
4. Subject to approval of the NJ Department of Transportation.
5. Subject to the availability of funds and certification of funds by the CFO.
6. That the Mayor and Clerk are hereby authorized to sign any and all documents necessary to effectuate the intentions of the within Resolution - including but not limited to the Contract subject to the review of said Contract by the Borough Attorney.

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 #01-201-44-900-906 in the amount of \$67,398.90 and Account # 01-201-44-900-910 in the amount of \$238,959.77 for the stated purpose.


Catherine D. LaPorta, CFO

101 Crawfords Corner Road
Suite 3400
Holmdel New Jersey 07733
Main: 877 627 3772
<http://colliersengineering.com>



October 16, 2024

VIA EMAIL

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

Recommendation of Award
2024 Road Program
Borough of Oceanport, Monmouth County, New Jersey
Colliers Engineering & Design Project No.: OPB-0192

Dear Mayor and Council Members,

Bids for the above-referenced project were received at the Borough Hall on Thursday, October 10, 2024 at 11:00 A.M. A total of six (6) bids were received at the bid opening. L & L Paving Co., Inc. a mathematic error in their calculation of Alternate Bid Item#A4. This does not affect the order of the bidders.

The results of the bidders at the bid opening are as follows:

BIDDERS	BASE BID	ALTERNATE BID A	TOTAL BASE BID + ALTERNATE BID A
Fiore Paving Co., Inc.	\$171,884.87	\$134,473.80	\$306,358.67
Meco, Inc.	\$187,089.52	\$197,924.00	\$385,013.52
Black Rock Enterprises, LLC	\$229,561.50	\$167,024.00	\$396,585.50
Lucas Brothers, Inc.	\$257,000.00	\$151,000.00	\$408,000.00
L & L Paving Co., Inc.	\$239,000.00	\$186,000.20	\$425,000.20*
P.M. Construction Corp.	\$290,162.35	\$221,222.35	\$511,384.70

****Mathematical Error***

We have reviewed the bid package submitted by Fiore Paving Co., Inc. and find that the price appears reasonable for this project. We have worked with this contractor and know that they are experienced and qualified for performing this type of work.

Project No. OPB-0192
October 16, 2024
Page 2 | 2



Subject to approval from the Borough Attorney and verification that funds are available for construction, Colliers Engineering & Design, Inc. recommends that the Borough award a contract to Fiore Paving Co., Inc. for the Base Bid and Alternate Bid A Proposal in the amount of **\$306,358.67**.

We have enclosed the **original** bid documents and a bid tabulation for review by you and the Borough Attorney. In accordance with the Local Public Contracts Law, the Award of Contract must be made within sixty (60) days from the date of opening of the bids.

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

Sincerely,

Colliers Engineering & Design, Inc.

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

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

WHW/hlo/rb

Enclosures

cc: Donna Phelps, Borough Administrator (w/bid tab via email)
Jeanne Smith, RMC, Borough Clerk (w/bid tab via email)
Katie LaPorta, CFO (w/bid tab via email)

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William H. R. White, III, PE, PP, CME, CFM, CPWM
N.J. P.E. License No. 24GE03826300

Project Name: 2024 Road Program
City, State: Borough of Oceanport, Monmouth County, New Jersey
Project #: OPB-0192
Bid Opening: Thursday, October 10, 2024 @11:00 AM

				Fiore Paving Company, Inc.		Meco, Inc.		Black Rock Enterprises, LLC		Lucas Brothers, Inc.		L&L Paving Company, Inc.		P.M. Contruction Corp.	
				4 Fiore Court		PO Box 536		1316 Englishtown Road		80 Amboy Road		89 Yellowbrook Road		1310 Central Avenue	
				Oceanport, NJ 07757		Clarksburg, NJ 08510		Old Bridge, NJ 08857		Morganville, NJ 07751		Farmingdale, NJ 07727		Hillside, NJ 07205	
ESTIMATE OF QUANTITIES															
Item #	Description	Quantity	Unit	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
	BASE BID 1														
1	MOBILIZATION	1	LS	\$ 12,000.00	\$ 12,000.00	\$ 8,553.42	\$ 8,553.42	\$ 5,000.00	\$ 5,000.00	\$ 24,008.33	\$ 24,008.33	\$ 20,000.00	\$ 20,000.00	\$ 50,000.00	\$ 50,000.00
2	CLEARING SITE	1	LS	\$ 15,500.00	\$ 15,500.00	\$ 25,000.52	\$ 25,000.52	\$ 7,500.00	\$ 7,500.00	\$ 5,000.00	\$ 5,000.00	\$ 33,937.26	\$ 33,937.26	\$ 50,000.00	\$ 50,000.00
3	BREAKAWAY BARRICADE	25	UN	\$ 0.01	\$ 0.25	\$ 1.00	\$ 25.00	\$ 1.00	\$ 25.00	\$ 1.00	\$ 25.00	\$ 0.01	\$ 0.25	\$ 0.01	\$ 0.25
4	DRUM	30	UN	\$ 0.01	\$ 0.30	\$ 1.00	\$ 30.00	\$ 1.00	\$ 30.00	\$ 1.00	\$ 30.00	\$ 0.01	\$ 0.30	\$ 0.01	\$ 0.30
5	TRAFFIC CONES	80	UN	\$ 0.01	\$ 0.80	\$ 1.00	\$ 80.00	\$ 1.00	\$ 80.00	\$ 1.00	\$ 80.00	\$ 0.01	\$ 0.80	\$ 0.01	\$ 0.80
6	CONSTRUCTION SIGNS	100	SF	\$ 0.01	\$ 1.00	\$ 1.00	\$ 100.00	\$ 1.00	\$ 100.00	\$ 20.00	\$ 2,000.00	\$ 0.01	\$ 1.00	\$ 0.01	\$ 1.00
7	UNIFORMED TRAFFIC DIRECTOR	1	ALL	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00
8	FUEL PRICE ADJUSTMENT	600	DOL	\$ 1.00	\$ 600.00	\$ 1.00	\$ 600.00	\$ 1.00	\$ 600.00	\$ 1.00	\$ 600.00	\$ 1.00	\$ 600.00	\$ 1.00	\$ 600.00
9	ASPHALT PRICE ADJUSTMENT	1,000	DOL	\$ 1.00	\$ 1,000.00	\$ 1.00	\$ 1,000.00	\$ 1.00	\$ 1,000.00	\$ 1.00	\$ 1,000.00	\$ 1.00	\$ 1,000.00	\$ 1.00	\$ 1,000.00
10	HMA MILLING, 3" OR LESS	8,293	SY	\$ 3.75	\$ 31,098.75	\$ 2.65	\$ 21,976.45	\$ 4.00	\$ 33,172.00	\$ 5.20	\$ 43,123.60	\$ 3.00	\$ 24,879.00	\$ 4.00	\$ 33,172.00
11	DENSE-GRADED AGGREGATE, BASE COURSE, 6" THICK (IF & WHERE DIRECTED)	835	SY	\$ 0.01	\$ 8.35	\$ 0.01	\$ 8.35	\$ 15.00	\$ 12,525.00	\$ 0.01	\$ 8.35	\$ 0.01	\$ 8.35	\$ 1.00	\$ 835.00
12	HOT MIX ASPHALT 19M64 BASE COURSE, 4" THICK	206	TON	\$ 0.01	\$ 2.06	\$ 0.01	\$ 2.06	\$ 125.00	\$ 25,750.00	\$ 73.00	\$ 15,038.00	\$ 100.00	\$ 20,600.00	\$ 90.00	\$ 18,540.00
13	HOT MIX ASPHALT 9.5M64 SURFACE COURSE, 2" THICK	839	TON	\$ 95.00	\$ 79,705.00	\$ 96.00	\$ 80,544.00	\$ 110.00	\$ 92,290.00	\$ 115.00	\$ 96,485.00	\$ 105.00	\$ 88,095.00	\$ 90.00	\$ 75,510.00
14	TACK COAT	697	GAL	\$ 0.01	\$ 6.97	\$ 0.01	\$ 6.97	\$ 4.00	\$ 2,788.00	\$ 0.01	\$ 6.97	\$ 0.01	\$ 6.97	\$ 1.00	\$ 697.00
15	POLYMERIZED JOINT ADHESIVE	2,475	LF	\$ 0.01	\$ 24.75	\$ 0.01	\$ 24.75	\$ 0.50	\$ 1,237.50	\$ 0.01	\$ 24.75	\$ 2.00	\$ 4,950.00	\$ 1.00	\$ 2,475.00
16	RESET MANHOLE, SANITARY SEWER, USING EXISTING CASTING	7	UN	\$ 0.01	\$ 0.07	\$ 350.00	\$ 2,450.00	\$ 300.00	\$ 2,100.00	\$ 300.00	\$ 2,100.00	\$ 0.01	\$ 0.07	\$ 1.00	\$ 7.00
17	RESET EXISTING CASTING	4	UN	\$ 0.01	\$ 0.04	\$ 450.00	\$ 1,800.00	\$ 300.00	\$ 1,200.00	\$ 300.00	\$ 1,200.00	\$ 600.00	\$ 2,400.00	\$ 1.00	\$ 4.00
18	BICYCLE SAFE GRATE	4	UN	\$ 400.00	\$ 1,600.00	\$ 500.00	\$ 2,000.00	\$ 375.00	\$ 1,500.00	\$ 600.00	\$ 2,400.00	\$ 400.00	\$ 1,600.00	\$ 500.00	\$ 2,000.00
19	CURB PIECE, TYPE 'N' ECO	4	UN	\$ 400.00	\$ 1,600.00	\$ 465.00	\$ 1,860.00	\$ 375.00	\$ 1,500.00	\$ 600.00	\$ 2,400.00	\$ 400.00	\$ 1,600.00	\$ 500.00	\$ 2,000.00
20	HOT MIX ASPHALT DRIVEWAY, 3-1/2" THICK	129	SY	\$ 25.00	\$ 3,225.00	\$ 25.00	\$ 3,225.00	\$ 45.00	\$ 5,805.00	\$ 85.00	\$ 10,965.00	\$ 45.00	\$ 5,805.00	\$ 100.00	\$ 12,900.00
21	CONCRETE DRIVEWAY, REINFORCED, 6" THICK	42	SY	\$ 80.00	\$ 3,360.00	\$ 135.00	\$ 5,670.00	\$ 130.00	\$ 5,460.00	\$ 230.00	\$ 9,660.00	\$ 110.00	\$ 4,620.00	\$ 100.00	\$ 4,200.00
22	8" X 18" CONCRETE VERTICAL CURB	486	LF	\$ 25.00	\$ 12,150.00	\$ 45.00	\$ 21,870.00	\$ 42.00	\$ 20,412.00	\$ 60.00	\$ 29,160.00	\$ 40.00	\$ 19,440.00	\$ 50.00	\$ 24,300.00
23	TRAFFIC MARKINGS LINES, 24"	47	LF	\$ 53.15	\$ 2,498.05	\$ 23.00	\$ 1,081.00	\$ 25.00	\$ 1,175.00	\$ 15.00	\$ 705.00	\$ 12.00	\$ 564.00	\$ 20.00	\$ 940.00
24	TOPSOILING, 4" THICK	116	SY	\$ 0.01	\$ 1.16	\$ 12.50	\$ 1,450.00	\$ 5.00	\$ 580.00	\$ 20.00	\$ 2,320.00	\$ 10.00	\$ 1,160.00	\$ 10.00	\$ 1,160.00
25	FERTILIZING AND SEEDING, TYPE A-4	116	SY	\$ 0.01	\$ 1.16	\$ 1.00	\$ 116.00	\$ 1.00	\$ 116.00	\$ 5.00	\$ 580.00	\$ 1.00	\$ 116.00	\$ 10.00	\$ 1,160.00
26	STRAW MULCHING	116	SY	\$ 0.01	\$ 1.16	\$ 1.00	\$ 116.00	\$ 1.00	\$ 116.00	\$ 5.00	\$ 580.00	\$ 1.00	\$ 116.00	\$ 10.00	\$ 1,160.00
	TOTAL BASE BID 1				\$ 171,884.87		\$ 187,089.52		\$ 229,561.50		\$ 257,000.00		\$ 239,000.00		\$ 290,162.35
	ALTERNATE A														
A1	CLEARING SITE	1	LS	\$ 22,000.00	\$ 22,000.00	\$ 35,600.00	\$ 35,600.00	\$ 20,000.00	\$ 20,000.00	\$ 2,786.00	\$ 2,786.00	\$ 53,595.85	\$ 53,595.85	\$ 50,000.00	\$ 50,000.00
A2	BREAKAWAY BARRICADE	25	UN	\$ 0.01	\$ 0.25	\$ 1.00	\$ 25.00	\$ 1.00	\$ 25.00	\$ 1.00	\$ 25.00	\$ 0.01	\$ 0.25	\$ 0.01	\$ 0.25
A3	DRUM	30	UN	\$ 0.01	\$ 0.30	\$ 1.00	\$ 30.00	\$ 1.00	\$ 30.00	\$ 1.00	\$ 30.00	\$ 0.01	\$ 0.30	\$ 0.01	\$ 0.30
A4	TRAFFIC CONES	80	UN	\$ 0.01	\$ 0.80	\$ 1.00	\$ 80.00	\$ 1.00	\$ 80.00	\$ 1.00	\$ 80.00	\$ 0.01	\$ 0.80	\$ 0.01	\$ 0.80
A5	CONSTRUCTION SIGNS	100	SF	\$ 0.01	\$ 1.00	\$ 1.00	\$ 100.00	\$ 1.00	\$ 100.00	\$ 20.00	\$ 2,000.00	\$ 0.01	\$ 1.00	\$ 0.01	\$ 1.00
A6	UNIFORMED TRAFFIC DIRECTOR	1	ALL	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
A7	HOT MIX ASPHALT DRIVEWAY, 3-1/2" THICK	71	SY	\$ 50.00	\$ 3,550.00	\$ 25.00	\$ 1,775.00	\$ 4.00	\$ 284.00	\$ 100.00	\$ 7,100.00	\$ 45.00	\$ 3,195.00	\$ 100.00	\$ 7,100.00
A8	CONCRETE DRIVEWAY, REINFORCED, 6" THICK	163	SY	\$ 110.00	\$ 17,930.00	\$ 135.00	\$ 22,005.00	\$ 145.00	\$ 23,635.00	\$ 120.00	\$ 19,560.00	\$ 110.00	\$ 17,930.00	\$ 150.00	\$ 24,450.00
A9	GRAVEL DRIVEWAY RESTORATION	49	SY	\$ 10.00	\$ 490.00	\$ 25.00	\$ 1,225.00	\$ 35.00	\$ 1,715.00	\$ 50.00	\$ 2,450.00	\$ 10.00	\$ 490.00	\$ 100.00	\$ 4,900.00
A10	CONCRETE SIDEWALK, 4" THICK	565	SY	\$ 95.00	\$ 53,675.00	\$ 130.00	\$ 73,450.00	\$ 115.00	\$ 64,975.00	\$ 92.00	\$ 51,980.00	\$ 95.00	\$ 53,675.00	\$ 100.00	\$ 56,500.00
A11	DETECTABLE WARNING SURFACE	5	SY	\$ 250.00	\$ 1,250.00	\$ 450.00	\$ 2,250.00	\$ 500.00	\$ 2,500.00	\$ 460.00	\$ 2,300.00	\$ 400.00	\$ 2,000.00	\$ 1,000.00	\$ 5,000.00
A12	8" X 18" CONCRETE VERTICAL CURB	1,080	LF	\$ 24.00	\$ 25,920.00	\$ 45.00	\$ 48,600.00	\$ 40.00	\$ 43,200.00	\$ 41.00	\$ 44,280.00	\$ 40.00	\$ 43,200.00	\$ 50.00	\$ 54,000.00
A13	8" X 18" CONCRETE VERTICAL CURB	45	LF	\$ 0.01	\$ 0.45	\$ 45.00	\$ 2,025.00	\$ 42.00	\$ 1,890.00	\$ 41.00	\$ 1,845.00	\$ 40.00	\$ 1,800.00	\$ 50.00	\$ 2,250.00
A14	TRAFFIC MARKINGS LINES, 24"	76	LF	\$ 6.00	\$ 456.00	\$ 9.00	\$ 684.00	\$ 15.00	\$ 1,140.00	\$ 14.00	\$ 1,064.00	\$ 12.00	\$ 912.00	\$ 20.00	\$ 1,520.00
A15	TOPSOILING, 4" THICK	350	SY	\$ 10.00	\$ 3,500.00	\$ 12.50	\$ 4,375.00	\$ 1.00	\$ 350.00	\$ 20.00	\$ 7,000.00	\$ 10.00	\$ 3,500.00	\$ 10.00	\$ 3,500.00
A16	FERTILIZING AND SEEDING, TYPE A-4	350	SY	\$ 1.00	\$ 350.00	\$ 1.00	\$ 350.00	\$ 5.00	\$ 1,750.00	\$ 5.00	\$ 1,750.00	\$ 1.00	\$ 350.00	\$ 10.00	\$ 3,500.00
A17	STRAW MULCHING	350	SY	\$ 1.00	\$ 350.00	\$ 1.00	\$ 350.00	\$ 1.00	\$ 350.00	\$ 5.00	\$ 1,750.00	\$ 1.00	\$ 350.00	\$ 10.00	\$ 3,500.00
	TOTAL ALTERNATE A				\$ 134,473.80		\$ 197,924.00		\$ 167,024.00		\$ 151,000.00		\$ 186,000.20		\$ 221,222.35
	TOTAL BASE BID 1 AND ALTERNATE A				\$ 306,358.67		\$ 385,013.52		\$ 396,585.50		\$ 408,000.00		\$ 425,000.20		\$ 511,384.70

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE BOROUGH ENGINEER TO PROCEED WITH THE BIDDING PROCESS FOR THE
TRINITY PARK IMPROVEMENTS PROJECT**

Resolution #2024-251
10/17/24

WHEREAS, the Borough awarded a contract to Collier's Engineering & Design (Borough Engineer) pursuant with Resolution #2024-150 for engineering services for the Trinity Park Improvements Project, including preparation of plans, provision of bid specifications and bidding services; and

WHEREAS, the Borough Engineer has completed the plans and bid specifications and now seeks approval to solicit for bids; and

WHEREAS, the Governing Body having had the opportunity to review the plans now desires to authorize the advertisement of bids for the project,

NOW THEREFORE BE IT RESOLVED that Collier's Engineering & Design is authorized to begin bidding services for the Trinity Park Improvements Project and that the Borough Clerk is authorized to advertise same in accordance with law.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTMENT OF THOMAS CORSENTINO, JR. TO FIRE POLICE**

Resolution #2024-252
10/17/24

BE IT RESOLVED, by Thomas J. Tvrdik, Mayor of the Borough of Oceanport, that the following appointment be made with the advice and consent of Council as recommended by the Fire Police Captain and approved by the Chief of Police pursuant with Borough Code § 50-8:

Thomas Corsentino, Jr. Unexpired Term expiring 12/31/28

FIRE POLICE MEMBERS:

Port Au Peck Chemical Hose Co.:

Bill McNish, Captain	5yr Term expiring 12/31/28
Frederick Santi	5yr Term expiring 12/31/28
Bob D'Agostino	5yr Term expiring 12/31/28
Frank Lippolis	5yr Term expiring 12/31/28
Fred Fillippone	5yr Term expiring 12/31/28
Wes Sherman	5yr Term expiring 12/31/28

Oceanport Hook & Ladder Fire Co.:

Michael DePonte	5yr Term expiring 12/31/28
Tom Porowski	5yr Term expiring 12/31/28
Roman Lima-Velasquez	5yr Term expiring 12/31/28
Thomas Corsentino, Jr.	5yr Term expiring 12/31/28

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AWARDING A CONTRACT FOR THE ALLENHURST AVENUE BULKHEAD IMPROVEMENTS PROJECT**

Resolution #2024-253
10/17/24

WHEREAS, the Borough of Oceanport solicited bids for the Allenhurst Avenue Bulkhead Improvements project; and

WHEREAS, the said bid solicitation process was effectuated in accordance with prevailing provision of the Local Public Contracts Law, pursuant to N.J.S.A 40A:11-1 et seq.; and

WHEREAS, in response to the subject bid solicitations process the Borough of Oceanport received three (3) bids; and

WHEREAS, the lowest responsible, responsive bid was submitted by EZ Docks Marine Construction, 550 Highway 36, Belford, NJ 07718 hereinafter referred to as "Contractor" in the sum of One Hundred Seventeen thousand Seventy Five dollars and no cents (\$117,075.00); and

WHEREAS, the Contractor has complied with the mandatory requirements of N.J.S.A. 40A:11-23.2.

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

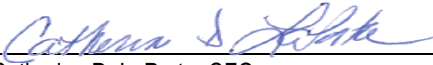
1. That the Borough of Oceanport is hereby authorized to award the Allenhurst Avenue Bulkhead Improvements Project to EZ Docks Marine Construction, 550 Highway 36, Belford, NJ 07718 subject to the conditions set forth herein.
2. That said Contract shall be in the total sum of One Hundred Seventeen thousand Seventy Five dollars and no cents (\$117,075.00).
3. That the within award of contract shall be subject to the Borough's Chief Financial Officer certifying in writing that funds are available for the stated purposes.
4. That the within award of Contract shall be contingent upon the Contractor submitting Appropriate Performance Security, which guarantees shall be approved as to form by the Borough Attorney.
5. That the Mayor and Clerk are hereby authorized to sign any and all documents necessary to effectuate the intentions of the within Resolution - including but not limited to, the Contract subject to the review of said Contract by the Borough Attorney.

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized to return the bid security to the remaining unsuccessful bidders, within three (3) days of signed Contracts and the approval of the Contractor's Performance Guarantees.

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 #04-215-55-988-A01 in the amount of \$117,075.00 for the stated purpose.

CATHERINE D. LAPORTA, CFO



Catherine D. LaPorta, CFO

101 Crawfords Corner Road
Suite 3400
Holmdel New Jersey 07733
Main: 877 627 3772
<http://colliersengineering.com>



October 11, 2024

VIA EMAIL

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

Recommendation of Award
Allenhurst Avenue Bulkhead
Borough of Oceanport, Monmouth County, New Jersey
Colliers Engineering & Design Project No.: OPB-0183

Dear Mayor and Council Members,

Bids for the above-referenced project were received at the Borough Hall on Thursday, October 10, 2024 at 10:30 A.M. A total of three (3) bids were received at the bid opening.

The results of the bidders at the bid opening are as follows:

BIDDERS	BASE BID TOTAL
EZ Docks Marine Construction	\$117,075.00
Monmouth Dock Works, LLC	\$129,265.00
SDW Construction, Inc.	\$161,815.00

We have reviewed the bid package submitted by EZ Docks Marine Construction and find that the price appears reasonable for this project. We have contacted his references and found their work to be acceptable.

Subject to approval from the Borough Attorney and verification that funds are available for construction, Colliers Engineering & Design, Inc. recommends that the Borough award a contract to EZ Docks Marine Construction for the Total Base Bid Proposal in the amount of **\$117,075.00**.

We have enclosed the **original** bid documents and a bid tabulation for review by you and the Borough Attorney. In accordance with the Local Public Contracts Law, the Award of Contract must be made within sixty (60) days from the date of opening of the bids.

Project No. OPB-0183
October 11, 2024
Page 2 | 2



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

Sincerely,

Colliers Engineering & Design, Inc.

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

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

WHW/hlo

Enclosures

cc: Donna Phelps, Borough Administrator (w/bid tab via email)

Jeanne Smith, RMC, Borough Clerk (w/bid tab via email)

Katie LaPorta, CFO (w/ bid tab via email)

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Project Name: Allenhurst Avenue Bulkhead Replacement
City, State: Borough of Oceanport, Monmouth County, New Jersey
Project #: OPB-0183

William H. R. White, III, PE, PP, CME, CFM, CPWM
N.J. P.E. Lic. No. 24GE03826300

ESTIMATE OF QUANTITIES				EZ Docks Marine Construction		Monmouth Dock Works, LLC		SDW Construction, Inc.	
Item #	BASE BID 1	Description	Quantity	Unit	Amount	Unit Price	Amount	Unit Price	Amount
1	MOBILIZATION		1	LS	\$ 10,000.00	\$ 10,000.00	\$ 14,000.00	\$ 12,000.00	\$ 12,000.00
2	CLEARING SITE		1	LS	\$ 10,000.00	\$ 10,000.00	\$ 17,000.00	\$ 21,000.00	\$ 21,000.00
3	ANCHORED VINYL SHEET PILE BULKHEAD		65	LF	\$ 1,000.00	\$ 1,300.00	\$ 84,500.00	\$ 1,750.00	\$ 113,750.00
4	GUARD FENCE		65	LF	\$ 175.00	\$ 45.00	\$ 2,925.00	\$ 55.00	\$ 3,575.00
5	REINFORCED CONCRETE PIPE 24"		30	LF	\$ 250.00	\$ 210.00	\$ 6,300.00	\$ 225.00	\$ 6,750.00
6	INLET, TYPE 'A'		1	UN	\$ 6,000.00	\$ 3,900.00	\$ 3,900.00	\$ 4,100.00	\$ 4,100.00
7	TOPSOILING, 4" THICK (IF & WHERE DIRECTED)		160	SY	\$ 25.00	\$ 2.00	\$ 320.00	\$ 2.00	\$ 320.00
8	FERTILIZING AND SEEDING, TYPE F (IF & WHERE DIRECTED)		160	SY	\$ 10.00	\$ 1.00	\$ 160.00	\$ 1.00	\$ 160.00
9	STRAW MULCHING (IF & WHERE DIRECTED)		160	SY	\$ 10.00	\$ 1.00	\$ 160.00	\$ 1.00	\$ 160.00
10					\$ -		\$ -		\$ -
11					\$ -		\$ -		\$ -
12					\$ -		\$ -		\$ -
TOTAL BASE BID 1					\$ 117,075.00		\$ 129,265.00		\$ 161,815.00

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING A CONTRACT WITH BARNABAS HEALTH, INC., D/B/A, RWJ CORPORATE SERVICES,
INC. FOR THE PROVISION OF HEALTHCARE SERVICES FOR BOROUGH EMPLOYEES AND
VOLUNTEERS**

Resolution #2024-254
10/17/24

WHEREAS, the Borough is seeking to contract with a healthcare provider to provide pre-employment and employment testing, drug testing, alcohol testing, DOT evaluations, Fit for Duty and return to work examinations, and vaccinations for Borough employees and volunteers (the "Healthcare Services"); and

WHEREAS, the Borough has desires to award the contract for the Healthcare Services by means of a non-fair and open contract as a professional services agreement pursuant to the provisions of N.J.S.A. 19:44A-20.B and N.J.S.A. 40A:11-5 et. seq.; and

WHEREAS, the amount of the contract is not anticipated to exceed \$17,500.00; and

WHEREAS, the Borough received a proposal from Barnabas Health, Inc. d/b/a RWJ Corporate Services, Inc for the Healthcare Services from and the Borough Council believes it is in the best interest of the Borough to have the Healthcare Services available for job applicants, employees and volunteers; and

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Borough Council of the Borough of Oceanport in the County of Monmouth and State of New Jersey that it hereby awards a contract to Barnabas Health, Inc. d/b/a RWJ Corporate Services, Inc. for the provision of healthcare services for the Borough's job applicants, employees and volunteers in the form approved by the Borough Attorney,

BE IT FURTHER RESOLVED 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.

**RWJ BARNABAS HEALTH CORP CARE AND
BOROUGH OF OCEANPORT
SERVICES AGREEMENT**

This Services Agreement (the “Agreement”) sets forth the terms and conditions whereby **Barnabas Health, Inc., d/b/a RWJBH Corporate Services, Inc.**, a non-profit corporation with an office located at 95 Old Short Hills Rd., West Orange, New Jersey 07052 (“RWJBH”) will provide services to **Borough of Oceanport**, with principal offices located at 910 Oceanport Way, Oceanport, New Jersey 07757 (“Customer”) (each a “Party,” and collectively the “Parties”). This Agreement shall be effective as of TBD (the “Effective Date”).

WHEREAS, Customer desires to engage the RWJBH for the services set forth in Exhibit A attached hereto (the “Services”), and the RWJBH is willing to provide such Services. Therefore, for good and valuable consideration, the Parties agree as follows:

1. **Compensation and Scope of Services.** Pursuant to the terms of this Agreement, RWJBH will provide the Services as set forth in Exhibit A at the rates set forth in Exhibit A. RWJBH will submit invoices to Customer as set forth in Exhibit A. Customer shall pay invoices within thirty (30) days of receipt. Customer shall be liable for 1.5% late fees, for any invoices paid beyond 45 days. “Same Day Cancellation” shall mean any patient who cancels an appointment less than 24 hours before their scheduled appointment. Customer shall be charged a \$50.00 fee for any patient that is a Same Day Cancellation or is a no-show.
2. **Confidential Information.** Each Party agrees not to disclose, divulge, or otherwise communicate, either directly or indirectly, to any third party or use for his/her own benefit any information, knowledge, or data relating to the business of the other Party, or its affiliates, if such information was obtained in the course of RWJBH providing the Services and could reasonably be deemed confidential (“Confidential Information”). Unless authorized to do so, neither Party shall not compile, copy, or reproduce Confidential Information of the other Party. If it appears that a Party has disclosed, used, or threatened to disclose or use Confidential Information in violation of this provision, such non-offending Party shall (in addition to all of its rights available at law and in equity) be entitled to an injunction to restrain the offending Party from disclosing or using, in whole or in part, such Confidential Information. Upon termination or expiration of this Agreement, each Party shall return to the other Party all Confidential Information within thirty (30) days at no additional cost to the other Party. Each Party agrees that all Confidential Information shall be owned solely by the applicable Party, and the other Party has no right to retain, use or disclose such Confidential Information except as necessary to perform its Services hereunder. This provision shall remain in full force and effect after the termination or expiration of this Agreement.
3. **Compliance with Law.** RWJBH shall ensure that it and each of its employees, contractors, and agents assigned to provide Services hereunder shall provide all of the Services in accordance with applicable federal, state and local laws, rules, and regulations and any other applicable accrediting or regulatory bodies (collectively, “Applicable Legal Requirements”).
4. **Representations.** RWJBH hereby represents that the Services provided hereunder: (i) will be performed in a good and workmanlike manner and in compliance with Applicable Legal Requirements; and (ii) will not violate any proprietary rights of any third party.
5. **Term and Termination.** The initial term of this Agreement shall begin on the Effective Date and continue **for one (1) year** (“Initial Term”). After the Initial Term, this Agreement may

renew upon the mutual agreement of the Parties. RWJBH may terminate this Agreement at any time, without cause or penalty, upon thirty (30) days' prior written notice to Customer.

6. **Notices.** All notices required or permitted under this Agreement shall be in writing and, unless otherwise specified herein, deemed given when delivered in person, by courier, or by registered certified mail at the address of each Party set forth above or at such other address as either Party may designate by written notice. In addition to the foregoing, any notices to RWJBH shall be contemporaneously sent to: RWJBarnabas Health, 95 Old Short Hills Road, West Orange, NJ 07052, Attn.: David A. Mebane, Esq. General Counsel.

7. **Insurance.** RWJBH is self-insured against such losses and risks and in such amounts as are prudent and customary for the Services in which the RWJBH is engaged herein.

8. **No Disqualified or Excluded Parties.** Customer represents that (a) it has not been convicted of a criminal offense related to health care; (b) it is not currently listed by a federal or state agency as debarred, excluded, or otherwise ineligible for participation in federally or state funded health care programs or federal procurement or non-procurement program (an "Exclusion Action"); and (c) is not listed in any applicable exclusion database, including, but not limited to: (1) the United States Department of Health and Human Services' Office of Inspector General's List of Excluded Individuals/Entities; (2) the General Services Administration's Excluded Parties List System; (3) the United States' System for Award Management; (d) the United States Treasury Specially Designated Nationals List; and (4) the State of New Jersey Consolidated Debarment Report (collectively, the "Exclusion Databases"). For purposes of this paragraph, "Customer" is defined as the entity entering into this contract, and/or its principals, employees, directors, officers, and shareholders (provided, however, that, if Customer is publicly traded, the term "Customer" shall not include shareholders owning publicly traded shares of Customer). Customer further agrees that it will immediately notify RWJBH in the event that it, or any person in its employ, has been convicted of a criminal offense related to healthcare, been subject to an Exclusion Action, and/or has been listed in any Exclusion Database. RWJBH will have the immediate right to terminate this Agreement, without penalty, if Customer has been convicted of a criminal offense related to healthcare, has been subject to an Exclusion Action, and/or has been listed in any Exclusion Database.

9. **Social Justice.** RWJBarnabas Health ("RWJBH") strives to be an antiracist organization and as such commits to racial equity, diversity, and inclusion in its governance structure, workforce, subcontracts, procurement, and policies. RWJBH appreciates Customer sharing RWJBH's commitment to promoting an antiracist culture and advancing racial equity, diversity, and inclusion in its governance structure, workforce, subcontracts, procurement, and policies. As a part of this commitment, RWJBH will require Customer to provide RWJBH information about Customer's workforce demographics, as well as its Board's composition percentages for the following: ethnicity, gender, race, and veteran status. Data reported will be treated as confidential, and if used externally, will be aggregated. All information will be collected following execution of this Agreement ("Initial Values") and thereafter on a regularly scheduled basis consistent with RWJBH's collection of such data. The Parties will use the Initial Values as a baseline to assess subsequent reported data related to Customer's commitment of being an antiracist organization.

10. **Limitation of Liability.** RWJBH shall not, under any circumstances, be liable for any special, indirect, incidental, punitive, or consequential losses, damages, costs, or expenses whatsoever including, but not limited to, lost or reduced profits, revenues, efficiency, bonding capacity, or business opportunities, or increased or extended overhead, operating, maintenance, or depreciation costs and expenses.

11. **No Click-Through Agreements.** No terms or conditions of Customer referenced via a URL or a link shall be binding on RWJBH unless attached hereto as an exhibit and executed by Customer. In addition, any “Click-Through” agreement agreed to by any end user shall have no legal effect on RWJBH, and under no circumstances shall such “Click-Through” agreement be binding on RWJBH or any affiliate or employee thereof.

12. **Miscellaneous.** The Parties agree that this Agreement constitutes the complete and exclusive statement of the Agreement between them, which supersedes all proposals, oral or written, and all other communications between them relating to this contract. In the event of any conflict between the terms of this Agreement and any other document executed by the Parties (including but not limited to, any statements of work, quotes, proposals, etc.), the terms of this Agreement shall govern and control. Neither Party shall assign its rights or obligations under this Agreement without the prior written consent of the other Party. Notwithstanding the foregoing, RWJBH shall be entitled to assign its rights and obligations hereunder to any one of RWJBH’s subsidiaries or affiliates without any further consent from Customer. Nothing herein contained shall be deemed to create an employment relationship, partnership or joint venture between either of the Parties hereto; it being expressly understood that the RWJBH shall be independent contractors of Customer. A waiver by either Party or any term or condition of this Agreement in any instance shall not be deemed or construed to be a waiver of such term or condition for the future, or any subsequent breach thereof. Customer shall not use, reproduce, license, sell or otherwise make available, any intellectual property of RWJBH (e.g., name, logo, copyrights, trademarks, or other proprietary items) without RWJBH’s prior written consent. This Agreement shall be governed exclusively by the laws of the State of New Jersey. Any controversy arising out of, or related to, this Agreement shall be submitted only to the courts of the State of New Jersey or to the United States District Court for the District of New Jersey. This Agreement may be executed in two or more counterparts, each of which shall be an original, but all of which together shall constitute one and the same instrument. The Parties agree to accept and be bound by electronically transmitted copies of this Agreement, including electronic signatures of the Parties. Any provision of this Agreement that, due to its nature, is intended to survive termination of this Agreement, shall survive termination of this Agreement.

RWJ Barnabas Health Corp Care
BHMG Corp Care

By: _____
 Name: Charles Curtis
 Title: VP Business Development and Innovation
 Date: 8/14/2024

Borough of Oceanport

By: _____
 Name: Thomas J. Tvrdik
 Title: Mayor
 Date: _____

ATTEST:

 JEANNE SMITH, BOROUGH CLERK

EXHIBIT A**BOROUGH OF OCEANPORT: SERVICES AND FEES**

The prices below are for services rendered at RWJ Barnabas Health Corp Care. The Client will be invoiced for services rendered. Should the Client require additional services not listed above the Client shall be billed at the Provider's usual and customary fees for additional services rendered. These rates cannot be discounted by the Client or any agent of the Client. Agents of the Client include, but are not limited to insurance companies, third party administrators (TPAs) and managed *care* organizations (MCOs). This agreement is not intended to create any relationship between the parties other than that of independent entities, contracted solely *for* the purposes expressed in this agreement. The jurisdiction governing the parties shall be that of the State of New Jersey. This Agreement constitutes the sole agreement of the parties and supersedes any and all prior understandings, written or oral agreements between the parties with respect to its subject matter.

This pricing is for the calendar year 2024. Expect an adjustment to pricing each year following.

Service	2024 Year Price
Vaccine: Hep B Vaccine (2 injections) Heplisav-B – 43528-0003-05	\$135/injection
Hep B titer	\$35
Physicals	
• Fire fighters (bundled)	\$550
Service	
FF Physical	
• Physical Exam • Weight • Height • PFT (spirometer) • Body Composition • Sleep Apnea Screening • Cardiovascular Risk Stratification	
Drug Test Non-DOT 9 panel	
OSHA Respiratory Questionnaire Review	
Urinalysis	
EKG	
Audiogram	
Blood Analysis (lab tests):	
• CMP • CBC • Lipid Panel • Hep B titer	
Cancer Screening:	
• T3 Update • TSH Thyroid Stimulating Hormone • Total T4 Thyroxine Index T4 • Free Thyroxine Index T4 • LDH	
<u>OPTIONAL TEST</u>	
OSHA Questionnaire Triggered Svc\	

• Respiratory Physical	\$25
• Pulmonary function test (spirometry)	\$65
• EKG	
• 2 View Chest X ray	\$65
• Stress Test	\$100
Hepatitis B Vaccine	\$300
Titmus Vision:	\$135
• Far	\$30
• Near	
• Color	
• Depth	
• Peripheral	
Heavy Metal Screen	
Lead and Zinc Protoporphyrin Eval-OSHA	\$55
PSA	\$115
Tdap	\$70
Influenza (in Ocean Hub)	\$85
DOT Physical	\$45
DOT Drug Screen	\$110
Lift Test	\$60
	\$125
• Boro. Employees (non-fire fighter)	\$110

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING PAYMENT OF VACATION TIME TO CHIEF OF POLICE**

Resolution #2024-255
10/17/24

WHEREAS, the Borough appointed Michael P. Kelly to serve as the Chief of Police and entered into an Employment Agreement with Chief Kelly for the time period January 1, 2021-December 31, 2024; and

WHEREAS, Chief Kelly's employment agreement provides that all vacation time must be taken during the current calendar year and may neither be accumulated nor taken consecutively with other vacation time, except by special approval of the Borough Council; and

WHEREAS, Chief Kelly is retiring from his position effective as of October 31, 2024 and he will be unable to utilize three of his earned vacation days because he is working with the newly appointed Chief of Police in the transition process to assure continued efficient operations of the Police Department; and

WHEREAS, the Borough believes it is in the best interest of the Borough to compensate Chief Kelly for three (3) earned unused vacation days to thank him for his service in assuring the orderly transition of the management of the Police Department to the new Police Chief.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport, County of Monmouth, State of New Jersey that it hereby authorizes the payment of three vacation days to Michael P. Kelly, Chief of Police.

BE IT FURTHER RESOLVED that a copy of this resolution be provided to Michael Kelly, the Borough Administrator, Chief Financial Officer and payroll clerk.

**BOROUGH OF OCEANPORT****MAYOR & COUNCIL****MINUTES • MAY 2, 2024****Workshop****Clement V. Sommers Municipal Building****7:00 PM****910 Oceanport Way, Oceanport, NJ 07757**

I. **Call to Order & Statement of Compliance with Open Public Meetings Act:** Mayor Tvrdik called the meeting to order at 7:00 PM and read the Open Public Meetings Act statement: This meeting complies with the Open Public Meetings Act by adequate and electronic notification on January 5, 2024 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.

II. **Flag Salute, Statement to the Public:** Judge Tom Cavanagh, Retired, led attendees and members of the Governing Body in the flag salute.

III. **Roll Call:**

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

IV. **Public Comment on Action Items:** Mayor Tvrdik opened the meeting for public comment on action items only. As no one appeared, Mayor Tvrdik closed that portion of the meeting.

V. **Action Items:**

#2024-121 Resolution authorizing payment of BILL LIST 05-02-2024

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

#2024-122 Resolution appointing Patrolman Connor Rogers to permanent status

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

#2024-123 Resolution confirming appointment of Kelle Burrough as Recreation Coordinator

RESULT: ADOPTED [UNANIMOUS]
MOVER: William Deerin, Councilman
SECONDER: Bryan Keeshen, Councilman
AYES: Deerin, Gallo, Keeshen, O'Brien, Salnick, Cooper

#2024-124 Resolution for temp. permission for alcoholic consumption at SRLL Softball Tournament

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Michael O'Brien, Councilman
SECONDER: Bryan Keeshen, Councilman
AYES: Deerin, Gallo, Keeshen, O'Brien, Salnick, Cooper

#2024-125 Resolution authorizing shared service for purchase of ambulance from Borough of Little Silver

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Michael O'Brien, Councilman
SECONDER: Keith Salnick, Councilman
AYES: Deerin, Gallo, Keeshen, O'Brien, Salnick, Cooper

#2024-126 Resolution authorizing a Site Access Agreement for Osprey Nest Survey

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: William Deerin, Councilman
SECONDER: Patty Cooper, Councilwoman
AYES: Deerin, Gallo, Keeshen, O'Brien, Salnick, Cooper

#2024-127 Resolution appointing Robert Spellmon as a temporary Electrical Inspector

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Patty Cooper, Councilwoman
SECONDER: Richard Gallo, Councilman
AYES: Deerin, Gallo, Keeshen, O'Brien, Salnick, Cooper

VI. Clerk's Report:

1. Resolution authorizing waiver of the 2024 Budget Reading in Full – *reviewed and moved forward*
2. Resolution authorizing Tax Sale Redemption #21-00005 – *reviewed and moved forward*
3. Resolution to Cancel Uncollectible Taxes – *reviewed and moved forward*
4. Resolution to Refund Lienholder Due To Error – *reviewed and moved forward*
5. Resolution authorizing an extension of the 3rd Qtr Grace Period – *reviewed and moved forward*

Old Business:

6. Discussion: Update on Wardell Circle / Nicholson Place Issue - Councilwomen Cooper explained some options that were discussed with the best option being to make Wardell Circle a dead-end street. Signs would have to be posted stating no outlet. Asking for residents to come forward with any other suggestions, will ask the Police and Bill White for their input as well.
7. Discussion: NJDEP Incident #834649, Shore Road Improvements - Councilman Salnick asked for an update; Mayor Tvrdik stated that this is a private matter not a public matter; the Borough is not in violation, this is Colliers Engineering's issue from the complaint that was made by Councilman Salnick; Colliers responded almost two years ago and they still have not received a response back.

New Business:

8. Discussion: Proposed Amendments to Police Rules and Regulations – Mayor Tvrdik advised that the Chief had sent proposed amendments and asked to review for action at the next meeting
9. An Ordinance to Increase Fees for Liquor Licenses – proposal is to increase fees as permitted by the State annually until the Borough reaches the maximum fee permitted.
10. An Ordinance Repealing and Replacing Chapter 328 Stormwater Control – Mayor Tvrdik advised this was State mandated and was included in their packet.
11. Discussion: Tree Removal & Replacement Ordinance – Mayor Tvrdik advised that this was a key factor in the Stormwater changes and was being reviewed.

12. Discussion: Lighting at Maria Gatta Park - Councilman O'Brien advised that discussions have begun on adding lights to Maria Gatta Park; money has been secured through the sports wagering and a grant from the County to pay for the bulk of the project and the rest would come out of the open space money; no additional debt would be incurred for the borough.
13. Discussion: Bylaw's - Mayor Tvrdek explained in detail some of the recommended changes, highlighted the goals, rules and the conduct in which the meeting is run; asked for 3 volunteers from the members of the council to be part of the special committee to review the changes in the bylaws; the special committee will present recommendations at a regular meeting within 30 days; the committee members are: Councilwomen Cooper, Councilman Salnick and Councilman Deerin.

VII. Administrator's Report: Ms. Phelps reported that New Jersey American Water has started routine flushing of the water and will continue through May 17th; TRWRA gave an update on the Pleasure Bay Crossing Project, the contractor is currently excavating the upper half of the shaft which may cause minor traffic delays; the shared service agreement between Oceanport and West Long Branch court has been approved; Congratulations to Connor Rogers for his permanent status as a Police Officer and would like to welcome new construction official Mike Thulen and would like to officially welcome new Recreation Coordinator Kelle Burrough; the borough has received \$337,500 in the Green Acres Funding Grant; called for an update on the Trinity Park application and was told to do an amendment instead of the revision that was submitted, will advise once this is approved. Ms. LaPorta advised that weekly meetings have begun with FMERA to discuss the status of the MOU's, all three are complete and would like to request a resolution be done at the meeting to refund FMERA.

VIII. Mayor's Report: Mayor Tvrdek reported on the upcoming events, the Memorial Day Parade, the blood drive at the Fort Athletic Club, the Boujie Food Con; attended the Mini Golf Tournament which was a great event organized by the Recreation Committee; attended the 75th Anniversary of the First Aide Squad and presented Edward Ryan with a Proclamation and officially declares April 20th, 2024 as Edward Ryan Day; congratulated Kelle Burrough as the new full time Recreation Coordinator; congratulated Connor Rogers going full time to the police department; welcomed Mike Thulen our new construction official; meetings are scheduled with Netflix to discuss taxation, assessments and emergency services; the school budget hearing is scheduled at Wolf Hill School; wished all the mothers a Happy Mother's Day.

IX. Public Comment: Mayor Tvrdek opened the meeting for public comments.

Gary LaBruno, 50 Wyandotte Avenue, asked questions about the issue with Wardell Circle and Nicholson Place and making it a dead end street; asked about the lighting at the soccer field as to why is one a 50 feet candle and not all three, Councilman Obrien responded it was due to the cost and the one field is sufficient enough for soccer as they are the primary users of the fields at night, field hockey and lacrosse are not.

Mark Patterson, 40 Itaska Place, asked questions about the plans for Gatta Park and will they have to go out to bid, will the construction phase disrupt the usage of the fields.

Billie Jo Caruso, 47 Wardell Circle, asked for clarification on the plans for making Wardell Circle a one-way street and expressed her concerns; Councilwomen Cooper explained some of the options that are being discussed; waiting for Bill White, the borough's engineer to come back with his recommendations.

William Green, 8 Nicholson Place, expressed concern about the traffic that comes through the road, the speed of the cars and the size of the street. Asked about putting weight restrictions on the street and agreed with making it a dead-end street. Councilwomen Cooper responded that they are working on a solution that will make all of the residents happy, suggested having a meeting with all residents to hear all of their concerns and possible having Bill White attend the meeting.

Edward Ryan, 24 Willow Court, thanked Mayor Tvrdek for the proclamation, was very surprised by receiving it.

Rosanne Letson, 50 Deer Path Ct, Tinton Falls, reported that the signs were up at Old Wharf Park and they look beautiful; this weekend is Weekend in Old Monmouth which is an annual two day event where 52 of Monmouth Counties history sights open their door and waive admission fees; first speaker The Dead History Guy will be on May 9th at the Old Wharf ; Oceanport's birthday is May 11th;

As no one else appeared to be heard, public comments were closed on a motion by Councilman Salnick, seconded by Council President Deerin with no objections.

X. Adjourn to Executive Session: At 8:36 PM, Councilman O'Brien made a motion to adopt the resolution to enter Executive Session which was seconded by Councilman Salnick and received the following roll call.

#2024-128 Resolution authorizing an Executive Session, May 2, 2024

RESULT: ADOPTED [UNANIMOUS]
MOVER: Michael O'Brien, Councilman
SECONDER: Bryan Keeshen, Councilman
AYES: Deerin, Gallo, Keeshen, O'Brien, Salnick, Cooper

- XI. **Return from Executive Session:** At 8:49 PM, Councilman O'Brien made a motion to re-open the regular meeting, which was seconded by Councilman Keeshen and received the following roll call.
- XII. **Adjournment:** As there was no further business, the meeting was adjourned at 8:51 PM on a motion by Councilman Salnick, seconded by Councilman Gallo and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

MINUTES • AUGUST 15, 2024

Workshop

Clement V. Sommers Municipal Building

7:00 PM

910 Oceanport Way, Oceanport, NJ 07757

I. **Call to Order & Statement of Compliance with Open Public Meetings Act:** Mayor Tvrdik called the meeting to order at 7:00 PM and stated this meeting complies with the Open Public Meetings Act by adequate and electronic notification on January 5, 2024 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.

II. **Flag Salute, Statement to the Public:** Residents Reece O'Toole and Katherine O'Toole led attendees and the governing body in the flag salute.

III. **Roll Call:**

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

Mayor Tvrdik took time to acknowledge a letter from resident Beverly Furman regarding the First Aid Squad and members response to her after a fall extending her thanks for the volunteers and presented her donation of \$1,000 to the First Aid Squad.

IV. **Mayor's Proclamation: Mayor Tvrdik welcomed owner and staff of Just Hair & Nails and read a Proclamation acknowledging 50 years of business:**

WHEREAS, it is my privilege, on behalf of the residents of the Borough of Oceanport and the Borough Council, to recognize an extraordinary business owner for her commitment and faithful service to the residents of Oceanport and Monmouth County; and

WHEREAS, Just Hair & Nails was opened in 1974 by owner and local resident, Justine Talarico; and

WHEREAS, Just Hair & Nails was located next to Oceanport's Post Office for more than 42 years and then relocated to the village center just up the street after the business was impacted by fire; and

WHEREAS, Just Hair & Nails has provided customers with a full range of services including cuts, color, keratin treatments, body waves, perms and host of styles from the latest trends; and

WHEREAS, notwithstanding the challenges the business faced over the years, including Super Storm Sandy, fire damage and temporary closure during the COVID-19 pandemic, Justine Talarico and her employees persevered and continued to provide service to Just Hair & Nails' customers; and

WHEREAS, Just Hair & Nails, isn't just about Hair & Nails, it is about friendship, compassion, service, quality, commitment, dedication, consistency, reliability and community all wrapped up in one fantastic Oceanport business; and

WHEREAS, Justine Talarico recognizes her wonderful work family, the people who have been with her for so many years, Paul Connelly, Tom Blackburn, Georgea Scarpino, Bunny Carroll, Kathy Walker, Pam Hollander and Linda Mihalic, as the backbone of the business and credits them all with keeping the shop running and creating and sustaining the relationships fostered throughout the workday that make Just Hair & Nails a special place ,

NOW, THEREFORE, BET IT RESOLVED, in recognition of the 50th Anniversary of Just Hair & Nails, I, Thomas J. Tvrdik, Mayor of the Borough of Oceanport, on behalf of Oceanport's residents and Governing Body, encourage and invite all residents to join in the anniversary celebration of this most remarkable community fixture and the people who made it great, and I hereby further declare that August 15, 2024 shall be known as "JUST HAIR AND NAILS DAY" in the Borough of Oceanport!

V. **Public Comment on Action Items:** No action items - to be done in regular meeting following.

VI. **Action Items:** No action items - to be done in regular meeting following.

VII. **Clerk's Report:**

1. Resolution authorizing payment of BILL LIST 08-15-2024 – *Discussed, moved forward*
2. Resolution Declaring September 11, 2024 as a Holiday – *Discussed, moved forward*
3. Resolution to amend 2024 budget for FMERA MOU 550 & 551 Amendment – *Discussed, moved forward*
4. Resolution authorizing Change Order #1 to Buildings 550 & 551 Demolition_Yannuzzi Group, Inc. – *Discussed, moved forward*
5. Resolution authorizing Change Order #1 to Buildings 550 & 551 Demolition_Colliers Engineering – *Discussed, moved forward*
6. Resolution approving Fire Dept Membership - Corsentino, Jr, Thomas – *Discussed, moved forward*
Resolution appointing Fire Police member - Thomas Corsentino, Jr – *Withdrawn for future meeting*
7. Resolution authorizing refund of overpayment - Block 101, Lot 6.02 – *Discussed, moved forward*
8. Resolution authorizing refund of overpayment - Block 121.02, Lot 9 – *Discussed, moved forward*
9. Resolution approving Tax Exemption for Louis Nazzaro – *Discussed, moved forward*
10. Resolution authorizing endorsement of NETFLIX Applications to NJDEP for Osprey Project – *Discussed, moved forward*
11. Resolution appointing Lesley K. Kirchgessner as Municipal Court Administrator – *Discussed, moved forward*
12. Resolution authorizing a 1-year extension of agreement with Monmouth University – *Discussed, moved forward*
13. Resolution authorizing a 1-year extension of agreement with Christian Brothers Academy – *Discussed, moved forward*
14. Resolution approving Special Event Permit for Patty G's Memorial 5K Walk – *Discussed, moved forward*
15. Resolution appointing Kelly O'Toole as Public Works Manager – *Discussed, moved forward*
16. Resolution awarding contract to Central Jersey Mechanical – *Discussed, moved forward*
17. Resolution awarding contract to FIS On Site Services LLC – *Discussed, moved forward*
18. Resolution authorizing purchase of an E-One Typhoon Pumper fire truck – *Discussed, moved forward*
19. Resolution authorizing release of performance guarantee for Seriven Hall – *Discussed, moved forward*
20. Resolution authorizing purchase of compressor system and filling station – *Discussed, moved forward*

Old Business:

Resolution approving issuance of Liquor License to NLL Trust (Netflix) – Withdrawn for a future meeting as required investigations have not yet been completed.

New Business:

22. Ordinance Amending Chapter 284, Peace and Good Order: *Discussed, review of proposed amendments and moved forward*
23. Discussion: Medicare Advantage Plan – Potential cost savings with minimal plan changes was referred to the Finance Committee and authorization to discuss with PBA local representative.
24. Discussion: Business Personal Property Tax , ILEC – Verizon – Ms. Smith explained that Verizon is no longer paying a franchise fee but there is a law being proposed that would require that fee to be paid again; a Mayor in a surrounding town is looking to get support in efforts to get that law passed.
25. An Ordinance Authorizing Easement Agreement with Netflix for Osprey Nest relocations – Borough Attorney, Andrew Bayer explained in detail about relocating the offspring that is located where Netflix is and would like to relocate the offspring to other borough properties. The DEP has proposed changing the regulations and have one year under state law to adopt the regulation but under the current administration it is expected to be adopted sooner.

Minutes

26. Mayor & Council - Regular Meeting - May 18, 2023 7:00 PM – *Discussed, moved forward*
27. Mayor & Council - Workshop - Jun 15, 2023 7:00 PM – *Discussed, moved forward*
28. Mayor & Council - Regular Meeting - Apr 18, 2024 7:00 PM – *Discussed, moved forward*
29. Mayor & Council - Workshop - Jul 18, 2024 7:00 PM – *Discussed, moved forward*
30. Mayor & Council - Regular Meeting - Jul 18, 2024 7:30 PM – *Discussed, moved forward*

VIII. Administrator's Report:

1. MJPPI Update – Ms. Phelps explained that this has to do with flood insurance premiums for residents and Oceanport is a part of this group, an annual update was provided to the governing body and submitted to FEMA for approval; an update on the HVAC replacement at Port-Au-Peck Ave, Automated Building is in the process of getting the permits and a delivery date of August 26th is scheduled for the rooftop units; the annual League Conference this year is November 19-21st; thanked all the staff members at Borough Hall who have helped get things done this summer;
2. Request for Easement_60 Shore Road – *tabled until the September meeting*

IX. Mayor's Report:

1. Discussion: Proposed Amendments to Reuse Plan - Change of Use to Allow for Pistol Range – *tabled until the October meeting*

X. Public Comment: Mayor Tvrdik opened the meeting for Public Comments.

Laurel Lee, 14 Pemberton Avenue, expressed her concern about moving the baby Ospreys. She asked that the nests not be moved when there are babies in the nest.

XI. Adjourn to Executive Session:

Resolution authorizing an Executive Session, August 15, 2024 – Due to number of Council members not able to attend, this resolution was tabled on a motion by Councilwoman Cooper, seconded by Councilman Deerin with all in favor.

XII. Return from Executive Session: N/A**XIII. Adjournment:** As there was no further business, the meeting was adjourned at 7:32 PM on a motion by Councilman Deerin, seconded by Councilman Gallo with all in favor.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

MINUTES • AUGUST 15, 2024

Regular Meeting

Clement V. Sommers Municipal Building

7:30 PM

910 Oceanport Way, Oceanport, NJ 07757

- I. **Call to Order:** Mayor Tvrdik called the meeting to order at 7:34 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, 2024 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:** Residents Reese O'Toole and Katherine O'Toole led attendees and the governing body in the flag salute.
- IV. **Roll Call:**

Attendee Name	Title	Status
Thomas Tvrdik	Mayor	Present
William Deerin	Councilman	Present
Richard Gallo	Councilman	Present
Bryan Keeshen	Councilman	Absent
Michael O'Brien	Councilman	Absent
Keith Salnick	Councilman	Absent
Patty Cooper	Councilwoman	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 - Action Items Only:** Mayor Tvrdik opened the meeting for Public Comment on action items only. As no one else from the public appeared, that portion of the meeting was closed.

VI. **Consent Agenda:**

- #2024-196 1. Resolution authorizing payment of BILL LIST 08-15-2024
- #2024-197 2. Resolution Declaring September 11, 2024 as a Holiday
- #2024-198 3. Resolution to amend 2024 budget for FMERA MOU 550 & 551 Amendment
- #2024-199 4. Resolution authorizing Change Order #1 to Buildings 550 & 551 Demolition_Yannuzzi Group, Inc.
- #2024-200 5. Resolution authorizing Change Order #1 to Buildings 550 & 551 Demolition_Colliers Engineering
- #2024-201 6. Resolution approving Fire Dept Membership - Corsentino, Jr, Thomas
- #2024-202 7. Resolution authorizing refund of overpayment - Block 101, Lot 6.02
- #2024-203 8. Resolution authorizing refund of overpayment - Block 121.02, Lot 9
- #2024-204 9. Resolution approving Tax Exemption for Louis Nazzaro
- #2024-205 10. Resolution authorizing endorsement of NETFLIX Applications to NJDEP for Osprey Relocation Project
- #2024-206 11. Resolution appointing Lesley K. Kirchgessner as Municipal Court Administrator
- #2024-207 12. Resolution authorizing a 1-year extension of agreement with Monmouth University
- #2024-208 13. Resolution authorizing a 1-year extension of agreement with Christian Brothers Academy
- #2024-209 14. Resolution approving Special Event Permit for Patty G's Memorial 5K Walk
- #2024-210 15. Resolution awarding contract to Central Jersey Mechanical
- #2024-211 16. Resolution awarding contract to FIS On Site Services LLC
- #2024-212 17. Resolution authorizing purchase of an E-One Typhoon Pumper fire truck

- #2024-213 18. Resolution authorizing release of performance guarantee for Seriven Hall
- #2024-214 19. Resolution authorizing purchase of compressor system and filling station

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

VII. Resolutions (taken separately):

- #2024-215 Resolution appointing Fire Police member - Thomas Corsentino, Jr

RESULT: WITHDRAWN

- #2024-216 Resolution appointing Kelly O'Toole as Public Works Manager – Read in Full

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

Ms. Phelps offered congratulatory remarks to Kelly on being the first female public works manager for the Borough. Public Works Superintendent Steve Briskey also offered congratulatory remarks including a detailed history of Kelly's accomplishments and the positive impact she has contributed to the department

VIII. Minutes:

1. Mayor & Council - Regular Meeting - May 18, 2023 7:00 PM

RESULT: ACCEPTED [2 TO 0]
MOVER: Richard Gallo, Councilman
SECONDER: William Deerin, Councilman
AYES: Deerin, Gallo
ABSTAIN: Cooper
ABSENT: Keeshen, O'Brien, Salnick

2. Mayor & Council - Workshop - Jun 15, 2023 7:00 PM

RESULT: ACCEPTED [2 TO 0]
MOVER: William Deerin, Councilman
SECONDER: Richard Gallo, Councilman
AYES: Deerin, Gallo
ABSTAIN: Cooper
ABSENT: Keeshen, O'Brien, Salnick

3. Mayor & Council - Regular Meeting - Apr 18, 2024 7:00 PM

RESULT: ACCEPTED [UNANIMOUS]
MOVER: Patty Cooper, Councilwoman
SECONDER: Richard Gallo, Councilman
AYES: Deerin, Gallo, Cooper
ABSENT: Keeshen, O'Brien, Salnick

4. Mayor & Council - Workshop - Jul 18, 2024 7:00 PM

RESULT:	ACCEPTED [2 TO 0]
MOVER:	Richard Gallo, Councilman
SECONDER:	Patty Cooper, Councilwoman
AYES:	Gallo, Cooper
ABSTAIN:	Deerin
ABSENT:	Keeshen, O'Brien, Salnick

5. Mayor & Council - Regular Meeting - Jul 18, 2024 7:30 PM

RESULT:	ACCEPTED [2 TO 0]
MOVER:	Patty Cooper, Councilwoman
SECONDER:	Richard Gallo, Councilman
AYES:	Gallo, Cooper
ABSTAIN:	Deerin
ABSENT:	Keeshen, O'Brien, Salnick

IX. Resolutions:

#2024-217 Resolution approving issuance of Liquor License to NLL Trust (Netflix)

RESULT:	TABLED [UNANIMOUS]	Next: 9/19/2024 7:00 PM
MOVER:	William Deerin, Councilman	
SECONDER:	Richard Gallo, Councilman	
AYES:	Deerin, Gallo, Cooper	
ABSENT:	Keeshen, O'Brien, Salnick	

X. First Reading Ordinances:

#1100 Introduction of Ordinance Amending Chapter 284, Peace and Good Order

Councilwoman Cooper called for the introduction of "AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING CHAPTER 284 OF THE CODE OF THE BOROUGH OF OCEANPORT ENTITLED "PEACE AND GOOD ORDER"" and then asked the Clerk to read the proposed ordinance by title only, after which Councilwoman Cooper moved to approve the Ordinance upon first reading and to hold the PUBLIC HEARING on the proposed ordinance at the Council meeting of September 19, 2024 and to advertise same in accordance with the law, which was seconded by Councilman O'Brien.

RESULT:	APPROVED OF FIRST READING [UNANIMOUS]	Next: 9/19/2024 7:00 PM
MOVER:	Patty Cooper, Councilwoman	
SECONDER:	William Deerin, Councilman	
AYES:	Deerin, Gallo, Cooper	
ABSENT:	Keeshen, O'Brien, Salnick	

#1101 Introduction of An Ordinance Authorizing Easement Agreement with Netflix for Osprey Nest relocations

Councilwoman Cooper called for the introduction of "AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY REPEALING AUTHORIZING EASEMENT AGREEMENT WITH NETFLIX, INC. FOR THE RELOCATION OF OSPREY NESTS ON BOROUGH PROPERTIES" and then asked the Clerk to read the proposed ordinance by title only, after which Councilwoman Cooper moved to approve the Ordinance upon first reading and to hold the PUBLIC HEARING on the proposed ordinance at the Council meeting of September 19, 2024 and to advertise same in accordance with the law, which was seconded by Councilman O'Brien.

RESULT:	APPROVED OF FIRST READING [UNANIMOUS]	Next: 9/19/2024 7:00 PM
MOVER:	Patty Cooper, Councilwoman	
SECONDER:	William Deerin, Councilman	
AYES:	Deerin, Gallo, Cooper	
ABSENT:	Keeshen, O'Brien, Salnick	

XI. Second Reading & Public Hearing Ordinances: None**XII. Council Standing Committee Reports:**

1. Councilman Deerin, Parks & Recreation – Councilman Deerin thanked Kelle Burrough for pulling off what was probably the most successful Action Camp with nothing but positive feedback from the parents; Summer's End Festival preparations ongoing, still looking for donations for the fireworks; thanked DPW for fixing the sprinkler system at Blackberry Bay Park; reminded residents to clean up after there dogs; working on fixing up the pool area, filling it in, cleaning it up and redoing the old snack bar for storage and the bathrooms; Gatta Park now has electricity and lights should be in by the end of September.
2. Councilman Gallo, Public Works & Engineering – provided an update on the 2023 road program, two streets still need a second coat of paving and all other streets have been paved; congratulated Kelly O'Toole on her new position.
3. Councilman Keeshen, Public Safety – Absent, Mayor Tvrdik filled in and reminded everyone to sign up for the code red alerts; the Oceanport Police Department is looking to hire another police officer; the First Aide Squad is looking for members and a reminder to residents to come out for Bingo.
4. Councilman O'Brien, Finance & Administration – Absent, nothing to report
5. Councilman Salnick, Health & Human Services – Absent, nothing to report
6. Councilwoman Cooper, Planning & Development – Reported on the public safety meeting in regards to the soccer fields, it was decided that the businesses would be notified when there are large tournaments so they can prepare to serve those people and the people in town; Netflix meeting coming up in September to discuss future development; congratulated Justine from Just Hair, Kelly O'Toole on her new position, and the First Aide Squad for their recognition and hard work.

XIII. Mayor Tvrdik's Report: Mayor Tvrdik reported that The University of Delaware named 38 students from the area to the Dean's List, five of those students were from Oceanport; Dave Portnoy from Barstool Sports visited the Sauce Pizzeria; the Road Program is coming to a completion, there was redesigns, curbing and drainage; purple flags have been placed in the ground at Old Wharf Park and Billings Park to represent Overdose Awareness Day, each flag represents someone who lost there life to an overdose; Oceanport Stakes at Monmouth Park Racetrack will have last years winner running again which belongs to a former Oceanport resident; thanked several residents, DPW and the Police Officers for helping to save the five ducklings that were stuck in the sewer drain.

XIV. Public Comments: Mayor Tvrdik opened the meeting for Public Comments. As no one from the public appeared, that portion of the meeting was closed.

XV. Adjournment: As there was no further business, the meeting was adjourned at 8:04 PM on a motion by Councilman Gallo, seconded by Councilwoman Cooper and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTMENT OF GARY GRIMES AS CHIEF OF POLICE OF THE OCEANPORT POLICE
DEPARTMENT FOR THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW
JERSEY**

**Resolution #2024-256
10/17/24**

WHEREAS, Michael P. Kelly announced his retirement as Chief of Police effective October 31, 2024 and the Borough Council has accepted Chief Kelly's resignation by Resolution No. 2024-248, adopted on October 17, 2024; and

WHEREAS, there is a vacancy in the position of Chief of Police for the Oceanport Police Department due to the retirement of Police Chief Michael Kelly on October 31, 2024; and

WHEREAS, Mayor Tvrdik sought qualified interested individuals from the Oceanport Police Department who desired to be candidates for the Police Chief position to submit a letter of interest; and

WHEREAS, three letters of interest were received and candidate interviews were conducted by Mayor Tvrdik, the Borough Administrator and the Public Safety Committee; and

WHEREAS, after the completion of the interviews, and in furtherance of the policy and protocol for promoting within the Police Department, Mayor Tvrdik has nominated Gary Grimes to serve as Chief of Police with the concurrence of the Public Safety Committee and the Business Administrator; and

WHEREAS, the terms of employment between Gary Grimes and the Borough have been set forth in an Employment Agreement.

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

1. The Borough Council hereby consents to the appointment of Gary Grimes as Chief of Police for the Oceanport Police Department, effective November 1, 2024; and
2. That the compensation, terms and conditions of employment for the Chief of Police of the Borough of Oceanport shall be in accordance with the Employment Agreement, Salary Ordinance and the Code of the Borough of Oceanport; and
3. The Mayor and Borough Clerk are hereby authorized to execute the Agreement between the Borough of Oceanport and Gary Grimes in a form approved by the Borough Attorney.

BE IT FURTHER RESOLVED, that a certified true copy of the within Resolution be furnished to the Chief of Police, the Borough Administrator, the Chief Financial Officer, the Borough Attorney, and the Oceanport PBA Representative.

EMPLOYMENT AGREEMENT BETWEEN THE
BOROUGH OF OCEANPORT AND
GARY GRIMES TO SERVE AS

CHIEF OF POLICE

NOVEMBER 1, 2024 THROUGH AND INCLUDING OCTOBER 31, 2029

Table of Contents

PREAMBLE.....	3
ARTICLE I - SEVERABILITY AND SAVINGS CLAUSE	4
ARTICLE II - RESPONSIBILITIES OF THE CHIEF OF POLICE	4
ARTICLE III - SALARY	4
ARTICLE IV - MUTUAL AID	5
ARTICLE V - MANAGEMENT RIGHTS	5
ARTICLE VI - HOLIDAYS AND PERSONAL DAYS.....	5
ARTICLE VII - SICK LEAVE	6
ARTICLE VIII - BEREAVEMENT LEAVE	6
ARTICLE IX - BOROUGH VEHICLE.....	6
ARTICLE X - CLOTHING ALLOWANCE.....	7
ARTICLE XI - CPR & AED CARD INCENTIVE	7
ARTICLE XII - HEALTH/HOSPITAL/DENTAL/MEDICAL INSURANCE COVERAGE	7
ARTICLE XIII - VACATION	10
ARTICLE XIV - HOURS OF WORK.....	10
ARTICLE XV - SPECIAL DUTY ASSIGNMENTS.....	11
ARTICLE XVI - RETIREMENT	12
ARTICLE XVII - DEATH IN THE LINE OF DUTY.....	13
ARTICLE XVIII - INSURANCE COVERAGE IN THE EVENT OF EARLY RETIRMENT.....	13
ARTICLE XIX - REDUCTION OF POLICE FORCE	13
ARTICLE XX - CONTINUAL EDUCATIONAL PROGRAMS/LAW ENFORCEMENT CONFERENCES.....	13
ARTICLE XXI - DURATION.....	15

PREAMBLE

THIS AGREEMENT entered on this 1st day of November 2024, by and between the Borough of Oceanport, in the County of Monmouth, State of New Jersey (herein after referred to as "Borough"), and GARY GRIMES (hereinafter referred to as "Chief of Police"), establishes the following terms and conditions of employment for the position of Chief of Police. This agreement represents the complete and final understanding on all issues between the Borough and the Chief of Police.

ARTICLE I - SEVERABILITY AND SAVINGS CLAUSE

If any provisions of this Agreement between the parties shall be held by operation of law or by a Court or Administrative Agency of competent and final jurisdiction to be invalid or unenforceable, the remainder of the provisions of such agreement shall not be affected thereby but shall be continued in full force and effect.

ARTICLE II - RESPONSIBILITIES OF THE CHIEF OF POLICE

Pursuant to state law, Title 40, the Ordinances of the Borough and the regulations and policies established by the Borough, the responsibilities of the appointed Chief of Police shall include:

- A. Conduct and manage the day-to-day operations of the Police Department.
- B. Administer and enforce rules, regulations and special emergency directives regarding the disposition and discipline of the police force, its officers, and personnel.
- C. Exercise and discharge the functions, powers, and duties of the Police force.
- D. Delegate his authority as he may deem necessary for the efficient operation of the police force to be exercised under his direction and supervision.
- E. Prescribe the duties and assignments of all subordinates and other personnel.
- F. Report at least monthly to the Borough Public Safety Committee and/or Chair of said Committee, or by any such other forms as the Borough shall require, as to the operation of the police force during the preceding month.
- G. Prepare and submit a proposed Police budget to Public Safety Committee and Borough Administrator for review and approval on an annual basis.
- H. Involvement with other duties in the Public Safety area as may be directed by the Mayor and Council, including but not limited to, interaction with Fire, First Aid and Emergency Management.

ARTICLE III - SALARY

Effective, November 1, 2024, salary shall be \$168,000. Annual increases shall be as follows:

January 1, 2025, 2.125%
 January 1, 2026, 2.125%
 January 1, 2027, 2.125%
 January 1, 2028, 2.125%
 January 1, 2029, 2.125%

SALARY GUIDE

2025 - \$171,570.00
 2026 - \$175,215.87
 2027 - \$178,939.21
 2028 - \$182,741.67
 2029 - \$186,624.93

ARTICLE IV - MUTUAL AID

While rendering aid to another community, the Chief of Police, shall be fully covered by workmen's compensation and liability insurance as provided by the Laws of the State of New Jersey.

ARTICLE V - MANAGEMENT RIGHTS

The Borough hereby retains and reserves unto itself all powers, rights, authority, duties and responsibilities conferred upon and vested in it prior to the signing of this agreement by the laws and Constitution of the State of New Jersey and of the United States, except those limited by the specific and express terms of this agreement and then only to the extent that such specific and express terms hereof are in conformance with the Constitution and the Laws of the State of New Jersey and of the United States. Except, as otherwise provided in this agreement, the Chief of Police shall be subject to all terms included in the Oceanport Employee Personnel Policy and Procedures Manual (2023).

ARTICLE VI - HOLIDAYS AND PERSONAL DAYS

Section 1: The following days shall be considered legal holidays during the term of this Agreement and compensation and time off shall be in accordance with the practices of the parties:

- New Year's Day
- Martin Luther King's Birthday (observed)
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day (observed)
- September 11th
- Veteran's Day
- Thanksgiving
- Day after Thanksgiving
- Christmas

A holiday falling on a Saturday will be observed on the preceding Friday, and a holiday falling on a Sunday will be observed on the following Monday.

Section 2: The Chief is entitled to six (6) personal days per year. These days must be used within the calendar year and do not carry over.

ARTICLE VII - SICK LEAVE

Section 1: Sick leave is defined as any authorized absence from duty with full pay because of illness or accident to the Chief of Police, or an immediate family member (spouse, child, or mother) not arising out of an employee's course of employment.

Section 2: The Chief of Police shall be granted fifteen (15) sick days annually with pay. Sick leave shall accrue for the Chief of Police at the rate of fifteen (15) working days in every calendar year of employment and shall accumulate from year to year to be used as set forth herein.

Section 3: Sick leave shall be granted to the Chief of Police, as provided in the Police ordinance, with no ceiling on accumulated days.

Section 4: The Borough Administrator may require a certification from a licensed physician as proof of illness in any case wherein the time requested exceeds three (3) working days. The Chief of Police must promptly notify the police desk (county radio) of his intended absence from work. Notification shall be made before the Chief of Police scheduled starting time, except in such case where, because of the emergent nature of the illness, notification cannot be made as herein set forth.

ARTICLE VIII - BEREAVEMENT LEAVE

The Chief of Police is entitled to 3 consecutive calendar days leave of absence for each death of an employee's immediate relative. Additional leave may be granted, when necessary, with the approval of the Mayor and Council. "Immediate relative" includes spouse or significant other, civil union partner, child, parent, stepparent, father-in-law, mother-in-law stepchild, foster child, sibling, grandparents, daughter-in-law, son-in-law, grandchildren, niece, nephew, uncle, aunt, or any person related by blood or marriage residing in an employee's household. Employees are paid for all working days during the Bereavement Leave.

ARTICLE IX - BOROUGH VEHICLE

Section 1: The Borough agrees to supply the Chief of Police with an unmarked vehicle for professional use on a 24-hour basis. This use should not include non-Borough employees, except in the execution of police functions. Use outside those defined as normal police activity will require approval of the Borough Council.

Section 2: The Borough agrees to pay all expenses for the operation and upkeep of the vehicle, such as insurance, tires, gas, oil changes and any other necessary repairs.

Section 3: The use of the Municipal owned vehicle or portion thereof may be taxable to the Police Chief and will be the responsibility of the Chief to claim with IRS.

ARTICLE X - CLOTHING ALLOWANCE

Section 1: The Borough shall establish a line-item budget for the Chief of Police not less than the following amounts for uniform clothing replacement:

2024	Up to \$1,050.00
2025	Up to \$1,050.00
2026	Up to \$1,050.00
2027	Up to \$1,050.00
2028	Up to \$1,050.00
2029	Up to \$1,050.00

The Borough agrees to reimburse the Chief of Police for uniform/clothing replacement upon the showing of paid receipts for the items purchased. The amount shall not exceed the line item which is established for such purpose. No uniform/clothing allowance shall be provided any time after notice of retirement has been announced.

Section 2: The Chief of Police shall receive an annual clothing maintenance allowance of \$825.00. Receipts for all claimed uniform clothing costs shall be submitted with request of reimbursement. The total of the maintenance shall not exceed the \$825.00.

ARTICLE XI - CPR & AED CARD INCENTIVE

Section 1: It shall be mandatory for the Chief of Police to take a CPR certification and Automated External Defibrillator course. Upon completion and passage of the CPR and AED certification courses, the Chief of Police shall receive a \$100.00 per-year one-time payment from the Borough of Oceanport for each certification.

ARTICLE XII - HEALTH/HOSPITAL/DENTAL/MEDICAL INSURANCE COVERAGE

Section I:

- A. Effective on May 1, 2016, or as soon thereafter as possible, the Chief of Police agrees to enroll in the health & welfare benefits policy "Aetna CJHIF HSA" plan with a \$1,600 deductible for single covered plan and \$3,200 deductible for either two adults/parent & child/ or family plan. "Aetna CJHIF HSA" coverage shall be the provided coverage for all legal dependents of the Chief of Police. "Dependents" shall be defined as including those persons of a member's family normally covered by the provisions of a standard contract or policy. The Chief of Police shall have the right to upgrade his plan coverage at his own expense and cost. The Chief of Police shall be entitled to refuse coverage or "Opt Out" of the

plan at his election. In the event the Chief of Police, so elects, he shall be entitled to the sum of Three Thousand Five Hundred (\$3,500.00) dollars per annum or so pro-rated during the coverage year, subject to appropriate Federal and State taxes. The Borough shall make the appropriate "Opt-Out" payment to the Chief of Police at the conclusion of the premium year.

- B. The Chief of Police may choose to "Opt Out" and has the right to "Opt" back into the health insurance plan without penalty to the Chief of Police. Benefit choices made during the open enrollment period will become effective January 1 and remain in effect until the next January 1 unless there is a Special Enrollment event or a change in family status during the year (birth, death, marriage, divorce, adoption) or loss of coverage due to loss of a Spouse's employment. To the extent previously satisfied, coverage Waiting Periods will be considered satisfied when changing from one benefit option under the Plan to another benefit option under the Plan".

- C. The Borough agrees to fund the Chief of Police who is covered under this agreement that is enrolled in the "Aetna CJHIF HSA" plan, \$1,600 per annum for single plan and \$3,200 per annum for either two Adults/parent & child/or family plan. Said contributions shall be deposited in the Chief of Police HSA account pursuant to the terms detailed below.
 - 1. The Chief of Police shall be entitled to enroll or change plan type (single, two adults, parent & child, family) during each annual enrollment period.

 - 2. The Chief of Police who is covered by this agreement shall receive their contribution into his HSA account from the borough on or about January 1st of each calendar year in accordance with the currently enrolled plan type.

 - 3. In the event the entire Borough contributed amount into the Chief of Police HSA is depleted in the calendar year, by any employee and they have additional charges for prescription drugs, the following shall apply:
 - a. The Chief of Police may receive an additional contribution to his HSA by the Borough to cover the co-insurance portion (30%) of any mail order generic drugs up to ½ of the IRS maximum permitted.
 - b. This shall be on a per calendar year basis.

- c. This shall be paid to the Chief of Police at the beginning of the next calendar year upon a showing of the following:
 - i. All funds contributed by the Borough to his HSA have been depleted.
 - ii. Bills from the mail order pharmacy showing the deductible expenses incurred after the depletion of the funds contributed by the Borough to the HSA during the calendar year.
 - 4. The Borough will assign a health officer and conform with all HIPAA privacy rules.
- D. The Borough agrees to provide dental coverage that is equal to or better than the NJ PBA Local #364 Contract covering the period January 1, 2021 through December 31, 2025. The maximum amount of coverage to which the Chief of Police shall be entitled each year shall be according to the Borough's contracted dental insurance contract or policy.
- E. In addition to the medical benefits currently provided for the Chief of Police and his family, the Borough shall provide medical benefits (including hospitalization, major medical and dental insurance) for surviving spouse and dependent children of the Chief of Police who dies, whether retired or current from/during holding the position as Chief of Police of the Borough, subject to the limitations of Paragraph F of this Article XVI. Such coverage shall continue until the surviving spouse attains the age of 65 and for dependent children until each child has attained the age of 19 or for a period of fifteen (15) years from the date of death, whichever shall first occur. In the event the surviving spouse shall remarry while receiving medical and dental benefits as herein provided, all such benefits for both the surviving spouse and dependent children shall terminate upon such remarriage.
- F. The Borough agrees that it will not modify any existing medical, dental or insurance benefits granted to the Chief of Police of the Oceanport Police Department covered by this Agreement without prior notification to the Chief of Police and according to such representative an opportunity to be heard; provided, however, that no such notification shall in any way diminish the benefits established under the terms of this Agreement.
- G. Upon retirement, the Chief of Police will be entitled to receive such hospitalization and medical coverage as is being provided to current members

of the bargaining unit and as modified through future collective bargaining agreements. The Borough shall have the right to require enrollment in individual Medicare supplemental insurance for those members who are eligible for Medicare.

- H. The Opt Out Provision is extended to retirees. The retiree is restricted to current plan offerings (those in effect at the time the option is no longer exercised). A retiree may opt out of coverage after retirement. Once a retiree opts out, they shall not be allowed to opt back into coverage. Retirees shall be required to pay all premiums co-sharing or increased deductible levels as included in the effective collective bargaining agreement. This provision remains in effect as determined by other eligibility requirements set forth in this agreement

ARTICLE XIII - VACATION

The Chief of Police shall receive vacation annually with pay as follows:

2024 through 2027 - 160 hours annually

2028 and 2029 – 200 hours annually

Section 1: Vacation year is defined as that calendar year in which the vacation time is to be taken.

- a) If an official holiday falls during the Chief of Police's vacation period, an additional day of vacation will be granted in lieu of the holiday.
- b) All vacation time must be taken during the current calendar year and may neither be accumulated nor taken consecutively with other vacation time, except by special approval of the Borough Council.

ARTICLE XIV - HOURS OF WORK

The Chief of Police shall spend sufficient time at his job to insure the smooth and responsible operation of the Police Department over which he has supervisory control. The Chief of Police shall work a minimum of eighty (80) hours per pay period. The Chief of Police hours of work accumulated that are more than 40 hours per week may be flexed or banked to accommodate attendance to meetings, or report to special events, incidents, or other work-related issues where he must respond to work while off duty or handle work related situations. These banked hours shall be used at a later time. The Chief must keep a record of the time bank, or the number of hours worked over the 40-hr. work week. These accrued/banked hours cannot be transferred to cash payout and must be utilized, during the first half of the year by June 30th of that year and for the 2nd half of the year by December 31st of that year. Banked time cannot

be carried over into the following year. Chief of Police shall not be entitled to overtime or compensatory time.

ARTICLE XV - SPECIAL DUTY ASSIGNMENTS

Section 1: Special duty assignments shall be defined as employment of the Chief of Police by an independent contractor, including private and public entities, for performance of police-related duties.

Section 2: The Chief of Police, while engaged in special duty assignments shall be deemed on-duty and shall conform to all police department rules, regulations, and procedures. All agreements for special duty assignments shall be contracted in writing between the Borough and the independent contractor. All compensation for special duty assignments shall be paid directly to the Borough and distributed to the Chief of Police through the Borough payroll system.

Section 3: Any and all special duty assignments shall be distributed by the Chief of Police, or his/her designee, on a voluntary basis to all officers by seniority or a fair and equitable system. The Chief of Police, or his/her designee shall also be responsible to ensure that the assigned officer(s) be properly attired, equipped and performs his/her duties in a competent and professional manner. The Chief of Police may assign a patrol vehicle and other police equipment for use in performing the special duty assignment if he/she determines said use is necessary.

It shall be the further duty of the Chief of Police to provide a properly approved bill to the special duty assignment employer and to the Chief Financial Officer, on a monthly basis or more frequently if required within his/her discretion.

Section 4: Any hours worked as special duty assignments under the terms of this Agreement shall not be considered for overtime purposes and shall not interfere with the Chief of Police's regular assignments, as required by the Borough.

Section 5: The Borough shall be made responsible to provide all necessary insurance coverage required by law, including but not limited to workers' compensation, public liability and claims for damages for personal injury including death or damage to property, which may arise as a result from performance of the Borough and the Chief of Police while performing a special duty assignment pursuant to the agreement with the independent contractor.

Section 6: The terms of this Article shall apply only to the Chief of Police while performing special duty assignments both within and beyond the Borough's municipal boundaries.

ARTICLE XVI - RETIREMENT

Section: 1 The Chief of Police shall retain all pension rights permitted by law under the Police and Firemen's Pension system.

The Chief of Police agrees that the Sick Leave Policy contained within the Personnel Policies and Procedures Manual of the Borough of Oceanport shall apply to him and is hereby incorporated herein by reference as if fully set forth.

Section 2: Upon retirement the Borough agrees to "buy back" unused sick days that shall not exceed 100 days or \$27,800.00, whichever is less.

Section 3: Upon retirement the Chief of Police payoff for accumulated sick time shall be as follows:

- A. Upon providing the Borough of Oceanport with notice by March 1st of the calendar year in which retirement is proposed, a lump sum payment may be made in full at the date of retirement or in either two (2) or three (3) equal annual payments, the first at the date of retirement, and the remainder by March 1st of the subsequent calendar years. The number of payments shall be made at the Borough's option.
- B. The Chief of Police not providing notice of retirement by the March 1st date shall receive payment in full at the date of retirement or in either two (2) or three (3) equal annual installments by March 1st of each succeeding calendar year, as the Borough may elect.
- C. In the event the Chief of Police must apply for a medical disability retirement and has not served a notice to the Borough by March 1st, such accumulated sick time may be paid in either two (2) or three (3) equal annual installments, the first of which shall be paid upon approval of the disability retirement application by the State of New Jersey, and the balance by March 1st of each succeeding calendar year, as the Borough may elect.
- D. Nothing herein shall restrict the right of the Borough to make payment of the full amount during the year of retirement notice if it so elects.

Section 4: Upon retirement from the Oceanport Police Department (as opposed to voluntary separation), if the Chief of Police has a minimum of 25 years of pensionable service the Borough agrees to pay the cost of health insurance benefits for the Chief of Police and his family. The Chief of Police shall also be eligible to receive these benefits if he becomes eligible for a disability pension.

ARTICLE XVII - DEATH IN THE LINE OF DUTY

In the event the Chief of Police dies or is killed while on duty for the Borough, his/her spouse, children, and other eligible family members shall continue to be covered by the municipal health and dental insurance at the Borough's expense until such time as the spouse remarries and/or the children reach an age at which time coverage would normally expire.

ARTICLE XVIII - INSURANCE COVERAGE IN THE EVENT OF EARLY RETIRMENT

Section 1: In the event the Chief of Police is forced to retire early due to illness or injury he shall continue to be covered by the municipal health and dental insurance, to the extent mandated by state law.

Section 2: For the purposes of this Section, early retirement shall mean receipt of PFRS pension or disability check and must begin receipt of said check before a regular Service retirement can be earned (i.e., before 25 years of service under the current retirement standard).

ARTICLE XIX - REDUCTION OF POLICE FORCE

In the unlikely event that the Borough deems a reduction of the police force is necessary due to layoffs, said reduction will exclude the Chief of Police. This provision does not apply in the event of a merger with another Police Department or shared Police Services established with another Police department.

ARTICLE XX - CONTINUAL EDUCATIONAL PROGRAMS/LAW ENFORCEMENT CONFERENCES

Section 1: The Chief of Police shall attend any course, class, school, seminar, retraining session, or any other educational program essential to the activities of the police department, and his position as Chief of Police, as required by law, directive, mandate and/or to increase the efficiency and improved operations of the Police Department and/or his role as Chief of Police. All expenses, such as travel, room, food, tuition, special clothing, books, or any other charges connected with the educational program shall be borne by the Borough with prior approval of the Public Safety Committee.

Section 2: The Chief of Police shall be permitted to attend any optional course, class, school, seminar, retraining session, or any other educational program that is essential to the activities of the police department and his role as Chief of Police. Costs related to the educational program will be borne by the Borough providing said course has received prior approval from the Public Safety Committee.

Section 3: The Borough agrees to pay professional membership dues for the Chief of Police for: The County Chiefs of Police Association, The New Jersey State Association of Chiefs of Police, Employment Agreement 2024 – Chief of Police Gary Grimes _____

the International Association of Chiefs of Police, and the FBI National Academy Associates memberships.

Section 4: The Chief of Police shall be permitted to attend meetings and events, if occurring during work hours, of the County Chiefs of Police Association. He shall also be permitted to attend meetings of the New Jersey State Association of Chiefs of Police and the International Association of Chiefs of Police held within the State of New Jersey. The Chief of Police shall be permitted to attend such meetings outside the State of New Jersey, if deemed by the Borough Council to be in the best interest of the Police Department and/or the Chief's position within the municipality.

Section 5: The Chief of Police shall be permitted to attend the annual New Jersey Association Chiefs of Police Conference and the IACP Conference. All expenses, such as travel, room, conference fees, or any other charges directly related to the conference(s) shall be borne by the Borough, if deemed by the Borough Council to be in the best interest of the Police Department, the Chief's position within the department, or the municipality.

Section 6: The Chief of Police shall receive his regular salary for time off including travel time to attend the programs and meetings specified above.

ARTICLE XXI - DURATION

Section 1: This Agreement shall be in effect as of November 1, 2024, up to and including October 31, 2029.

Section 2: In the event no new agreement is reached prior to the expiration of this Agreement, then this Agreement shall remain in full force and effect until a new Agreement is executed.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals at Oceanport, New Jersey on this _____ day of _____, 2024.

BOROUGH OF OCEANPORT
Monmouth County New Jersey

OCEANPORT CHIEF OF POLICE

BY _____
 THOMAS J. TVRDIK, MAYOR
 Dated:

BY _____
 GARY GRIMES, CHIEF OF POLICE
 Dated:

ATTEST:

 JEANNE SMITH
 BOROUGH CLERK

ORDINANCE #1102

AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 64 "VEHICLES & TRAFFIC " AS AMENDED AND SUPPLEMENTED, PERTAINING TO LOW-SPEED ELECTRIC VEHICLES

WHEREAS, Senate Bill No. 18-34 (Second Reprint) was signed into law on January 6, 2006 as P.L. 2006, c. 273; and

WHEREAS, the aforesaid legislation amends New Jersey law to include Low Speed Vehicles (LSV) as a new vehicle type that will be permitted to be operated on approved New Jersey roadways; and

WHEREAS, the aforesaid legislation also provides that a municipality may prohibit the use of Low Speed Vehicles on any of its roadways if it is determined that Low Speed Vehicle use would constitute a hazard; and

WHEREAS, the Borough Council has consulted with the Oceanport Police Department concerning Low Speed Electric Vehicles; and

WHEREAS, the Borough Council finds that the operation of Low Speed Electric Vehicles on public streets within the Borough of Oceanport does constitute a traffic hazard and a hazard to motor vehicle operators and pedestrians within the Borough of Oceanport due to the high volume of traffic within and through the Borough; the fact that the majority of traffic within the Borough of Oceanport is "transient", thereby originating and terminating in other locations; and for other reasons specific to the roads within the Borough of Oceanport; and

WHEREAS, the Borough Council finds, however, that the operation of Low Speed Electric Vehicles may be both safe and appropriate and, under certain conditions, be permitted without a negative impact upon public safety,

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Oceanport, County of Monmouth, State of New Jersey as follows:

Section 1. Chapter 64 Vehicle and Traffic, of "The Code of the Borough of Oceanport" as amended and supplemented, be and the same is hereby further amended and supplemented by the addition thereto of a new Article XXI "Low-Speed Electric Vehicles", to read, in full, as follows:

§ 64-73 Definitions. As used in this Chapter, the following terms, consistent with NJ Statutes and N.J.S.A. 39:1-1, shall have the definitions indicated:

Low-Speed Electric Bicycle

A two- or three-wheeled vehicle with fully operable pedals and an electric motor of less than 750 watts that meets the requirements of one of the following classifications: "class 1 low-speed electric bicycle," which means a low-speed electric bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour; or "class 2 low-speed electric bicycle," which means a low-speed electric bicycle equipped with a motor that may be used exclusively to propel the bicycle, and that is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour.

Motorized Bicycle

A pedal bicycle having a helper motor characterized in that either the maximum piston displacement is less than 50cc. or said motor is rated at no more than 1.5 brake horsepower or is powered by an electric drive motor and said bicycle is capable of a maximum speed of no more than 25 miles per hour on a flat surface or a pedal bicycle having an electric motor that is capable of propelling the bicycle in excess of 20 miles per hour with a maximum motor-powered speed of no more than 28 miles per hour on a flat surface. This term shall not include a Low-Speed Electric Bicycle.

Low-Speed Electric Scooters

A scooter with a floorboard that can be stood upon by the operator, with handlebars and an electric motor capable of propelling the device with or without human propulsion at a maximum speed of fewer than 19 miles per hour.

§ 64-74 Operation of Low-Speed Electric Bicycles and Low-Speed Electric Scooters within the Borough.

1. Duties of persons on low-speed electric bicycles, low-speed electric scooters, or similar devices

Any person operating a low-speed electric bicycle, low-speed electric scooter, or similar device shall obey the instructions of

official traffic control signals, signs, and other control devices applicable to vehicles, unless otherwise directed by a police officer. Operators of a low-speed electric bicycle shall ride as near to the right-side of the traveled roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction. Operators shall not ride at a speed faster than is reasonable or proper, taking into account the presence of traffic and/or pedestrians in the area.

2. Lights and reflectors.

Every low-speed electric bicycle, low-speed electric scooter, or similar device shall have reflectors in the front and back. Every low-speed electric bicycle, low-speed electric scooter, or similar device shall, when in use at nighttime, be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front, and with a lamp on the rear which shall emit a red light visible from a distance of at least 500 feet to the rear.

3. Audible sound/signal.

No person shall operate a low-speed electric bicycle, low-speed electric scooter, or similar device unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least 100 feet, except that such low-speed electric bicycles, low-speed electric scooters, or similar devices shall not be equipped with, nor shall any person use upon a low-speed electric bicycles, low-speed electric scooters, or similar devices any siren or whistle.

4. Helmet.

All persons under the age of 17 are required to wear a protective helmet while operating a low-speed electric bicycle, low-speed electric scooter, or similar device.

5. Riding on sidewalks and walking paths.

No person shall operate a low-speed electric bicycle, low-speed electric scooter, or similar device upon a sidewalk or walking path within the Borough of Oceanport.

6. Reckless or careless riding.

No person shall ride or operate a low-speed electric bicycle, low-speed electric scooter, or similar device in a reckless or careless manner which endangers or is likely to endanger the safety or welfare of themselves or other persons or property. No person operating a low-speed electric bicycle, low-speed electric scooter, or similar device shall attach themselves to any streetcar or vehicle, nor shall the operator of the low-speed electric bicycle, low-speed electric scooter, or similar device allow others to hitch or hold onto an electric vehicle during operation. It shall be prohibited for a person operating a low-speed electric bicycle, low-speed electric scooter, or similar device to allow another person to ride as a passenger, unless the person is carried in a proper seat, trailer or other accessory that complies with current regulations and contains adequate provision for retaining the passenger in place and for protecting the passenger.

7. Prohibited locations.

Low-speed electric bicycles, low-speed electric scooter, similar device or any electric powered, gas powered or motorized vehicles, are prohibited from operating within or upon any of the Borough owned property or recreation areas to include the Maria Gatta Park, Blackberry Bay Park, Community Center Park, Charles Park, Trinity Park, Old Wharf Park, and Sommers Park. Those who have obtained a permit for use of the park or recreational area for a special event where use of such vehicles are authorized, shall be exempt. This shall also not apply to those devices used to increase the independent mobility of an individual who has limited or no ambulation abilities, such as a motorized wheelchair.

8. Motorized bicycles.

Motorized bicycles shall only be operated within the Borough of Oceanport if properly registered, insured and operated by a licensed operator. Motorized bicycles can only be operated by licensed operators on the roadways in accordance with the New Jersey Motor Vehicle Code. All operators, regardless of age, are required to wear a protective helmet while operating a motorized bicycle.

9. Enforcement.

The Oceanport Police Department is hereby authorized to promulgate, with the approval of the Borough of Oceanport Council, such further rules and regulations concerning the operation, equipment and safety of low-speed electric bicycle, low-speed electric scooter, or similar device as deemed necessary from time to time.

10. Violations and Penalties

A. First Offense. Any adult shall be subject to a fine of up to \$250. Any minor who violates this chapter on a first offense shall be reprimanded, in writing, by the Oceanport Police Department addressed to the parents or guardians of said offender stating the nature of the violation and a warning that a repetition of the violation or any other violation must be prevented or the device may be impounded for a period of time not less than 7 days nor more than 60 days, and during that period of time, the offender cannot ride his or her device or anyone else's device on any public streets or sidewalks.

B. Second Offense. Upon a second offense the parent or guardian of a minor offender shall be subject to a fine of up to \$250 and/ or the Police Department shall confiscate the low-speed electric bicycles, low-speed electric scooters, or similar devices pending a hearing in which case the offender's device may be impounded for a period of time not less than 7 days nor more than 60 days for a second offense.

C. Third Offense. Upon a third offense the parent or guardian of a minor offender shall be subject to a fine of up to \$1000 and the Police Department shall confiscate the low-speed electric bicycle, low-speed electric scooter, or similar device pending a hearing in which case the offender's device may be subject to forfeiture.

D. Parental Guidance. If for any reason the law enforcement officer cannot determine the name and address of the parent of any minor who violates the provisions of this chapter, then the low-speed electric bicycle, low-speed electric scooter, or similar device shall be automatically confiscated, and the offender will be summoned to appear at the Oceanport Police Department with his or her parent or guardian, whereby a summons shall be issued for the appropriate offense. If not a second or greater offense, the low-speed electric bicycle, low-speed electric scooter, or similar device shall be returned to the parent or guardian. Should the parent or guardian not appear within 30 days of the confiscation of the low-speed electric bicycle or other similar device, then such device shall be forfeited and destroyed by the Borough of Oceanport.

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: October 17, 2024

JEANNE SMITH

Clerk of the Borough of Oceanport

ADOPTED ON SECOND READING

DATED: October 17, 2024

JEANNE SMITH

Clerk of the Borough of Oceanport

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____.

THOMAS J. TVRDIK

Mayor

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE GOVERNING BODY TO ENTER EXECUTIVE SESSION, OCTOBER 17, 2024**

**Resolution #2024-257
10/17/24**

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 17, 2024**.
- 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>- Potential Open Space Acquisition</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>
☐ N.J.S.A. 10:4-12(b)(8)	<i>Matters Relating to the Employment Relationship</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.