



# BOROUGH OF OCEANPORT

MAYOR & COUNCIL

AGENDA • OCTOBER 17, 2019

---

**Regular Meeting**

**Maple Place School**

**7:00 PM**

**2 Maple Place, 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 notification on January 9, 2019 of this location, date and time to the Asbury Park Press and the LINK News and by the posting of same on the municipal bulletin board and Borough Web Site.*

**III. Flag Salute**

**IV. Invocation**

**V. Roll Call**

**VI. Administrators Report**

**VII. Clerk's Report**

**VIII. Consent Agenda**

- #2019-194** 1. Resolution authorizing payment of BILL LIST 10-17-2019
- #2019-195** 2. Resolution authorizing competitive contracting for 2020 services
- #2019-196** 3. Resolution authorizing release of Performance Bond - Two Rivers Construction
- #2019-197** 4. Resolution renewing SCAT agreement with Monmouth County for 2020
- 5. Receipt & Acceptance of Minutes, Environmental Advisory Committee, June 17, 2019
- 6. Receipt & Acceptance of Minutes, Environmental Advisory Committee, July 8, 2019
- 7. Receipt & Acceptance of Minutes, Historical Committee, August 1, 2019
- 8. Receipt & Acceptance of Minutes, Parks & Recreation Committee, July 10, 2019
- 9. Approval of First Aid Membership, Evan LaValle
- 10. Receipt & Acceptance, Port Au Peck Captain's Report - Aug 2019
- 11. Receipt & Acceptance, Port Au Peck Captain's Report - Sept 2019

**IX. Minutes**

- 1. Workshop Minutes, September 5, 2019
- 2. Regular Meeting Minutes, September 19, 2019
- 3. Approval of Executive Session, September 19, 2019

**X. Resolutions**

- #2019-198** Resolution appointing Relief Crossing Guard Wes Sherman
- #2019-199** Resolution authorizing 2018 Road Program Change Order #1
- #2019-200** Resolution authorizing 2nd Amendment to Purchase Agreement for future Municipal Complex

**XI. First Reading Ordinances**

- Introduction of An Ordinance to Increase Fees for Liquor Licenses
- Introduction of Ordinance regulating helistops and their usage

**XII. Second Reading Ordinances**

- 2<sup>nd</sup> Reading and PUBLIC HEARING of Ordinance Amending Dog License Fees
- 2<sup>nd</sup> Reading and PUBLIC HEARING of Ordinance Setting Forth Policy & Regulations for Blackberry Bay Park Launch Facility
- 2<sup>nd</sup> Reading and PUBLIC HEARING of Ordinance Creating an ADA Committee
- 2<sup>nd</sup> Reading and PUBLIC HEARING of Ordinance amending Property Maintenance Code to Expand Certificate of Occupany Requirements

**XIII. Committee Reports**

- 1. Councilman Proto, Planning and Development Liaison
- 2. Councilman Irace, Finance and Administration Liaison
- 3. Councilman Gallo, Public Works and Engineering Liaison
- 4. Councilman O'Brien, Health and Human Services Liaison
- 5. Council President Solan, Public Safety Liaison
- 6. Councilman Deerin, Parks and Recreation Liaison

**XIV. Mayor Coffey's Report**

- 1. Oceanport - Eatontown Municipal Boundary

**XV. Petitions from the public****XVI. Executive Session**

**#2019-201** Resolution authorizing an Executive Session

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

Borough of Oceanport vs. Salnick, Keith  
Professional Services Contract - IT Services

**XVII. Adjournment**

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
AUTHORIZING PAYMENT OF BILL LIST FOR OCTOBER 17, 2019**

**Resolution #2019-194  
10/17/19**

**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, 2019.

**BE IT RESOLVED**, by the Mayor and Council that the bills be paid as on the attached bill list dated October 17, 2019 totaling \$503,939.76.

**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

I certify that the foregoing Resolution #2019-194 was adopted by the Oceanport Governing Body at the Regular Meeting held October 17, 2019

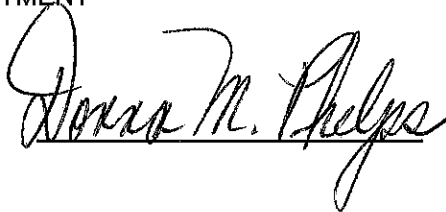
\_\_\_\_\_  
JEANNE SMITH, RMC  
BOROUGH CLERK

# **BOROUGH OF OCEANPORT BILL LIST**

**17-Oct-19**

| PAYEE                           | AMOUNT                                 |
|---------------------------------|----------------------------------------|
| PAYROLL ACCOUNT                 | \$117,034.29 20TH PAY<br>\$137.63 DCRP |
| <b>MANUAL CHECKS:</b>           |                                        |
| NJ League of Municipalities     | \$220.00                               |
| <b>CAPITAL TRUST TOTAL</b>      | \$270,112.33                           |
| <b>GRANT FUND</b>               | \$1,770.21                             |
| <b>DOG REGISTRY TOTAL</b>       | \$440.00                               |
| <b>OPEN SPACE TRUST TOTAL</b>   | \$15,296.20                            |
| <b>TRUST OTHER TOTAL</b>        | \$214.00                               |
| <b>ESCROW TRUST TOTAL</b>       | \$1,940.00                             |
| <b>SUI</b>                      | \$0.00                                 |
| <b>UCC TRUST</b>                | \$499.31                               |
| 2018 VOUCHERS PAID THIS MEETING | \$285.10                               |
| 2019 VOUCHERS PAID THIS MEETING | \$95,990.69                            |
| <b>TOTAL</b>                    | <b>\$503,939.76</b>                    |

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



## List of Bills - (All Funds)

8.1.4

| Vendor                                    | Description                                  | Payment   | Check Total |
|-------------------------------------------|----------------------------------------------|-----------|-------------|
| <b>Current Fund</b>                       |                                              |           |             |
| 1004 - ACME LOCKSMITH SERVICE             | PO 4360 KEYS FOR UTILITY ROOM AT 901         | 18.40     | 18.40       |
| 1017 - AMERICAN WEAR, INC                 | PO 4374 UNIFORMS - SEPTEMBER 2019            | 236.60    | 236.60      |
| 1025 - AV BUSINESS COMMUNICATION SYS      | PO 4267 Yearly Service Contract for phones   | 2,400.00  | 2,400.00    |
| 1469 - BLAZE EMERGENCY, LLC               | PO 4256 38-75 - AIR LEAK BEHIND PUMP PANEL   | 313.27    | 313.27      |
| 1038 - BOROUGH OF SHREWSBURY              | PO 4279 SHARED COURTROOM FACILITIES - AUGUS  | 6,000.00  | 6,000.00    |
| 1516 - CANON FINANCIAL SERVICES, INC      | PO 4167 COPIER MAINTENANCE - AUGUST 2019     | 57.00     |             |
|                                           | PO 4294 COPIER MAINTENANCE - AUG/SEPT/OCT 2  | 171.00    | 228.00      |
| 1555 - CDW GOVERNMENT LLC                 | PO 3995 Replacement battery for IT room      | 54.03     | 54.03       |
| 1050 - CERTIFIED SPEEDOMETER, INC         | PO 4239 Calibration of Patrol Veh Radars     | 154.00    | 154.00      |
| 1054 - CITY OF LONG BRANCH                | PO 4305 GASOLINE & DIESEL - AUG 2019         | 4,206.01  | 4,206.01    |
| 1055 - CLARKE CATON HINTZ CORP            | PO 4280 HOUSING PLAN ELEMENT/FAIR SHARE - A  | 2,120.37  | 2,120.37    |
| 1057 - COMCAST (MODEM @ 222 MONMOUTH)     | PO 4394 CALL FORWARDING 09/20-1019/19        | 82.83     | 82.83       |
| 1058 - COMCAST * DPW                      | PO 4447 DPW INTERNET/PHONE - 10/08-11/07/19  | 129.57    | 129.57      |
| 1069 - CRYSTAL SPRINGS                    | PO 4413 WATER SERVICE - 09/06 & 09/20/19     | 115.66    | 115.66      |
| 1446 - DIRECT ENERGY BUSINES              | PO 4395 2 PEMBERTON AVE 08/17-09/16/19       | 19.65     |             |
|                                           | PO 4390 282 BARKER/900 MURPHY - 08/20-09/17  | 51.52     | 71.17       |
| 1646 - ERIN K SERTASS                     | PO 4389 INSPECTIONS - ADDED ASSESSMENTS      | 2,000.00  | 2,000.00    |
| 1109 - FMERA                              | PO 4439 282 HILDRETH WATER & ELECTRIC SEPT   | 981.59    |             |
|                                           | PO 4438 BLDG 900 WATER & ELECTRIC SEPT 2019  | 503.05    |             |
|                                           | PO 4437 STREET LIGHTS ROUTE 537 SEPT 2019    | 273.26    | 1,757.90    |
| 1575 - GALLS PARENT HOLDINGS, LLC         | PO 3077 JACKETS FOR FIRST AID                | 52.48     | 52.48       |
| 1121 - GARY GRIMES                        | PO 4460 Reimbursement for Uniforms Grimes    | 376.92    | 376.92      |
| 1124 - GEORGE WALL                        | PO 4282 Service to Unit # 4                  | 134.93    | 134.93      |
| 1131 - GRAINGER (ACCT #831466131          | PO 4377 WATER CONNECTION COUPLING            | 4.89      | 4.89        |
| 1506 - GRANICUS, LLC                      | PO 4246 MINUTE TRACK - SEPT 2019             | 415.00    | 415.00      |
| 1153 - JERSEY CENTRAL POWER & LIGHT       | PO 4415 JCPL #007 - 08/20-09/18/19           | 4,855.36  | 4,855.36    |
| 1158 - JOHN'S AUTO & TRUCK REPAIR LLC     | PO 4378 GARBAGE TRUCK REPAIR                 | 340.00    | 340.00      |
| 1181 - LANIGAN ASSOCIATES, INC            | PO 4298 Police Uniforms Ruane                | 150.00    |             |
|                                           | PO 4285 Uniforms for Ruane                   | 27.00     |             |
|                                           | PO 4314 Replace uniform pants Petrillo       | 150.00    |             |
|                                           | PO 4313 Uniform purchase Grimes              | 75.00     |             |
|                                           | PO 4359 Uniform Equip for Petrillo           | 69.90     | 471.90      |
| 1185 - LAWES COAL CO INC                  | PO 4269 WEEDWACKER LINE                      | 103.98    | 103.98      |
| 1192 - MAGLOCLEN                          | PO 4402 User fees-membership fee for MagLoc  | 400.00    | 400.00      |
| 1205 - MICHAEL CHENOWETH                  | PO 4459 Reimbursement for Uniforms Chenoweth | 600.24    | 600.24      |
| 1206 - MICHAEL KELLY                      | PO 4385 Reimbursement for Assessment and Fe  | 315.00    | 315.00      |
| 1220 - MONMOUTH COUNTY PUBLIC WORKS       | PO 4257 BAR CODE - CHAINSAW                  | 2.00      |             |
|                                           | PO 4254 FLUID LEAK TO MG10NA FORD            | 276.98    | 278.98      |
| 1538 - MONMOUTH COUNTY RECLAMATION CENTER | PO 4356 STREET SWEEPING DISPOSAL - 2 TRIPS   | 1,770.21  | 1,770.21    |
| 1245 - NJ AMERICAN WATER CO               | PO 4441 136 HYDTS - 08/23-09/24/19           | 6,256.00  | 6,256.00    |
| 1251 - NJ NATURAL GAS CO                  | PO 4393 21 MAIN STREET - 08/16-09/16/19      | 25.37     | 25.37       |
| 1639 - NW FINANCIAL GROUP, LLC            | PO 4295 OCEANPORT GARDENS - TAX EXEMPTION    | 5,000.00  | 5,000.00    |
| 1279 - PL CUSTOM BODY & EQUIPMENT INC     | PO 3673 AMBULANCE REPAIR, UNIT 3856          | 1,195.00  | 1,195.00    |
| 1637 - POLICE TECHNICAL                   | PO 4291 Social media Methods course for Det  | 450.00    | 450.00      |
| 1482 - PREMIERE PRODUCTIONS               | PO 3290 MOVIES IN THE PARK - BALANCE DUE     | 600.00    |             |
|                                           | PO 4083 MOVIES IN THE PARK - 08/10/19        | 460.00    |             |
|                                           | PO 4336 MOVIES IN THE PARK - 09/14/19        | 460.00    | 1,520.00    |
| 1286 - PRO JANITORIAL SERVICES, LLC       | PO 4417 JANITORIAL SERVICES - SEPTEMBER 201  | 1,810.00  | 1,810.00    |
| 1314 - SEABOARD FIRE & SAFETY             | PO 4380 SEMI ANNUAL SERVICE - OLD WHARF HOU  | 95.00     |             |
|                                           | PO 4307 SEMI ANNUAL SERVICE - PORT AU PECK   | 105.00    | 200.00      |
| 1320 - SHORE BUSINESS SOLUTIONS, INC      | PO 4344 CONTRACT RENEWAL 09/01-08/31/19      | 1,302.27  | 1,302.27    |
| 1326 - SIP'S PAINT                        | PO 4245 GORILLA TAPE                         | 9.99      |             |
|                                           | PO 4268 MOUSE GLUE TRAP                      | 5.99      |             |
|                                           | PO 4327 LIGHT BULBS FOR BORO HALL            | 11.99     | 27.97       |
| 1334 - STAVOLA ASPHALT COMPANY, INC       | PO 4180 HOT PATCH TKT# 332474 & #332545      | 140.45    |             |
|                                           | PO 4334 HOT PATCH - 09/17 & 09/18            | 134.85    | 275.30      |
| 1337 - SUBURBAN DISPOSAL                  | PO 4446 COLLECTION FEES CERTIFICATION - OCT  | 17,400.00 |             |

## List of Bills - (All Funds)

8.1.1

| Vendor                                | Description                                   | Payment    | Check Total |
|---------------------------------------|-----------------------------------------------|------------|-------------|
| 1346 - THE ARNETTE LAW FIRM LLC       | PO 4445 DISPOSAL FEE & RECYCLING & CONTAINERS | 23,125.93  | 40,525.93   |
| 1634 - TRAFFIC PLAN                   | PO 4451 BOROUGH ATTORNEY FEES - SEPT 2019     | 4,794.91   | 4,794.91    |
| 1447 - TREASURER STATE OF NJ          | PO 4223 LIGHT TOWER FOR OEM                   | 506.18     | 506.18      |
| 1358 - TREASURER: COUNTY OF MONMOUTH  | PO 4434 MARRIAGE LICENSE FEE DUE STATE - 3r   | 225.00     | 225.00      |
| 1376 - UNIVERSAL COMPUTING SERVICE    | PO 4414 THIRD QUARTER 2019 - SCAT             | 2,015.00   | 2,015.00    |
| 1387 - VERIZON                        | PO 4215 MAILERS FOR COURT                     | 285.10     | 285.10      |
| 1388 - VERIZON WIRELESS               | PO 4396 OEM (732-389-9801) 09/23-10/22/19     | 234.63     | 234.63      |
| 1558 - Verizon Wireless               | PO 4406 POLICE AIR CARDS - 08/27-09/26/19     | 368.32     | 368.32      |
| 1389 - VERIZON WIRELESS (OEM)         | PO 4416 FIRST AID AIR CARD 09/24-10/23/19     | 140.04     | 140.04      |
| 1392 - W.B. MASON CO, INC             | PO 4435 OEM AIR CARDS - 09/02-10/01/19        | 38.01      | 38.01       |
| 1393 - W.H. POTTER & SON              | PO 4096 SUPPLIES FOR OEM                      | 77.99      | 77.99       |
| 1398 - WORLD JEEP CHRYSLER            | PO 4379 PURCHASE A CHAINSAWS                  | 187.94     | 187.94      |
|                                       | PO 4283 Service for Chiefs vehicle Unit 1     | 577.34     | 577.34      |
| <b>Capital Fund</b>                   |                                               |            |             |
| 1630 - BENJAMIN R HARVEY CO, INC.     | PO 4418 PAYMENT #2 - 09/30/19                 | 980.00     | 980.00      |
| 1034 - BORO PRINTING, INC             | PO 4361 DECALS/STICKERS                       | 95.00      | 95.00       |
| 1106 - FIORE PAVING COMPANY, INC      | PO 4440 2018 ROAD PROGRAM #2                  | 107,768.12 | 107,768.12  |
| 1617 - MR. JOHN                       | PO 4264 900 MURPHY DRIVE - 09/04-10/01/19     | 209.50     | 209.50      |
| 1347 - THE GOLDSTEIN PARTNERSHIP      | PO 4386 ARCHITECT FEES - SEPTEMBER 2019       | 2,077.56   | 2,077.56    |
| 1362 - TREASURER: STATE OF NJ         | PO 4433 STORMWATER CONSTRUCTION PERMIT - MU   | 450.00     | 450.00      |
| 1621 - WILD HEART INDUSTRIES          | PO 4432 DEMOLITION AND ASBESTOS ABATEMENT P   | 158,532.15 | 158,532.15  |
| <b>DOG TRUST FUND</b>                 |                                               |            |             |
| 1445 - Monmouth County SPCA           | PO 4297 ANIMAL CONTROL - AUG 2019             | 425.00     | 425.00      |
| 1367 - TREASURER:STATE OF NJ HEALTH   | PO 4456 SEPTEMBER DOG REPORT                  | 15.00      | 15.00       |
| <b>OPEN SPACE TRUST</b>               |                                               |            |             |
| 1042 - C&S ELECTRICAL CONTRACTOR, INC | PO 4372 FIX LIGHTS & OUTLETS AT BBB           | 650.00     | 650.00      |
| 1628 - CUSTOM CARE SERVICES           | PO 4412 LAWN MAINTENANCE SERV - SEPTEMBER 2   | 10,625.00  | 10,625.00   |
| 1642 - KEITH BRUMMER                  | PO 4296 TREE SERVICE FOR BB PARK & TRINITY    | 800.00     | 800.00      |
| 1617 - MR. JOHN                       | PO 4265 MARIA GATTA PARK - 09/04-10/01/19     | 311.20     | 311.20      |
| 1310 - RYSER'S LANDSCAPE SUPPLY INC   | PO 4271 STONE DUST FOR BLACKBERRY BAY SEPT    | 2,880.00   |             |
|                                       | PO 4335 STONE DUST FOR BLACKBERRY BAY 9/17/   | 30.00      | 2,910.00    |
| <b>UCC Trust</b>                      |                                               |            |             |
| 1505 - COLONET, LLC                   | PO 4357 UCC FORMS F170 9/25/19                | 232.46     | 232.46      |
| 1152 - JEANNE SMITH                   | PO 4392 BUSINESS CARDS FOR CONSTRUCTION DEP   | 129.99     | 129.99      |
| 1559 - Verizon Wireless               | PO 4452 UCC AIR CARD 09/02-10/01/19           | 136.86     | 136.86      |
| <b>OTHER TRUST</b>                    |                                               |            |             |
| 1576 - SKIP'S SPORTS                  | PO 4371 CENTENNIAL CELEBRATION T-SHIRTS       | 214.00     | 214.00      |
| <b>DEVELOPERS ESCROW TRUST</b>        |                                               |            |             |
| 1195 - MASER CONSULTING, P.A.         | PO 4031 OPB003 CO INSPECTION - 83 BRIDGEWAT   | 125.00     |             |
|                                       | PO 4401 Planning Board Review - 275 PORT AU   | 123.75     |             |
|                                       | PO 4400 Planning Board Review - 544 SEAWANE   | 123.75     |             |
|                                       | PO 4399 Planning Board Review - OP GARDENS.   | 783.75     |             |
|                                       | PO 4398 Planning Board Review - THE LOFT PA   | 453.75     |             |
|                                       | PO 4397 Planning Board Review - NICOLA MANG   | 330.00     | 1,940.00    |
| TOTAL                                 |                                               |            | 386,547.84  |

## Summary By Account

| ACCOUNT           | DESCRIPTION                   | CURRENT YR | APPROP. YEAR | NON-BUDGETARY | CREDIT    |
|-------------------|-------------------------------|------------|--------------|---------------|-----------|
| 01-101-01-000-011 | CASH OPERATING                |            |              | 0.00          | 96,275.79 |
| 01-201-20-100-200 | ADMINISTRATIVE & EXECUTIVE OE | 3,847.93   |              |               |           |

| ACCOUNT           | DESCRIPTION                              | CURRENT YR       | APPROP. YEAR  | NON-BUDGETARY     | CREDIT            |
|-------------------|------------------------------------------|------------------|---------------|-------------------|-------------------|
| -----             |                                          |                  |               |                   |                   |
| 01-201-20-150-200 | ASSESSMENT OF TAXES OE                   | 2,000.00         |               |                   |                   |
| 01-201-20-155-200 | LEGAL SERVICES OE                        | 9,794.91         |               |                   |                   |
| 01-201-21-180-200 | PLANNING BOARD OE                        | 2,120.37         |               |                   |                   |
| 01-201-25-240-200 | POLICE OE                                | 6,530.68         |               |                   |                   |
| 01-201-25-252-200 | EMERGENCY MANAGEMENT OE                  | 622.18           |               |                   |                   |
| 01-201-25-255-200 | FIRE HYDRANT SERVICE OE                  | 6,256.00         |               |                   |                   |
| 01-201-25-260-200 | FIRST AID ORGANIZATION OE                | 1,407.17         |               |                   |                   |
| 01-201-25-265-200 | FIRE DEPARTMENT OE                       | 2.00             |               |                   |                   |
| 01-201-25-265-209 | REPAIRS & MAINTENANCE                    | 590.25           |               |                   |                   |
| 01-201-26-300-271 | REPAIRS                                  | 340.00           |               |                   |                   |
| 01-201-26-300-273 | SUPPLIES                                 | 324.78           |               |                   |                   |
| 01-201-26-300-277 | BITUMINOUS CONCRETE                      | 275.30           |               |                   |                   |
| 01-201-26-300-281 | UNIFORM RENTAL                           | 236.60           |               |                   |                   |
| 01-201-26-305-200 | SANITATION-TRASH REMOVAL OE              | 14,566.67        |               |                   |                   |
| 01-201-26-306-200 | RECYCLING OE                             | 2,833.33         |               |                   |                   |
| 01-201-26-310-200 | PUBLIC BUILDINGS & GROUNDS OE            | 1,828.40         |               |                   |                   |
| 01-201-26-310-252 | REPAIRS & EQUIPMENT                      | 200.00           |               |                   |                   |
| 01-201-28-371-200 | PARKS AND PLAYGROUNDS OE                 | 1,520.00         |               |                   |                   |
| 01-201-31-430-201 | ELECTRICITY                              | 1,280.08         |               |                   |                   |
| 01-201-31-430-203 | TELEPHONE/INTERNET                       | 447.03           |               |                   |                   |
| 01-201-31-430-204 | WATER/SEWER                              | 204.56           |               |                   |                   |
| 01-201-31-430-205 | NATURAL GAS                              | 76.89            |               |                   |                   |
| 01-201-31-430-207 | STREET LIGHTING                          | 9,334.63         |               |                   |                   |
| 01-201-31-465-200 | SANITATION DUMPING FEES                  | 23,125.93        |               |                   |                   |
| 01-201-43-490-200 | MUNICIPAL COURT OE                       | 6,000.00         |               |                   |                   |
| 01-203-43-490-200 | (2018) MUNICIPAL COURT OE                |                  | 285.10        |                   |                   |
| 01-218-55-000-028 | DUE STATE-MARRIAGE LICENSES              |                  |               | 225.00            |                   |
| -----             |                                          |                  |               |                   |                   |
| <b>TOTALS FOR</b> | <b>Current Fund</b>                      | <b>95,765.69</b> | <b>285.10</b> | <b>225.00</b>     | <b>96,275.79</b>  |
| =====             |                                          |                  |               |                   |                   |
|                   |                                          |                  |               |                   |                   |
| 02-160-05-000-001 | DUE TO/FROM CURRENT FUND                 |                  |               | 0.00              | 1,770.21          |
| 02-213-40-700-025 | CLEAN COMMUNITIES                        |                  |               | 1,770.21          |                   |
| -----             |                                          |                  |               |                   |                   |
| <b>TOTALS FOR</b> | <b>FEDERAL AND STATE GRANTS</b>          | <b>0.00</b>      | <b>0.00</b>   | <b>1,770.21</b>   | <b>1,770.21</b>   |
| =====             |                                          |                  |               |                   |                   |
|                   |                                          |                  |               |                   |                   |
| 04-101-01-100-011 | CAPITAL CASH - TD                        |                  |               | 0.00              | 270,112.33        |
| 04-215-55-474-000 | MUNICIPAL COMPLEX ORD #970               |                  |               | 162,344.21        |                   |
| 04-215-55-988-A00 | ROADS, DRAINAGE, TRAFFIC SIGNAL, BULKHEA |                  |               | 107,768.12        |                   |
| -----             |                                          |                  |               |                   |                   |
| <b>TOTALS FOR</b> | <b>Capital Fund</b>                      | <b>0.00</b>      | <b>0.00</b>   | <b>270,112.33</b> | <b>270,112.33</b> |
| =====             |                                          |                  |               |                   |                   |
|                   |                                          |                  |               |                   |                   |
| 05-101-00-100-011 | CASH - TD                                |                  |               | 0.00              | 440.00            |
| 05-161-00-500-040 | DUE TO STATE OF NJ                       |                  |               | 15.00             |                   |
| 05-270-00-500-020 | RESERVE FOR EXPENDITURES                 |                  |               | 425.00            |                   |
| -----             |                                          |                  |               |                   |                   |
| <b>TOTALS FOR</b> | <b>DOG TRUST FUND</b>                    | <b>0.00</b>      | <b>0.00</b>   | <b>440.00</b>     | <b>440.00</b>     |
| =====             |                                          |                  |               |                   |                   |
|                   |                                          |                  |               |                   |                   |
| 06-101-01-100-011 | OPEN SPACE CASH - TD                     |                  |               | 0.00              | 15,296.20         |
| 06-270-00-500-020 | RESERVE FOR OPEN SPACE                   |                  |               | 15,296.20         |                   |
| -----             |                                          |                  |               |                   |                   |
| <b>TOTALS FOR</b> | <b>OPEN SPACE TRUST</b>                  | <b>0.00</b>      | <b>0.00</b>   | <b>15,296.20</b>  | <b>15,296.20</b>  |
| =====             |                                          |                  |               |                   |                   |
|                   |                                          |                  |               |                   |                   |
| 18-101-01-100-101 | CASH UCC TRUST                           |                  |               | 0.00              | 499.31            |
| 18-270-55-600     | RESERVE FOR UCC TRUST                    |                  |               | 499.31            |                   |
| -----             |                                          |                  |               |                   |                   |
| <b>TOTALS FOR</b> | <b>UCC Trust</b>                         | <b>0.00</b>      | <b>0.00</b>   | <b>499.31</b>     | <b>499.31</b>     |
| =====             |                                          |                  |               |                   |                   |

## Summary By Account

Page 4/4

8.1.2

| ACCOUNT           | DESCRIPTION                    | CURRENT YR | APPROP. YEAR | NON-BUDGETARY | CREDIT   |
|-------------------|--------------------------------|------------|--------------|---------------|----------|
| 60-101-01-100-101 | CASH-OTHER TRUST - TD          |            |              | 0.00          | 214.00   |
| 60-270-55-600-136 | RES FOR CENTENNIAL CELEBRATION |            |              | 214.00        |          |
| TOTALS FOR        | OTHER TRUST                    | 0.00       | 0.00         | 214.00        | 214.00   |
| 61-101-01-100-101 | CASH-DEV. ESCROW/TD            |            |              | 0.00          | 1,940.00 |
| 61-270-55-600-205 | RES.FOR DEV. ESCROW            |            |              | 1,940.00      |          |
| TOTALS FOR        | DEVELOPERS ESCROW TRUST        | 0.00       | 0.00         | 1,940.00      | 1,940.00 |

|                                                        |            |
|--------------------------------------------------------|------------|
| Total to be paid from Fund 01 Current Fund             | 96,275.79  |
| Total to be paid from Fund 02 FEDERAL AND STATE GRANTS | 1,770.21   |
| Total to be paid from Fund 04 Capital Fund             | 270,112.33 |
| Total to be paid from Fund 05 DOG TRUST FUND           | 440.00     |
| Total to be paid from Fund 06 OPEN SPACE TRUST         | 15,296.20  |
| Total to be paid from Fund 18 UCC Trust                | 499.31     |
| Total to be paid from Fund 60 OTHER TRUST              | 214.00     |
| Total to be paid from Fund 61 DEVELOPERS ESCROW TRUST  | 1,940.00   |
|                                                        | =====      |
|                                                        | 386,547.84 |



8.1.a

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

From 10/01/2019 to 10/31/2019 With a Line Amount > 10000

| DATE       | ENTRY # | PO#  | CHECK # | ACCOUNT                                | VENDOR/EXPLANATION                                                                                | DEBIT                 | CREDIT     | ACCOUNT           |
|------------|---------|------|---------|----------------------------------------|---------------------------------------------------------------------------------------------------|-----------------------|------------|-------------------|
| 10/09/2019 |         | 4412 |         | 06-270-00-500-020                      | MONTHLY MAINTENANCE 9/19<br>CUSTOM CARE SERVICES                                                  | 10,625.00             | 10,625.00  | 06-101-01-100-011 |
| 10/10/2019 |         | 4440 |         | 04-215-55-988-A03                      | PARTIAL PAYMENT CERTIFICATE #2<br>FIORE PAVING COMPANY, INC                                       | 107,768.12            | 107,768.12 | 04-101-01-100-011 |
| 10/10/2019 |         | 4432 |         | 04-215-55-474-004                      | PARTIAL PAYMENT #1<br>WILD HEART INDUSTRIES                                                       | 158,532.15            | 158,532.15 | 04-101-01-100-011 |
| 10/10/2019 |         | 4446 |         | 01-201-26-305-201<br>01-201-26-306-201 | SOLID WASTE COLLECTION<br>RECYCLING COLLECTION<br>SUBURBAN DISPOSAL                               | 14,566.67<br>2,833.33 | 17,400.00  | 01-101-01-000-011 |
| 10/10/2019 |         | 4445 |         | 01-201-31-465-201<br>01-201-31-465-201 | DISPOSAL, RECYCLING & ROLL-OFF CONTAINER<br>NJ Recycling Enhancement Act Fee<br>SUBURBAN DISPOSAL | 22,456.57<br>669.36   | 23,125.93  | 01-101-01-000-011 |

## OCTOBER SUMMARY BY ACCOUNT:

| ACCOUNT                     | ACCOUNT DESCRIPTION      | APR RESERVE | CURRENT   | NON-BUDGETARY | PENDING CR |
|-----------------------------|--------------------------|-------------|-----------|---------------|------------|
| 01-101-01-000-011           | CASH OPERATING           |             |           |               | 40,525.93  |
| 04-101-01-100-011           | CAPITAL CASH - TD        |             |           |               | 266,300.27 |
| 06-101-01-100-011           | OPEN SPACE CASH - TD     |             |           |               | 10,625.00  |
| 01-201-26-305-201           | SANITATION-TRASH REMOVAL |             | 14,566.67 |               |            |
| 01-201-26-306-201           | OTHER EXPENSES           |             | 2,833.33  |               |            |
| 01-201-31-465-201           | SANITATION DUMPING FEES  |             | 23,125.93 |               |            |
| 04-215-55-474-004           | BUILDING DEMOLITION      |             |           | 158,532.15    |            |
| 04-215-55-988-A03           | ADRIAN AVE               |             |           | 107,768.12    |            |
| 06-270-00-500-020           | RESERVE FOR OPEN SPACE   |             |           | 10,625.00     |            |
| OCTOBER TOTALS (FOR RANGE): |                          |             | 40,525.93 | 276,925.27    | 317,451.20 |
|                             |                          |             | =====     | =====         | =====      |

## SUMMARY BY ACCOUNT FOR RANGE:

| ACCOUNT             | ACCOUNT DESCRIPTION      | APR RESERVE | CURRENT   | NON-BUDGETARY | DISBURSED  |
|---------------------|--------------------------|-------------|-----------|---------------|------------|
| 01-101-01-000-011   | CASH OPERATING           |             |           |               | 40,525.93  |
| 04-101-01-100-011   | CAPITAL CASH - TD        |             |           |               | 266,300.27 |
| 06-101-01-100-011   | OPEN SPACE CASH - TD     |             |           |               | 10,625.00  |
| 01-201-26-305-201   | SANITATION-TRASH REMOVAL |             | 14,566.67 |               |            |
| 01-201-26-306-201   | OTHER EXPENSES           |             | 2,833.33  |               |            |
| 01-201-31-465-201   | SANITATION DUMPING FEES  |             | 23,125.93 |               |            |
| 04-215-55-474-004   | BUILDING DEMOLITION      |             |           | 158,532.15    |            |
| 04-215-55-988-A03   | ADRIAN AVE               |             |           | 107,768.12    |            |
| 06-270-00-500-020   | RESERVE FOR OPEN SPACE   |             |           | 10,625.00     |            |
| TOTALS (FOR RANGE): |                          |             | 40,525.93 | 276,925.27    | 317,451.20 |
|                     |                          |             | =====     | =====         | =====      |

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
AUTHORIZING THE USE OF COMPETITIVE CONTRACTING FOR 2020  
SERVICES/PROFESSIONAL SERVICES FOR THE PERIOD JANUARY 1,  
2020 THROUGH DECEMBER 31, 2020**

**Resolution #2019-195  
10/17/19**

**WHEREAS**, as of January 1, 2006, N.J.S.A. 19:44A-20.1 et. seq. commonly known as the “State Pay to Play” Law, enacted by the New Jersey State Legislature shall become effective; and

**WHEREAS**, pursuant to N.J.S.A. 19:44A-20. et. seq., a municipality may not award a contract with a value in excess of \$17,500 to a business entity that has made a contribution within one year of the date the contract is to be awarded that is reportable by the recipient under P.L. 1973, c.83 (C.19.44A-1 et seq.) to a municipal political party committee in that municipality if a member of that party is serving in an elective public office when such a contract is awarded or to any candidate committee of any person who is serving in an elective public office of the municipality when such contract is awarded, unless the contract is awarded under a “fair and open process” pursuant to N.J.S.A. 19:44A-20.1 et. seq.; and

**WHEREAS**, the Borough of Oceanport has need to engage various services including legal, financial, insurance, engineering, appraisers for tax assessments and other services and desires to do so through a fair and open process.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Oceanport, County of Monmouth, State of New Jersey that that the use of competitive contracting for the following services is hereby authorized:

1. Borough Attorney
2. Borough Auditor
3. Borough Bond Counsel
4. Borough Engineer
5. Borough Planner
6. Borough Special Projects Engineer
7. Planning Board Attorney
8. Planning Board Engineer/Planner
9. Information Technology Services
10. Appraisal services for tax assessments
11. Any other services and extraordinary unspecifiable services as may be appropriate to award pursuant to a fair and open process.

**BE IT FURTHER RESOLVED**, that the Borough Clerk is directed to advertise in accordance with Borough Code Chapter 35-8 and pursuant to N.J.S.A. 19:44A-20.4, et. seq.

I certify that the foregoing Resolution #2019-195 was adopted by the Oceanport Governing Body at the Regular Meeting held October 17, 2019

\_\_\_\_\_  
JEANNE SMITH, RMC  
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
RELEASING THE PERFORMANCE BOND FOR TWO RIVERS  
CONSTRUCTION FOR STREET OPENING PERMIT #3615**

**Resolution #2019-196  
10/17/19**

**WHEREAS**, Two Rivers Construction posted with the Borough of Oceanport a Performance Bond in the amount of \$27,216.00 and a cash portion in the amount of \$3,024.00 for work related to Street Opening Permit #3615 pursuant with the Borough Engineers letter dated August 10, 2016; and

**WHEREAS**, the developer has requested a release of said Performance Bond; and

**WHEREAS**, the Borough Engineer, as set forth in his letter of September 17, 2019, indicates that the improvements have been inspected and are in acceptable condition; therefore has recommended that the Performance Bond in the amount of \$27,216.00 and the cash portion of the bond in the amount of \$3,024.00 plus any interest be released; and

**WHEREAS**, the Borough Council agrees with said recommendation.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body that the Performance Bond and Cash Portion be released. A certified copy of this resolution shall be provided by the Office of the Borough Clerk to the following:

- a. Chief Financial Officer
- b. Two Rivers Construction  
621 Shrewsbury Avenue  
Shrewsbury, NJ 07702
- c. The Service Insurance Company, Inc.  
80 Main Street, Suite 330  
West Orange, NJ 07052

I certify that the foregoing Resolution #2019-196 was adopted by the Oceanport Governing Body at the Regular Meeting held October 17, 2019

\_\_\_\_\_  
JEANNE SMITH, RMC  
BOROUGH CLERK



Engineers  
Planners  
Surveyors  
Landscape Architects  
Environmental Scientists

8.3.a

**Corporate Headquarters**  
331 Newman Springs Road, Suite 203  
Red Bank, NJ 07701  
T: 732.383.1950  
F: 732.383.1984  
www.maserconsulting.com

September 17, 2019

**VIA EMAIL**

Jeanne Smith, RMC  
Borough of Oceanport  
315 E. Main Street  
Oceanport, NJ 07757

Re: 56 Ithaca Avenue  
Block 27, Lot 31  
Borough of Oceanport, Monmouth County, New Jersey  
MC Project No. OPC-110

Dear Ms. Smith:

Our office has performed a site visit of the above referenced property related to off tract improvements. The improvements are complete and acceptable. Our office recommends release of the Performance Bond.

Should you have any questions regarding this matter, please do not hesitate to contact me directly.

Very truly yours,

MASER CONSULTING P. A.

A handwritten signature in black ink, appearing to be 'W.H. White, III'.

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

WHW/nb

R:\General\Projects\Opc\OPC-110\Correspondence\OUT\190917\_whw\_smith.docx



**RESOLUTION OF THE BOROUGH OF OCEANPORT  
AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE  
BOROUGH OF OCEANPORT AND THE COUNTY OF MONMOUTH  
PROVIDING "SCAT" SERVICES FOR 2020**

**Resolution #2019-197  
10/17/19**

**BE IT RESOLVED**, by the Governing Body of the Borough of Oceanport that an Agreement between the Board of Chosen Freeholders of the County of Monmouth, and the Borough of Oceanport, for Special Citizens Area Transportation System (SCAT) for the year 2020 for one-full day per week at a cost of \$155.00 per week, be and the same is hereby approved and confirmed; and

**BE IT FURTHER RESOLVED**, that the Mayor is hereby authorized to execute said agreement on behalf of the Borough of Oceanport, and attested to by the Borough Clerk.

I certify that the foregoing Resolution #2019-197 was adopted  
by the Oceanport Governing Body at the Regular Meeting held  
October 17, 2019

---

JEANNE SMITH, RMC  
BOROUGH CLERK

# The Board of Chosen Freeholders of the County of Monmouth

DIVISION OF TRANSPORTATION

KATHLEEN LODATO

DIRECTOR

e-mail address

Kathleen.Lodato@co.monmouth.nj.us



250 CENTER STREET  
FREEHOLD, NJ 07728  
732-431-6485  
FAX 732-845-2028

DEPARTMENT OF HUMAN SERVICES

FREEHOLDER SUSAN M. KILEY

TRANSPORTATION LIAISON

e-mail address

[Sue.Kiley@co.monmouth.nj.us](mailto:Sue.Kiley@co.monmouth.nj.us)

Dear Administrator,

September 30, 2019

Please find enclosed a copy of the Transportation agreement for the period of January 1, 2020 – December 31, 2020. This agreement provides Municipal sponsored food shopping transportation for the senior and disabled population of your town.

As Director I would like to inform you that I am able to offer you the same service that your residents have become accustomed to while stabilizing the cost for yet another year, there will be no increase in the transportation rate that you are currently paying, that price will remain stable for one more year, the length of this agreement.

With the prices raising for so many services within our State and with each Municipality suffering cut backs I feel that it is the best time for all of us to unite so that our Seniors who depend on us for so many if there transportation need still receive the best we have to offer at a price that is affordable.

I look forward to a long working relationship with you and if I can be of any further assistance please do not hesitate to call me. Please have the agreement placed on your agenda as soon as possible so that it can be voted on and signed, I would like all signed agreements returned no later than November 10, 2019 so that I may have them ready for signature by the Freeholder Director on November 26, 2019. If you cannot have your signed agreement back by November 10, 2019 it is very important that you call my office so that your transportation service is not interrupted.

Kathleen Lodato, Director

Monmouth County Division of Transportation

THIS AGREEMENT entered into **January 1, 2020** by and between the COUNTY OF MONMOUTH (hereinafter referred to as the COUNTY) and **BOROUGH OF OCEANPORT** hereinafter referred to as the MUNICIPALITY/AGENCY).

WHEREAS, the Board of Chosen Freeholders of the County of Monmouth has established the Special Citizens Area Transportation System (hereinafter referred to as SCAT); and

WHEREAS, the MUNICIPALITY has requested that the COUNTY provide service to eligible residents; and

WHEREAS, it is necessary to set forth the responsibilities of both parties in this agreement.

NOW, THEREFORE, in consideration of the mutual covenants and conditions herein contained and for other good and valuable considerations, it is mutually agreed between the parties as follows: Services to be provided under this Agreement will include transportation to and from local food markets. Destinations and pick-up sites will be determined at the discretion of the SCAT coordinator. Ridership on SCAT vehicles shall include those persons 60 years of age and older, in accordance with the rules and regulations set forth in Title III of the Older Americans Act of 1965, as amended in 1978. Service will be provided without regard to disability, in compliance with the provisions of Section 504 of the Rehabilitation Act of 1973. Ridership will also be extended to disabled persons under 60 years of age as vehicle space and time is available. "Disabled" is defined, as per Title 17 of the New Jersey Administrative Code, as a person who may be classified as having a physical impairment which manifests itself in one or more of the following ways: non-ambulatory, semi-ambulatory, visually impaired, deaf

or hearing impaired, having faulty coordination, or having reduced mobility, flexibility, coordination or perceptiveness due to age, physical or mental conditions.

1. Vehicles used to provide services under this agreement will be owned, operated, insured and maintained by the COUNTY. All vehicle drivers will have current Operator's and Commercial Driver's License (CDL).
2. Vehicles shall be housed at the COUNTY garage, Freehold Township, or at location agreed to by the parties concerned. The SCAT coordinator will attempt to schedule maintenance work at a time which will afford the least interruption to the normally established service schedules. The provision of auxiliary transportation in the event of major maintenance or accident will be at the discretion of the coordinator of the SCAT Program or his/her designee.
3. Service will be provided for either a half or a full day as specified in Appendix A to this agreement. The COUNTY reserves the right to re-schedule the days of services based upon the availability of vehicles. The days of operation may be re-scheduled by the SCAT coordinator as needed.
4. Additional days of extended service may be provided under this agreement with authorization of the MUNICIPALITY contingent upon the availability of drivers and vehicles and approval of the SCAT coordinator. The MUNICIPALITY will be charged at the rate of a full day of service, plus \$.18 per mile, door to door.
5. The SCAT coordinator may establish routes which would serve two or more MUNICIPALITIES on a given day as long as the existing level of service in the MUNICIPALITY is maintained or improved.
6. A local coordinator will be supplied by the contracting party, either municipal or private, to aid the SCAT coordinator in daily operations.
7. The MUNICIPALITY will be billed on a quarterly basis for services provided at the per diem rate as set forth in Appendix A. The SCAT coordinator will detail the dates as to when services were provided during the quarter. The MUNICIPALITY will make payments within 30 days of the billing date, providing that the billing is in conformity with this



agreement. Such payment shall be made by check, and be made payable to the Treasurer,  
County of Monmouth.

8. Provision of service by the COUNTY under this agreement is conditional upon continued availability of funding through Title III of the Older Americans Act.
9. This contract will be in effect from **January 1, 2020** to **December 31, 2020**, or until a subsequent contract is executed.
10. Tolls and other over-the -road parking charges incurred by the vehicle in normal operation of the vehicle will be borne by the MUNICIPALITY which requires the vehicle to traverse toll roads or incur parking or other over-the-road costs provided that the vehicle driver furnishes a receipt substantiating such out-of-pocket cost the MUNICIPALITY. A copy of such receipts and record of payment by the MUNICIPALITY shall be furnished to the SCAT coordinator within seven (7) days after use of the vehicle by either the MUNICIPALITY or contracting parties.
11. The COUNTY reserves the right to alter this agreement or to increase the per diem rate for vehicle operation based on increased costs subject to forty-five (45) days' notice.
12. Either party may terminate this agreement upon sixty (60) days written notice to the other party. Notice shall be sent by certified mail return receipt requested to the Board of Chosen Freeholders in the case of the County and the Municipal Clerk in the case of the municipality.

IN WITNESS WHEREOF, the parties hereto have caused those present to be signed by their respective authorized officers and their respective corporate seals to be hereunto affixed the day and year first above mentioned.

ATTEST:

COUNTY OF MONMOUTH  
(seal)

BY: \_\_\_\_\_  
Marion Masnick, Clerk  
Board of Chosen Freeholders

BY: \_\_\_\_\_  
THOMAS A. ARNONE  
DIRECTOR, Monmouth County Board  
of Chosen Freeholders

ATTEST:

MUNICIPALITY  
(seal)

BY: \_\_\_\_\_  
Municipal Clerk

BY: \_\_\_\_\_  
Mayor

## APPENDIX A

MUNICIPALITY:

**BOROUGH OF OCEANPORT**

Days of Service Per Week:

FULL DAYS 1 FULL DAY.

HALF DAYS \_\_\_\_\_.

Charges:RATE\* FULL DAY \$155.00.

RATE\* HALF DAY \_\_\_\_\_.

\*Rate is based on average daily passengers.

## OCEANPORT ENVIRONMENTAL ADVISORY COMMITTEE

### Minutes of Meeting

17 June 2019

Robert D. Broege, Chairman, called the monthly meeting of the Oceanport Environmental Advisory Committee to order at the Old Wharf Center at 8:08 pm on 17 June 2019. The meeting scheduled for 10 June 2019 was rescheduled for this date due to unavailability of several Members. In addition to Robert Broege, Vice Chairman Tom Cox, Joseph Foster, Bruce Lane, and Rich Gruskos attended.

Robert Broege distributed additional copies of the Agenda and of the draft Minutes for the May meeting, as well as the final Minutes for the meeting held on April 13.

A discussion was held as to membership. Robert Broege noted that Anthony Forlini reported that he would not be attending meetings due to a conflict in his monthly schedule.

Tom Cox presented the Water Watch report. He said that the results were satisfactory. He mentioned that there were low readings for dissolved oxygen at the Parkers Creek site and at the Oceanport Bridge site. However, there was no evidence of damage to the fish population in those areas. He said that a year's supply of the vials for testing had been received. The next testing will be on June 24.

Richard Gruskos reported on his review of the application for dock construction at 258 Arnold Avenue. Apparently, although the application is not clear, it is for legalization of an illegal dock. Robert Broege noted that there was no reference to a riparian grant or a riparian lease. Otherwise, Richard Gruskos said that the application appeared to be in order.

Joe Foster reported on the applications for Lot 1 of Block 65 (the location of the prior municipal buildings). The questions raised regarding water runoff were answered before the Planning Board with the explanation that the site plan design is to contain water in the center of the property. Although not part of the water plan, he noted that there is a right-of-way on the property to the large recently sold tract to the south. The applicant stated that the right-of-way would remain, even though there had been a lawsuit to remove it. Joe Foster reports that after the meeting and the approval, he has been told that the lawsuit is going to continue.

A discussion was held as to the street cleaning problem of debris, particularly that block water drainage. Both Rich Gruskos and Robert Broege reported that they had sent messages to the Zoning Officer regarding continued violations on their streets that leave refuse blocking water drainage.

Richard Gruskos continued with the discussion of the application review procedure. He noted certain available information received from the review procedure utilized at Fort Monmouth.

Under New Business, Robert Broege noted an application regarding freshwater wetlands at 275 Port au Peck. Apparently, it simply is an application to allow access to certain areas of the property to review for freshwater wetlands delineation.

A preliminary site plan, which will be provided to the Planning Board, for 552 Caren Franzini Way was given to Joe Foster, so that it can be reviewed with the Planning Board.

Richard Gruskos presented a FMERA report. He particularly put together a listing of a good deal of the recent activity. He asked that a copy of the report be attached to the Minutes.

As a general note, Tom Cox pointed out that the most recent issue of the ANJEC report contained a list of municipalities with various types of ordinances banning plastics. The Members will review the list, and to the extent possible amend the list. Tom Cox said he would specifically look at the comprehensive Borough of Monmouth Beach ordinance. Eventually a report to Borough Council will be prepared.

Rich Gruskos discussed the review process regarding environmental issues presented before the ESAC at Fort Monmouth. A discussion was held as to the report and results being received by the Planning Board. Joe Foster said that both the Chairman and the Secretary are aware of the process. Robert Broege suggested that he would formally send a message to the Secretary of the Planning Board recommending that the review be considered in connection with any site plan application for property at Fort Monmouth.

There was no attendance by members of the public. The meeting was adjourned at 9:18 p.m.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Robert D. Broege". The signature is fluid and cursive, with the first name "Robert" being more prominent.

Robert D. Broege, Chairman

**Attachment:** ESAC 3 June 2019 Recap by Richard Gruskos

### **ESAC June 3<sup>rd</sup>, 2019 Recap**

- Submitted by Richard Gruskos

**New** - Public Meeting Opportunity provided on Mandatory Conceptual Review of Fitness Center and Chapel. A public notice sent out 48 hours in advance of the meeting.

### **Topic-1 Mandatory Conceptual Reviews**

MCR of Fitness center was presented by FMERA based on information provided by FM Partners

1. Adding 53 parking areas
2. Storm water discharge into OP Creek permitted into tidal waters

MCR of Chapel was presented by FMERA based on information provided by Triumphant Life Church

1. 130 parking places being paved
2. More than an acre
3. Three drywells will be responsibility of church

Note- It seems that FMERA will make use of existing storm water infrastructure, sewer, electric

**Topic-2 Fort Monmouth Land Use Rules vs. Local Zoning Rules** discussed. (A courtesy copy of correspondence handed off to RG that had been previously sent to the Boro of Oceanport)

1. FMERA Land user Rules vs Local Zoning Rules
2. FMERA staff presents which are discussed at ESAC (Environmental Commission for FM)
3. Evaluated against Fort's Environmental Inventory
4. Mandatory Conceptual Review available
5. Limits placed in FMERA Act, Reuse Plan
6. ERI and Environmental Checklist
7. Issues and/or Questions arose over Loft/Dance Hall- See correspondence

### **Topic -3 Carve Outs**

1. Former dry cleaner FTMM-68 moving slowly. No submittals on results passed to NJDEP yet
  - a. Two additional treatments planned likely in 2019 and 2020
  - b. 13 wells installed at depths 20' to 100'
  - c. Underground Tank with leaking PCE and soils removed Aug 2018
  - d. Additional soils removed March 2019
  - e. Look for signs of by-products indicating effectiveness of treatments
  - f. No one being put at risk.
2. Gas Station Bldg 699 FTMM-53
  - a. Removed above ground storage tanks, canopy, sampling around lifts
  - b. Army leaning toward natural attenuation
  - c. Commissary/PX

- d. Formal Coal Storage (PAH)
  - e. Plan to remove + dig out – test- dig out more parking lot, clean fill
  - f. AECOMN awarded contract
  - g. Expect work to start in 3 months
3. Landfill Capping Project Update
- a. AECOM
  - b. Late October start date anticipated. Two year effort.
  - c. Pull back some material to keep within parcel M3, M5, M12
  - d. No sequence determined yet by Army
  - e. 1 year warranty on workmanship (to address soil erosion)
  - f. RG passed on comment on certified clean fill check requirement
  - g. Wetland plan and soil erosion plan under development
  - h. Sanitary Landfill Major Disruption Approval – permit granted extension

#### **Topic-4 ECP Parcel 53 Pesticide Detection in Soils**

Summary- an open 10 Acre Site

Investigating PAH and “properly applied” Pesticides (permitted under CERCLA

100’ centers 40 sampling wells

Blending of soils - Likely to be degraded below residential standards

#### **Topic-5 Osprey Update**

7 new nesting pairs- Working with Cathy Clark with Fish and Wildlife for site wide approach to avoid 1000’ buffer between 4/1 and 8/30 that will leave platforms in place

#### **Topic-6 Update on Sewer Main and Water Projects**

Discussion delayed to next meeting

Starting up for OP in June. Other work likely to take 3 or 4 years

Reuse existing electric and storm water

#### **Topic-7 RFOTP and Closings**

Family Promise Building 501

Marina Title in June w/ closing in July

Squire Hall closing in mid-July

Coming soon in OP

Barkers Circle

## OCEANPORT ENVIRONMENTAL ADVISORY COMMITTEE

### Minutes of Meeting

8 July 2019

Robert D. Broege, Chairman, called the monthly meeting of the Oceanport Environmental Advisory Committee to order at 8:06 pm on 8 July 2019 at Blackberry Bay Park. In addition to Robert Broege, Vice Chairman Tom Cox, Rich Gruskos, Joseph Foster, Bruce Lane, Joe Harris, Patty Cooper, and Council Liaison Mike O'Brien attended.

Robert Broege distributed the final Minutes for the May meeting together with the draft of the June meeting Minutes to those who had not received it. For the most part, the Members received the Agenda and the draft Minutes.

Robert Broege asked Tom Cox for the Water Watch sampling report. He reported that the sampling was held on June 24. There was a somewhat elevated reading of fecal coliform at Old Wharf and at Eatontown Boulevard, but they were not too high. The balance was quite good. He mentioned the anomaly of the fact that the Eatontown Boulevard raised count was as against the temperature being lower.

Continuing with the question of the sewer in the area of the mausoleum at Woodbine Cemetery, he said that there are two manholes within 100 feet along the side of Turtle Mills Creek. He is going to attempt to contact the authorities to ask whether there could be a problem.

As 60 Shore Road continued on the Agenda, Mike O'Brien was asked about status. He said he knew that NJDEP was pursuing it, but as to the Borough, they are bringing, and they have served, a lawsuit regarding encroachment by the owner on the Borough's right-of-way.

Joe Foster reported that there was no activity at the Planning Board. The last scheduled meeting was canceled.

Rich Gruskos reported on the review process at FMERA. He said that he was asking for FMERA reports in writing in order to be able to provide an appropriate response.

Robert Broege raised the street-cleaning issue. He pointed out that the refuse on the street at Gooseneck blocking the drainage remained since February. Rich Gruskos said a similar problem at Cayuga remains. Mike O'Brien said he would attempt to determine the reason there has been no enforcement.

A discussion was held as to proposing an ordinance limiting use of plastic bags and other similar material. The discussion included prohibition on utilization of balloons for advertising. It was agreed that the Members would consider establishing a proposal to be discussed.

There were no members of the public present, so without further comment, the meeting was adjourned at 8:36 p.m.

Respectfully submitted,



Robert D. Broege, Chairman



**APPROVED**  
**MINUTES OF THE OCEANPORT HISTORICAL COMMITTEE MEETING HELD**  
**08/01/2019**

The Oceanport Historical Committee held met on Thursday, August 1, 2019. We met at the Blackberry Bay Pavilion at 7:00 p.m., and we wrapped things up around 9:00 p.m. The goals of the committee are to plan and execute efforts to celebrate the Borough's centennial which will occur in 2020 and to promote a better understanding of the Borough's history.

In attendance were:

Frank Barricelli  
 Nadine Jeffrey  
 Robin Kelly  
 Brian Landrigan  
 Rosanne Letson  
 Paula Lombardo  
 Ric Siciliano  
 Toni Sverapa  
 EJ Wright

(Note: If I omitted your name from the attendance for this meeting, please let me know.)

Our Agenda for this meeting was as follows:

- Sign-in sheet
- Introduction of new members and guests
- Review/approve previous month's Minutes
- Review of old Action Items, e.g., banners, t-shirts
- Participation in FMERA Historical Committee meeting on July 11<sup>th</sup>
- Interview of Ed Ryan on July 17<sup>th</sup>
- Plan participation in Summer's End Festival on September 7<sup>th</sup>
- Prize for Halloween costumes
- Open discussion
- Next scheduled meeting September 14<sup>th</sup>
- Verify new Action Items and adjourn

The first order of business was discussion about the loss of our school contact when Melanie Lipinski tendered her resignation as principal at Wolf Hill School the night before our meeting. Toni volunteered to contact Linda Ridsen, the Wolf Hill School librarian, to ask about a replacement school contact for us.

There were no new members or guests.

We reviewed the Minutes from the July 9<sup>th</sup> meeting, and they were approved. Rosanne will prepare them in final form and submit them to Jeanne Smith for filing with the Borough.

We reviewed the Action Items from the July 9<sup>th</sup> meeting next.

Regarding the interviews with Clem Sommers, Elwood Baxter, and others, Ed Ryan was interviewed on July 17<sup>th</sup> by Paula, Toni, and Frank. They said that overall, it was a good interview. The prepared questions were good, but the free speak was better. The interview was taped, and Toni typed it up. Frank suggested providing the prepared questions in advance for the next interview, which would be with Elwood Baxter. It was noted that Clem Sommers, who was having a 90<sup>th</sup> birthday party on August 3<sup>rd</sup>, had moved to Brick.

We didn't talk about Paula contacting Stacy Deerin to discuss getting a representative from our church communities to join our committee.

John was not in attendance to report on talking to Pastor Bob at Calvary Baptist Church.

Frank attended the FMERA Historical Advisory Committee meeting on July 11<sup>th</sup>. He noted that the discussion there was about a home on the Fort Monmouth property near the World War II monument. The back of the house is across the street from the monument on the north side. It is a single family home, which was used by a high-ranking officer at the Fort in the past. The current homeowner made an application to install a patio. Frank commented that the most expensive homes on the property don't have decks/patios. This resident wants to put in a 400'-square foot deck. This application will be used as a template for future applications. The Historical Advisory Committee voted to allow it, and the resident now makes application to the Oceanport Planning Board.

Frank stated that the meeting went well. FMERA gave out a book that was put together by the U.S. Army Corp of Engineers. It was entitled "Watchful for the County – History of Fort Monmouth, NJ" written by Sarah Groesbeck and Patti Kuhn. Frank will try to get a few more copies.

Following discussion of the Action Items from the last meeting, we discussed the banners/flags that we intend to obtain sponsors for and which will be hung from the poles on Main Street after the Christmas decorations come down. Robin was looking for a vendor, as the one she had attempted to work with had problem with the format of the designs we had. Toni suggested Pat Pfleger for formatting the artwork. Ric suggested Frank Oakley in Red Bank of Oakley Fantastic Signs. Robin mentioned already having 3 to 4 people interested in sponsoring flags/banners. Rosanne mentioned that the part of 537/the Avenue of Memories in the Oceanport section of Fort Monmouth also has flag holders on every other pole there. She will reach out to FMERA to ask about putting our flags/banners on those poles.

The discussion turned to the tee shirts we plan to sell to the community. Tom is talking to Skip's Sports in West End about them. Toni said we'd sell them for \$10 each, and our cost would be \$5 each. She said she got interest for about 30 shirts from a post she put on the Oceanport Residents

Facebook page. We decided to hold on going with a better quality shirt from Steve Briskey for now. Tom said that the email he sent out for votes on which logo to use for the shirts came back for the one he had on the left. Skip's will print up the shirts next week. We decided to stay with blue shirts with white logo/writing. Tom said he'd order 50 next Saturday. He stated that the 'logo guy' at Skip's suggested a larger logo on the front of the shirt, rather than a smaller one over the heart. Tom also said that the shirts were 50/50 cotton/polyester. There would be a \$6.50 cost to us as it was a little higher grade shirt. Jay Coffey told Tom he had donations to pay for the shirts. Tom noted that the silkscreen they prepare could be used for sweatshirts/hoodies/whatever. We will start with some shirts with the logo in the center, and he will order 12 of each of the following sizes: small, medium, large, and extra-large.

Rosanne suggested selling stadium-style blankets for the Summer's End Festival. Robin suggested a soft sell for tee shirts and sweatshirts at Summer's End. Paula suggested a throw with Borough landmarks on it, and noted one done for the First Aid in the past. Toni said she'd research prices for a throw.

We talked about our Facebook page, "Oceanport Centennial", and Rosanne offered to try to organize it and advertise it.

We decided to change our September meeting from Thursday, September 12<sup>th</sup> to Thursday, August 29<sup>th</sup> so that we can talk about Summer's End. Tom will have the shirts by then. Rosanne will contact Jeanne Smith about the change in date.

We discussed getting a letter approved by the Borough to accompany our requests for donations. Ric will take the lead on getting the letter blessed by the town for us. Toni has the letter, and she will work on it with Ric.

Tom mentioned that he was having some trouble getting photos of the five judges from Oceanport from the State for his section of the book about them.

Toni and Paula will present to the Oceanport Garden Club, and will use a trivia game like they did with the Seniors. That date if November 21<sup>st</sup> from 11:00-12:00.

Regarding the Summer's End Festival, we have to contact Mike MacStudy and request that he reserve a table for us. Frank will get some of the "Oceanport in Retrospect" books from the Borough to sell. We decided to take our Centennial banner from Borough Hall for Summer's End. Rosanne will work on a poster about Sarah Reape, the woman who owned all of Port-Au-Peck for the little girls to read about while they're in line for face painting. Toni said she could get us the easels from the school to use for Frank's enlarged photos. Robin will make chocolate chip cookies to have on hand. Paula will also bake something.

Robin suggested having a trivia game at Summer's End. We agreed that was a good idea. We'll have a little trivia contest and run it from 4:00 til 5:30. We will choose a winner at 6:00. Frank will prepare the questions.

We talked about the event/gathering we had talked about having in the past at the Blu Grotto in September, and decided to hold on that until 2020.

We talked about offering a prize(s) for the best historical Halloween costumes at the Halloween parade held at the Community Center by the Recreation Committee. We will talk to Mike MacStudy about it. We will ask the Rec Committee to advertise as part of their advertising that anyone who dresses in any kind of historical costume would be entered to win a prize.

During open discussion, Ric mentioned that he read that a man named Edwards from Long Branch wrote about the hotel of an Eli West in Oceanport on Port-Au-Peck and Seven Bridge Road near the Pleasure Bay Bridge. Price's Hotel was actually in Long Branch and was started by Captain Price from Oceanport. It was located under where the approach to the current bridge leading to Oceanport. Steamships docked near there.

Frank had with him a drafted title search from 1906 for the 1830 purchase of Port-Au-Peck/Conover's purchase from the company who carried out the subdivision of Port-Au-Peck. We discussed how much information was included in title searches at that time, which help with historical research.

Frank also found photographs of the New Jersey National Bank branch that was located at 242 Oceanport Avenue. He found them in the Monmouth County Library in Manalapan.

Robin mentioned that she sent a thank-you card to the Shrewsbury Sailing & Yacht Club for allowing us to use their facility for our event in June.

Robin spoke about the Holiday Home Tour we're planning for Sunday, December 8<sup>th</sup> from 11:00-3:00. She has 8 houses so far for the tour, and she'd like to have 12. She will start advertising it online. The cost will be \$40 per person, which we discussed was a fair price for home tours. Robin will contact Heather LaRosa and Caputo's for donations of baked goods to have in each home. The Garden Club will be donating wreaths or centerpieces as long as their members can do the tour for free. Paula said that Sigrid from the Garden Club would like to have photos from the houses so they know what to make for each. Robin will ask about this, and she'll ask the homeowners if they'd like a wreath or a centerpiece and she'll ask about their color theme, etc. We will set up at the Blackberry Bay Pavilion – people will check in to pay, obtain a bracelet, and get a map. John will provide the bracelets. EJ said he had a case of shoe protectors that we can use. We discussed maybe contacting the scouts or the schools to carol.

We adjourned by about 9:00 p.m.

#### Action Items for September meeting

1. Toni will contact the school to obtain a school contact for the Committee.
2. Rosanne will finalize the Minutes from the July 9<sup>th</sup> meeting and will submit them to Jeanne Smith for filing.

3. Rosanne will contact FMERA and ask about putting flags/banners on the poles on the Avenue of Memories.
4. Toni will research prices for a throw with Borough landmarks on it.
5. Rosanne will try to organize our historical page on Facebook (“Oceanport Centennial”), and to advertise it.
6. Rosanne will contact Jeanne Smith about changing our next meeting date from September 12<sup>th</sup> to August 29<sup>th</sup>
7. Ric and Toni will work together on the letter we will need to use to solicit donations for the committee, and Ric will take the lead on getting the Borough to approve it.

### Oceanport Historical Committee

#### Outline of Upcoming Events

2019-2020

- I. Summer’s End Festival, Saturday, September 7, 2019.
- II. Holiday Home Tour – Sunday, December 8, 2019.
- III. Flags/banners on Main Street – after Christmas wreaths/lights come down – January, 2020.
- IV. Essay contest for the schools (“Why I Love Oceanport”, etc.) – April, 2020.
- V. Memorial Day Parade – May, 2020.
- VI. Oceanport Day at Monmouth Park – Sunday, June 7, 2020.
- VII. Regatta – sailing, model boat, kayak, etc. – July or August 2020.
- VIII. Summer’s End Festival – September 2020 (pet parade, pie contest, old-fashioned county fair type activities)
- IX. Blu Grotto Social – date not yet secured – September, 2020.
- X. Centennial Gala – Saturday, October 17, 2020.
- XI. Halloween Window Painting of local businesses – October 2020.

**OCEANPORT RECREATION COMMITTEE  
MEETING MINUTES  
July 10, 2019**

Minutes of the regular meeting of the Oceanport Recreation Committee held on  
Wednesday evening, July 10, 2019, Blackberry Bay Park Building

|                |                   |
|----------------|-------------------|
| In attendance: | Members:          |
|                | Jay Silverman     |
|                | Mike MacStudy     |
|                | Bill Deerin       |
|                | Scott Marcantanio |
|                | Greg Lockwood     |
|                | Therese Wollman   |
|                | Beth Watkins      |
| Absent:        | Spencer Carpenter |
|                | Joanne Hunt       |

**Open Meeting/Flag Salute**

Meeting called to order by Therese Wollman at 7:30pm. Motion to open the meeting was made by Mike MacStudy and seconded by Jay Silverman.

**Approval of Minutes**

The June 2019 meeting minutes were reviewed. The motion to approve the meeting minutes was made by Mike MacStudy and seconded by Jay Silverman.  
All were in favor.

**Correspondence:**

Beth Watkins reported that there was no correspondence.

**Public Comments:** Motion to open to the public was made by Jay Silverman and seconded by Beth Watkins at 7:35 pm.

Present:

Scott Poyner, Oceanport. Scott attended the meeting to learn about an opening on the Recreation Committee. Scott also inquired about the Recreation Committees policy on tennis court fees. A discussion was held regarding both the purpose of the Recreation Committee as a recommending body and the issue of tennis court fees.

As there was no one else from the public present, in a motion made by Jay Silverman and seconded by Greg Lockwood the meeting was closed to the public at 8:35 pm.

**Recreation Coordinator Report- Joanne Hunt**

Report from Joanne Hunt:

All playground work is complete with the exception of the buddy swing. The missing part for the buddy swing has been received. There was an issue with the contractor as to location and if an

existing swing would be removed and replaced with the buddy swing. This was not the case. The contractor now has the correct frame and we are awaiting the approval for installation.

Action Camp- 151 campers have registered. We now have 5 theme weeks. We purchased over \$2000 in new equipment and supplies. Much of our inventory was ruined due to Fort Monmouth storage area. We will need to purchase air tight storage bins or consider a permanent storage pod or closet. There had been no major purchases in 5 years.

Camp contracted for “snapology” which has been a huge success. The pool is an issue. If this is a final decision to close the pool, we should consider a restructure of the program for future years. Joanne recommends a subcommittee in the fall to explore some options.

Disc Event- there was an issue with insurance compliance that has been sorted out. The date must be confirmed ASAP- Fall is a suggestion? A demo at Summer’s End would be effective.

#### **Revenue:**

|                    |           |
|--------------------|-----------|
| 2019 Boat Permits  | \$7380.00 |
| 2019 Field Revenue | \$3720.00 |

Field Requests- Marine Science Camp – 2 weeks: 7/29- 8/2 and 8/26 to 8/30  
Approved.

As it was reported that LAX Kids was late in payment, a discussion was held regarding the payment process and if permits should not be issued prior to payment to ensure this does not happen.

#### **Council Liaison Report:**

Bill Deerin reported that Evergreen and Blackberry are moving along, and Community Center should be done by end of the week. Bill suggested that we just go ahead and paint pickle ball lines on the courts at BB. Mike MacStudy made a motion to paint the courts at BBB with pickle ball lines in a different color than the tennis court outline. This was seconded by Scott Marcantano. All were in favor. Bill Deerin will bring this to the BA and Council.

#### **Subcommittee Reports:**

**Subcommittee & Officer Review Panel**- Spencer Carpenter-no report

**Nominations**- Mike MacStudy- no report

**Sonny Giordano Award**- Greg Lockwood- 2019 awarded to Alyssa Reggiro and Frank Salamone

**Egg Scramble**- Beth Watkins-No report

**Mini Golf**- Mike MacStudy reported that there were approx. 100 people. He suggested that maybe next year we could do hot dogs/hamburgers or have PBA do it.

**Memorial Day Parade Committee**- Beth Watkins – No report

**Movies**- Therese Wollman-August 10- Ralph Breaks the Internet. We need to make final selection for September movie in August.

**Summer’s End**- Jay Silverman- Jay confirmed the following:

Chili is all set

Horseshoes - Therese is checking in with Lee Pool to make sure everything is all set with the trophies

8th grade is doing corn hole as a fundraiser

Enzo confirmed they will be there

Historical Committee would like a table

PTO would like a table

Therese is organizing a pickle ball demo

Envelopes are all set for the newsletter

**Halloween-** Scott Marcantano-No report

**Tree Lighting-** Spencer Carpenter- not present, no report.

**Decorating Contest-** Jay Silverman- no report

**Grants/ Master Plan/Park Improvement** – Joanne Hunt, not present, no reporter. Wollman raised the issue of looking at the pool or a community center. Bill Deerin will keep us posted.

**Bocce-** Spencer Carpenter- not present, no report

**Disc Golf-** Scott Marcantano –7/20 All set. We have discs and the kit for the event. Scott will send details next week with specifics. Flier sent to camp and FB.

**Finance Report-** Greg Lockwood- New budget has been approved.

#### **Old Business:**

Open Space Grant- Therese Wollman raised the issue of looking at the pool or community center. Bill Deerin will keep us posted.

#### **New Business:**

None

**Adjourn:** Motion to adjourn was made by Jay Silverman and seconded by Beth Watkins at 9:15 pm.

Next meeting: August 14, 2019, 7:30 PM Blackberry Bay Park Building.

Refreshments- Joanne Hunt

Respectfully submitted,

Beth Watkins/Joanne Hunt



## BOROUGH OF OCEANPORT

Michael P. Kelly  
Chief of Police

Michael S. Chenoweth  
Captain

Michael Fagiarone  
Lieutenant



## POLICE DEPARTMENT

P.O. BOX 370, OCEANPORT, NEW JERSEY 07757

732.222.6300

Main

732.222.6301 ext 1015

Records

732.222.0945

Fax

Friday, September 26, 2019

To: \_Donna Phelps, Oceanport Borough Administrator  
Jeanne Smith, Borough Clerk  
Capt. Kathy Kenny, Oceanport First aid Squad

Reference: Evan LaValle-volunteer background/approval

Dept.: First aid Squad

Please be advised that the record check of the above applicant for membership in a volunteer organization is complete. Our investigation has led to the following finding:

☒ The applicant is suitable for membership.

☐ The applicant is NOT suitable for membership.

If there are any further questions regarding this applicant, please contact my office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael P. Kelly".

Michael P. Kelly  
Chief of Police



## PORT-AU-PECK CHEMICAL HOSE COMPANY NO. 1

## Volunteer Fire Company

433 Myrtle Avenue. Oceanport, New Jersey 07757

Phone 732-229-9771 Fax 732-483-6199

## CAPTAINS MONTHLY REPORT

AUGUST2019

|             | Date   | Location                       | MA | Type of Call | Min. | # Men | Hrs.  |
|-------------|--------|--------------------------------|----|--------------|------|-------|-------|
| 1           | 31-Jul | 1075 Stephenson Ave            |    | Fire Alarm   | 10   | 5     | 0.83  |
| 2           | 31-Jul | 108 Monmouth Blvd              |    | Fire Alarm   | 10   | 5     | 0.83  |
| 3           | 3-Aug  | PAP & Monmouth Blvd            |    | MVA          | 5    | 7     | 0.58  |
| 4           | 4-Aug  | Fort Monmouth Area             |    | Explosion    | 11   | 6     | 1.10  |
| 5           | 5-Aug  | Station 2                      |    | Drill        | 60   | 7     | 7.00  |
| 6           | 7-Aug  | 1075 Stephenson Ave            |    | Fire Alarm   | 30   | 4     | 2.00  |
| 7           | 7-Aug  | Russel Ave                     |    | Wires        | 30   | 7     | 3.50  |
| 8           | 8-Aug  | 918 Murphy Dr                  |    | Pole Down    | 14   | 6     | 1.40  |
| 9           | 9-Aug  | Oceanport Ave - Crescent & PAP |    | MVA          | 29   | 8     | 3.87  |
| 10          | 12-Aug | Station 2                      |    | Drill        | 120  | 13    | 26.00 |
| 11          | 12-Aug | 274 E Main St                  |    | EMS Assist   | 28   | 12    | 5.60  |
| 12          | 14-Aug | 33 Pocano Ave                  |    | Fire Alarm   | 16   | 4     | 1.07  |
| 13          | 15-Aug | 292 PAP Ave                    |    | MVA          | 40   | 2     | 1.33  |
| 14          | 15-Aug | PAP Ave & Kimberly Way         |    | Wires        | 27   | 4     | 1.80  |
| 15          | 15-Aug | 57 Shrewsbury Ave              |    | Grill Fire   | 12   | 7     | 1.40  |
| 16          | 20-Aug | 501 Malterer Ave               |    | Fire Alarm   | 16   | 4     | 1.07  |
| 17          |        |                                |    |              |      |       | 0.00  |
| 18          |        |                                |    |              |      |       | 0.00  |
| 19          |        |                                |    |              |      |       | 0.00  |
| 20          |        |                                |    |              |      |       | 0.00  |
| 21          |        |                                |    |              |      |       | 0.00  |
| 22          |        |                                |    |              |      |       | 0.00  |
| 23          |        |                                |    |              |      |       | 0.00  |
| 24          |        |                                |    |              |      |       | 0.00  |
| 25          |        |                                |    |              |      |       | 0.00  |
| 26          |        |                                |    |              |      |       | 0.00  |
| 27          |        |                                |    |              |      |       | 0.00  |
| TOTAL CALLS |        |                                | 16 |              |      |       |       |

|      |     |          |
|------|-----|----------|
| Tot. | Men | Tot.Hrs. |
| 458  | 6   | 59.38    |

Mutual Aid  
 Structure Fire  
 Drill 2  
 Gas Leak  
 Fire Alarm 5  
 C.O. Alarm  
 Cover Assignment  
 Brush Fire  
 Vehicle Fire  
 M.V.A 3  
 Smoke Condition  
 Ice Water Rescue  
 Wires/Transformer 3  
 Other 3  
 Haz Mat  
 Meeting

Captain \_\_\_\_\_



## PORT-AU-PECK CHEMICAL HOSE COMPANY NO. 1

## Volunteer Fire Company

433 Myrtle Avenue. Oceanport, New Jersey 07757

Phone 732-229-9771 Fax 732-483-6199

## CAPTAINS MONTHLY REPORT

SEPTEMBER2019

|             | Date   | Location                    | MA | Type of Call   | Min. | # Men | Hrs.  |
|-------------|--------|-----------------------------|----|----------------|------|-------|-------|
| 1           | 28-Aug | 175 Oceanport Ave           |    | Structure      | 108  | 5     | 9.00  |
| 2           | 29-Aug | 6 Industrial Way E          | MA | Fire Alarm     | 11   | 3     | 0.55  |
| 3           | 29-Aug | 175 Oceanport Ave           |    | MVA            | 22   | 4     | 1.47  |
| 4           | 30-Aug | Gooseneck Bridge            |    | Water Rescue   | 35   | 7     | 4.08  |
| 5           | 31-Aug | 139 Grant Ave               | MA | Structure      | 52   | 7     | 6.07  |
| 6           | 31-Aug | 30 Alameda Ct               | MA | Structure      | 14   | 3     | 0.70  |
| 7           | 1-Sep  | 30 Carty Ave Ft. Mon.       |    | Water Leak     | 11   | 2     | 0.37  |
| 8           | 2-Sep  | Station 2                   |    | Drill          | 60   | 3     | 3.00  |
| 9           | 4-Sep  | 1 Blue Point Cove           |    | Fire Alarm     | 14   | 6     | 1.40  |
| 10          | 4-Sep  | 1 Blue Point Cove           |    | Fire Alarm     | 5    | 6     | 0.50  |
| 11          | 5-Sep  | 4 Industrial Way E          | MA | Fire Alarm     | 28   | 1     | 0.47  |
| 12          | 7-Sep  | E Main St & PAP Ave         |    | MVA            | 23   | 6     | 2.30  |
| 13          | 7-Sep  | Blackberry Bay Park         |    | Summers End    | 150  | 8     | 20.00 |
| 14          | 9-Sep  | Station 2                   |    | Drill          | 120  | 15    | 30.00 |
| 15          | 10-Sep | Crescent & Eatontown Blvd   |    | MVA            | 34   | 7     | 3.97  |
| 16          | 12-Sep | Springlake & Myrtle Ave     |    | MVA            | 63   | 5     | 5.25  |
| 17          | 14-Sep | 349 PAP Ave                 |    | Open Burn      | 29   | 5     | 2.42  |
| 18          | 16-Sep | 25 Springfield Ave          |    | Fire Alarm     | 27   | 1     | 0.45  |
| 19          | 16-Sep | Station 2                   |    | Drill          | 30   | 7     | 3.50  |
| 20          | 18-Sep | 4 Industrial Way E          | MA | Fire Alarm     | 35   | 3     | 1.75  |
| 21          | 20-Sep | 34 Steeplechase             |    | Fire Alarm     | 27   | 4     | 1.80  |
| 22          | 23-Sep | Station 2                   |    | Drill          | 120  | 11    | 22.00 |
| 23          | 24-Sep | 19 Pocano Ave               |    | Fire Alarm     | 28   | 5     | 2.33  |
| 24          | 26-Sep | 274 E Main St               |    | Knox Box       | 33   | 3     | 1.65  |
| 25          | 26-Sep | 113 Oceanport Ave           |    | Wires          | 9    | 3     | 0.45  |
| 26          | 27-Sep | Monmout Rd & Eatontown Blvd |    | Wires          | 19   | 4     | 1.27  |
| 27          | 28-Sep | Eatontown Blvd & Wolf Hill  |    | MVA            | 19   | 7     | 2.22  |
| 28          | 29-Sep | Old Warf Park               |    | Special Detail | 75   | 8     | 10.00 |
| TOTAL CALLS |        |                             | 28 |                |      |       |       |

Tot. Men Tot.Hrs.

1201 5 138.95

Mutial Aid 6  
 Structure Fire 3  
 Drill 4  
 Gas Leak  
 Fire Alarm 8  
 C.O. Alarm  
 Cover Assignment  
 Brush Fire  
 Vehicle Fire  
 M.V.A 5  
 Smoke Condition  
 Ice Water Rescue 1  
 Wires/Transformer 2  
 Other 5  
 Haz Mat  
 Meeting

Captain

Tom Gallo

PORT-AU-PECK CHEMICAL HOSE COMPANY NO. 1  
Volunteer Fire Company

**BOROUGH OF OCEANPORT****MAYOR & COUNCIL****MINUTES • SEPTEMBER 5, 2019****Workshop****Maple Place School****7:00 PM****2 Maple Place, Oceanport, NJ 07757**

- I. **Meeting Called to Order:** Council President Solan called the meeting to order at 7:00 p.m.
- II. **Statement of Compliance with Open Public Meetings Act:** Council President Solan stated "Adequate notice of this meeting has been provided by notice to the Asbury Park Press and The Link News on January 9, 2019, and by the posting of same on the municipal bulletin board and Borough Web Site."
- III. **Flag Salute:** Council President Solan led the audience and members of the Council in the flag salute.
- IV. **Invocation:** Chaplain Stacy Deerin gave the invocation

**V. Roll Call:**

| Attendee Name   | Title                 | Status  | Arrived |
|-----------------|-----------------------|---------|---------|
| Jay Coffey      | Mayor                 | Absent  |         |
| William Deerin  | Councilman            | Present |         |
| Richard Gallo   | Councilman            | Present |         |
| Joseph A. Irace | Councilman            | Present |         |
| Michael O'Brien | Councilman            | Present |         |
| Robert Proto    | Councilman            | Present |         |
| Stephen Solan   | Council President     | Present |         |
| Donna M. Phelps | Borough Administrator | Present |         |
| Jeanne Smith    | Borough Clerk         | Present |         |
| Scott Arnette   | Board Attorney        | Present |         |

**VI. RESOLUTIONS:**

1. **#2019-178** Resolution authorizing payment of BILL LIST 09-05-2019

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Joseph A. Irace, Councilman  
**SECONDER:** Richard Gallo, Councilman  
**AYES:** Deerin, Gallo, Irace, O'Brien, Proto, Solan

2. **#2019-179** Resolution appointing a part time Administrative Assistant

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Robert Proto, Councilman  
**SECONDER:** Joseph A. Irace, Councilman  
**AYES:** Deerin, Gallo, Irace, O'Brien, Proto, Solan

3. **#2019-180** Resolution appointing an Acting Electrical Subcode Official/Inspector

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Robert Proto, Councilman  
**SECONDER:** Joseph A. Irace, Councilman  
**AYES:** Deerin, Gallo, Irace, O'Brien, Proto, Solan

**VII. Administrator's Report:**

1. Millennium Proposal for Tidal Check Valve Grant Application

Ms. Phelps updated the Council on the tidal check valve project, advising that the engineering work had been

completed as authorized by Council and that a new application would need to be submitted for the Pre-Disaster Mitigation Grant Program. Millennium who did the original application has provided a proposal to do the new application for a cost of \$15,625. In speaking with the Borough Engineer, she has some questions as to the cost and will be doing more research before consideration as the deadline to apply was Jan. 31.

Ms. Phelps then reported on meeting with representatives of RPM, including President Ed Martoglio, representatives from Allies Residential who are the care givers for the disabled residents at 31, 32, 33 & 34 Gosselin and the Borough's Planner and Redevelopment attorney. The purpose of the meeting was to discuss how to better handle the large volume of emergency response calls, having a care representative available when residents needed to be transported and the possibility of adding additional COAH credits. Also discussed was the subject of the disabled residents at 3 and 10 Gosselin, PennReach being the care providers; Chief Kelly's recommendation that the residents of all these units register with Monmouth County's Special Needs Registry so the Borough would be aware of the types of disabilities and how best to respond to the residents' needs and her follow up with the individuals in attendance on August 20<sup>th</sup> after numerous calls were made to 32 Gosselin. One event involved an individual that was scared and alone with no one she knew accompanying her to the hospital. Single support staff are assigned to each two-bedroom unit during evening and overnight shifts and one program manager is there during the day. Because there are two consumers in each unit, the support staff is unable to accompany a consumer on an EMS transit because that would mean leaving the other consumer unsupervised. The program staff have to trust that the consumer is in the safe hands of trained professionals until a guardian can be reached. Ms. Phelps continued that she was informed that the concerns during the past week at 32 Gosselin had to do with a medical issue. DDD requires that support staff call 911 when there is a medical issue. They advised that they are working on transitioning the individual of concern to a medical home. They will keep us apprised, and all appropriate leasing paperwork will be handled by RPM to ensure that the apartment residency is up to date. To date, despite other follow-ups, she was unaware if that the residents had been entered into the Special Needs Registry.

Councilman Proto commented that he didn't believe anyone from the Borough left that meeting with a good feeling. RPM has not been forthcoming with information from the beginning and needs to be held accountable. The Council will be talking about additional changes to the code for COs and is why they continue to oppose FMERA giving RPM any additional properties until they can get their house in order and show the Borough, working with the Borough and taking responsibility.

Ms. Phelps also advised that JCP&L or First Energy has contracted with Davey Tree Expert Company to provide clearance between electrical wires and trees. Work is scheduled to begin September 12<sup>th</sup> and door hangars will be placed on residents' homes.

Ms. Phelps also reported that the Tax Assessor was in the process of contracting with an individual who will follow up on Temporary COs that have been issued but not closed out. For example, someone gets a temporary CO to put in a pool – the pool is in – But CO was not closed out so the home is taxed without a pool; or without an additional bedroom. This individual will be doing house inspections and funding was included in the Assessor's budget. She will advise once she has a start date.

Ms. Phelps reported that she continues to reach out to the Department of Treasury for an update on what the Borough needs to do to recoup its share of Sports Betting from Monmouth Park.

Ms. Phelps has provided information from Danny Donovan working on behalf of Crown Castle with a request to relocate one of their cell towers to Oceanport. He suggests 3 Pemberton Avenue (across the street from 1<sup>st</sup> Aid); Southern tip of Gold Street; 30 Pemberton Avenue (vacant land across street) or the Hook & Ladder. Each of the areas being requested is residential and/or wetlands and the other site being at the Hook and Ladder – also in a residential area. Looking for 4-5000 square feet in exchange for \$26,400 per year or \$2,200 per month. Council discussed the need for another tower in Oceanport as there were no known dead spots, there are already 2-3 towers in the immediate surrounding area, technology changes, and there current negotiations with FMERA for one of their cell towers. Council consensus was that there was no interest in pursuing the proposal.

On August 27<sup>th</sup>, a Pre-Constructing Meeting was held with the contractor for the new municipal complex, Benjamin Harvey Co., The Goldstein Partnership and Borough representatives. The meeting was very successful, most if not all of the contractors Benjamin Harvey using are from Monmouth County. All Star has

begun the asbestos abatement and are hoping to be finished within the next two weeks. The demolition work will commence when asbestos abatement is completed. A Notice to Proceed will be issued to Benjamin Harvey once asbestos/demo work is complete.

Lastly, in conjunction with the work that has begun, the East Main Street/Rasor Avenue gate will be open from 7 am to 7 pm, Monday through Friday. Council President Solan requested that signs be placed advising that it was not a through way for the public which Ms. Phelps would look into.

#### **VIII. Clerk's Report:**

##### **Sept. 19, 2019 Meeting Items:**

1. Resolution authorizing a Tax Exemption for Joseph W. Van Sant
2. Resolution approving Special Event Permit for Bike New York
3. Ordinance Creating an ADA Committee
4. Ordinance Amending Dog License Fees
5. Ordinance Setting Forth Policy & Regulations for Blackberry Bay Park Launch Facility
6. Mayor & Council - Workshop - Aug 15, 2019 7:00 PM
7. Mayor & Council - Regular Meeting - Aug 15, 2019 7:30 PM
8. Receipt & Acceptance of Minutes, Historical Committee, July 9, 2019
9. Approval of First Aid Membership, Dawn Placer

Ms. Smith reviewed items for action at the Sept. 19th meeting; an additional line to be added to the ADA Committee ordinance ("appointment with advice and consent of Council"); proposed ordinance for the boat launch to have added prior to introduction a section prohibiting commercial use and to provide for the fee to be waived for other governmental units.

#### **IX. Discussion Items:**

1. Monmouth Park Heliport Flight /Trip Monitoring, Councilman Proto

Councilman Proto brought to the Council's attention advertising of the Monmouth Park Heliport for flights and the individual seat rates. There was discussion concerning the monitoring of flights and the ability to implement an ordinance that requires reporting of flights to the Borough and associate with a fine for not reporting or exceeding the allowed 10 flights. He believes the fine should be significant to dissuade violations – suggests a \$5,000 penalty. Mr. Arnette advised that he would review it as far as the fine amounts were concerned as there were other factors involved that may guide the penalty amount but certainly would look into drafting language for Council review. Other Council members wanted a progressive increase in the penalty as well.

2. Resolution opposing NJ as a sanctuary state

Councilman Irace commented that the resolution was his idea and one he supported for reasons including ta dollars should stay in NJ and in the Borough for the legal residents and not be used for illegals to receive free education among other points. The rest of Council unanimously supported the position and the resolution would be added to the next meeting.

3. Ordinances & Forms to Expand CO/CCO requirements, Councilman Proto

Councilman Proto provided an update on the drafting of the proposed ordinance in order to fill gaps in the Borough's code concerning certificates of occupancy, needs Council to weigh in on some topics in order to finish drafting the ordinance including requirement for copy of lease with application, expand types of COs and their fees, the minimum length of time for short term rentals, time limits on temporary CO s. Councilman Proto noted that it was just about a year since they had brought on John Johnson as full time construction official/code enforcement and it was not an understatement when said that his department was overwhelmed with addressing mistakes of the past and closing gaps to ensure that everyone plays by the rules. The goal was to give Mr. Johnson the tools he needs to perform the tasks. Mr. Johnson believe there will be a trend toward stricter limits on short term rentals. Councilman Irace stated he would defer to John, Donna and Jeanne and whoever was working on this and bring back to planning committee. There were no objections.

X. **Mayor's Report:** No report as the Mayor was not in attendance.

XI. **Petitions from the Public:** Council President Solan opened the meeting to petitions from the public.

Sam Zimmerman, President of Jockey Club Board, stated they were very happy that they would be introducing the resolution for the helicopter flights and could tell them it was a lot more than 8 and he's not there all the time. They want to see Monmouth Park do well but the helistop was a non-starter.

Jeff Oakes, 62 Pemberton Ave, made comments concerning his alarm for the resolution about ICE, no immigration problem in Oceanport, the lack of compassion for medical cannabis community, no presence of the council at the Kortney Rose event, now they can't get the money out of Monmouth Park, it's a burden on the Borough's police department...

Mark Patterson, 40 Ithaca Ave, asked if they were sure it was all Monmouth Park flights coming in and not someone else – just wanted to be sure that the penalty went to the correct party. The penalty would go to the property owner – Monmouth Park. He's opposed to flights himself but wanted to be sure correct people were held accountable. Mr. Patterson also announced that Oceanport's finest would be playing Oceanport's bravest in softball on Sept. 24 at Blackberry Bay Park, all were welcome to come watch.

Rosanne Letson, on behalf of the Historical Committee, gave an update on upcoming events including T-shirts sales to help fund events, a table at Summer's End with historical photos of places, trivia questions, candy for the kids; working with Recreation Committee at the Halloween party and parade, the holiday home tour and discount for advance tickets available at Summer's End Festival and looking for some more homes to be on the tour; banners on poles throughout town available and invited them to "like" their new Facebook page and share it.

XII. **Adjournment:** As there was no further business, the meeting was adjourned at 8:10 PM on a motion by Councilman Proto, seconded by Councilman Irace and approved by Council.

Respectfully submitted,

Jeanne Smith  
BOROUGH CLERK





# BOROUGH OF OCEANPORT

## MAYOR & COUNCIL

MINUTES • SEPTEMBER 19, 2019

Regular Meeting

Maple Place School

7:00 PM

2 Maple Place, Oceanport, NJ 07757

- I. **Call to Order:** Mayor Coffey called the meeting to order at 7:00 p.m.
- II. **Statement of Compliance with Open Public Meetings Act:** Mayor Coffey stated "Adequate notice of this meeting has been provided by notice to the Asbury Park Press and The Link News on January 9, 2019, and by the posting of same on the municipal bulletin board and Borough Web Site."
- III. **Flag Salute:** Mayor Coffey led the audience and members of the Council in the flag salute.
- IV. **Invocation:** Chaplain Stacy Deerin was unable to attend.
- V. **Roll Call:**

| Attendee Name        | Title                  | Status  | Arrived |
|----------------------|------------------------|---------|---------|
| Jay Coffey           | Mayor                  | Present |         |
| William Deerin       | Councilman             | Absent  |         |
| Richard Gallo        | Councilman             | Present |         |
| Joseph A. Irace      | Councilman             | Present |         |
| Michael O'Brien      | Councilman             | Present |         |
| Robert Proto         | Councilman             | Present |         |
| Stephen Solan        | Council President      | Present |         |
| Donna M. Phelps      | Borough Administrator  | Present |         |
| Jeanne Smith         | Borough Clerk          | Present |         |
| Scott Arnette        | Board Attorney         | Present |         |
| Catherine D. LaPorta | Chief Financial Office | Present |         |

- VI. **Administrators Report:** Ms. Phelps reported on items including status of the Tidal Check Valve Grant application, Millennium proposal to prepare new submission and that she was working with a member at NO Office of Emergency Management to determine if the Borough's previous application is acceptable and provide supplementation; Allies Residential Services has advised that the residents of Gosselin Avenue units 31, 32, 33 and 34 are now registered with the County Special Needs Registry as discussed at last meeting; waiting to hear from PennReach on their units, however, just received notice that RPM had discontinued use of Penn Reach as a placement agent for those units. Council President Solan asked what happened to the residents for those units. Discussion ensued on how to ensure that those residents weren't impacted, RPM's reasons for discontinuing services, if leases are with individuals how are they handling that, the willful lack of property monitoring.

Ms. Phelps also reported on her attempts to contact the Treasury regarding the Borough's share of Monmouth Park's sport betting. She'll be reaching out next to the Borough's legislative representatives for Answers; status of claim for loss of poles and transformers at municipal complex determined at \$15,642 less the \$2,500 deductible for a renumeration to the Borough of \$13,542; submittal of a request to FEMA for asbestos costs reimbursement for new complex in the amount of \$376,558 which if approved, will be in addition to the Borough Hall Project Worksheet and the Borough will receive 90% of the approved amount; attendance at the Community Development Block Grant application presentation meeting along with Maser's presentation for the Borough's project for improvements to Wolf Hill Ave with ADA improvements; status of asbestos removal work at new complex with demolition work anticipated to be complete in about 2 weeks resulting in a Notice to Proceed for the General Contract the 1st or 2nd week of October.

Ms. Phelps lastly brought up a request that Ms. Smith brought to her attention from FMERA regarding the numbering of buildings at the new municipal complex as Verizon requires addresses when connecting to those sites. She suggested 900 as a place holder for the area where the recreation building was being removed, addresses of 910 for municipal building, 920 for the DPW garage and 930 for the police department and needed to decide whether or not to keep it Murphy Drive. Councilman Irace asked if we could change the

name of the street. Ms. Phelps answered we would have to ask FMERA. Councilman Irace said he and the Mayor had talked about this. Ms. Phelps said FMERA owns the street which it is her understanding that's the way we want to keep it. Mayor Coffey commented he thought less Murphy then the street coming in would be the street to name – the one that separates the recreation building...Ms. Phelps asked you mean Razor?...Mayor said no, no, when you make the right past the recreation building and the municipal building on the left...there's a street there...unnamed. Councilman Solan said it's an access space. Councilman Irace said Murphy can stay, he doesn't really care. Mayor Coffey – I don't really know if we can change Murphy because Murphy goes all the way past everything. Councilman Irace – Murphy's fine, we just had that one we wanted to use. Councilman Solan said Murphy is not fine. Mayor commented that he thought they would keep with the same road names for the main roads because developers need to know what the names of the streets are and other places that will be in there with us...Ms. Smith speaking up said that is why we should ask FMERA to change it now *before* the utilities come in, like FMERA did with their street – Caren Franzini Way, we can't change it because we don't own it but we're involved in the process. Councilman Irace said we should go for it. Mayor Coffey said *The Oceanport Way*. Councilman Solan asked what if we made it 1920 Oceanport Way – it does have historical significance. Ms. Smith explained that we can't - that was in her report. She was involved with FMERA and the assignment of addresses, they have put a program in place because they were having problems with utility connections. They have now numbered block regions and the series assigned to the municipal complex is 900, there were some exceptions for existing sites such as Russel Hall, a lot involved. Mayor Coffey asked then do we want to make the request for Oceanport Way. Councilman Irace said, yes, why not, I think that's great. There was some additional bantering about "the Oceanport way or old Oceanport way", which direction the building numbers would run and why the army numbered the buildings the way they did. Ms. Phelps will submit request to FMERA to change name of Murphy Drive to Oceanport Way.

- VII. Clerk's Report:** Ms. Smith advised that the website continues to be improved with additional forms and services for the residents; public comments, invited photographs of Oceanport be sent in; will put an announcement in the next bulletin; further advised of notice of change in staff for the Borough's Planner.

**VIII. Consent Agenda:**

- #2019-181** 1. Resolution authorizing payment of BILL LIST 09-19-2019
- #2019-182** 2. Resolution approving Special Event Permit for Bike New York
- #2019-183** 3. Resolution opposing NJ as a sanctuary state
- #2019-184** 4. Resolution authorizing a Tax Exemption for Joseph W. Van Sant
- 5. Approval of First Aid Membership, Dawn Placer
- 6. Receipt & Acceptance of Minutes, Historical Committee, July 9, 2019

|                  |                                     |
|------------------|-------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>          |
| <b>MOVER:</b>    | Joseph A. Irace, Councilman         |
| <b>SECONDER:</b> | Stephen Solan, Council President    |
| <b>AYES:</b>     | Gallo, Irace, O'Brien, Proto, Solan |
| <b>ABSENT:</b>   | Deerin                              |

**IX. Minutes:**

1. Mayor & Council - Workshop - Aug 15, 2019 7:00 PM

|                  |                                  |
|------------------|----------------------------------|
| <b>RESULT:</b>   | <b>ACCEPTED [4 TO 0]</b>         |
| <b>MOVER:</b>    | Stephen Solan, Council President |
| <b>SECONDER:</b> | Joseph A. Irace, Councilman      |
| <b>AYES:</b>     | Gallo, Irace, Proto, Solan       |
| <b>ABSTAIN:</b>  | O'Brien                          |
| <b>ABSENT:</b>   | Deerin                           |

2. Mayor & Council - Regular Meeting - Aug 15, 2019 7:30 PM

**RESULT:** ACCEPTED [UNANIMOUS]  
**MOVER:** Joseph A. Irace, Councilman  
**SECONDER:** Michael O'Brien, Councilman  
**AYES:** Gallo, Irace, O'Brien, Proto, Solan  
**ABSENT:** Deerin

**X. Resolutions:**

**#2019-185** Resolution rescinding Resolution #2019-056

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Joseph A. Irace, Councilman  
**SECONDER:** Stephen Solan, Council President  
**AYES:** Gallo, Irace, O'Brien, Proto, Solan  
**ABSENT:** Deerin

**#2019-186** Resolution authorizing permit for Facility Use

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Joseph A. Irace, Councilman  
**SECONDER:** Robert Proto, Councilman  
**AYES:** Gallo, Irace, O'Brien, Proto, Solan  
**ABSENT:** Deerin

**#2019-187** Resolution amending 2019 salary resolution

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Robert Proto, Councilman  
**SECONDER:** Stephen Solan, Council President  
**AYES:** Gallo, Irace, O'Brien, Proto, Solan  
**ABSENT:** Deerin

**XI. First Reading Ordinances:**

Introduction of Ordinance Amending Dog License Fees

Councilman Proto called for the introduction of **"AN ORDINANCE AMENDING DOG LICENSE FEES, CHAPTER 127 (ANIMALS) OF THE CODE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY"** and then asked the Clerk to read the proposed ordinance by title only, after which Councilman Proto moved to approve the Ordinance upon first reading and to hold the public hearing on the proposed ordinance at the Council meeting of October 17, 2019 and to advertise same in accordance with the law, which was seconded by Councilman Irace.

**RESULT:** APPROVED OF FIRST READING [UNANIMOUS] Next: 10/17/2019 7:00 PM  
**MOVER:** Robert Proto, Councilman  
**SECONDER:** Joseph A. Irace, Councilman  
**AYES:** Gallo, Irace, O'Brien, Proto, Solan  
**ABSENT:** Deerin

Introduction of Ordinance Setting Forth Policy & Regulations for Blackberry Bay Park Launch Facility

Councilman Proto called for the introduction of **"AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY SETTING FORTH POLICY AND REGULATIONS FOR THE BLACKBERRY BAY PARK LAUNCH FACILITIES"** and then asked the Clerk to read the

proposed ordinance by title only, after which Councilman Proto moved to approve the Ordinance upon first reading and to hold the public hearing on the proposed ordinance at the Council meeting of October 17, 2019 and to advertise same in accordance with the law, which was seconded by Councilman Irace.

**RESULT:** APPROVED OF FIRST READING [UNANIMOUS] Next: 10/17/2019 7:00 PM  
**MOVER:** Robert Proto, Councilman  
**SECONDER:** Joseph A. Irace, Councilman  
**AYES:** Gallo, Irace, O'Brien, Proto, Solan  
**ABSENT:** Deerin

#### Introduction of Ordinance Creating an ADA Committee

Councilman Proto called for the introduction of **"AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CREATING AN ADA COMMITTEE"** and then asked the Clerk to read the proposed ordinance by title only, after which Councilman Proto moved to approve the Ordinance upon first reading and to hold the public hearing on the proposed ordinance at the Council meeting of October 17, 2019 and to advertise same in accordance with the law, which was seconded by Councilman Irace.

**RESULT:** APPROVED OF FIRST READING [UNANIMOUS] Next: 10/17/2019 7:00 PM  
**MOVER:** Robert Proto, Councilman  
**SECONDER:** Joseph A. Irace, Councilman  
**AYES:** Gallo, Irace, O'Brien, Proto, Solan  
**ABSENT:** Deerin

#### Introduction of Ordinance amending Property Maintenance Code to Expand Certificate of Occupancy Requirements

Councilman Proto called for the introduction of **"AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY AMENDING CHAPTER 295 OF THE CODE OF THE BOROUGH OF OCEANPORT, ENTITLED "PROPERTY MAINTENANCE" PASSED AND APPROVED ON OCTOBER 3, 2013, AS LAST REVISED AND PASSED ON MARCH 21, 2019"** and then asked the Clerk to read the proposed ordinance by title only, after which Councilman Proto moved to approve the Ordinance upon first reading and to hold the public hearing on the proposed ordinance at the Council meeting of October 17, 2019 and to advertise same in accordance with the law, which was seconded by Councilman Irace.

**RESULT:** APPROVED OF FIRST READING [UNANIMOUS] Next: 10/17/2019 7:00 PM  
**MOVER:** Robert Proto, Councilman  
**SECONDER:** Joseph A. Irace, Councilman  
**AYES:** Gallo, Irace, O'Brien, Proto, Solan  
**ABSENT:** Deerin

## XII. Committee Reports:

### 1. Councilman Proto, Planning and Development Liaison

Councilman Proto reported that FMERA approved the purchase sale agreement for the Barker's Circle parcel; expressed his disappointment that Council was not informed of anything related to this proposal prior to the vote and knew only from viewing the FMERA agenda. Councilman Proto read the following statement: "The mayors on the FMERA board don't forfeit their elected official status and the obligation/responsibilities attended thereto once they take their seat at a FMERA meeting. They were elected by the people of their respective towns to serve the people who elected them, not some board that was created out of whole cloth by the State of New Jersey. I would argue that the fiduciary responsibility that is owed by the mayors of their respective municipalities trumps that which is owed by them to the FMERA board. The mayors were elected to their municipal positions. They were constricted however into their positions on the FMERA board. And lets

face it, given the make up of the FMERA board the mayors are window dressing when it comes to real decision making and voting. I agree with Mayor Mahon and Mayor Skudera, the mayors aren't individual members on the FMERA board. Rather, they are representative members. They represent the electorate and the local government of the municipality in which they serve. These are not my words. These are the words of Mayor Coffey in 2015. I believe those words to be true then and I believe them to be true now".

2. Councilman Irace, Finance and Administration Liaison

Councilman Irace had no report.

3. Councilman Gallo, Public Works and Engineering Liaison

Councilman Gallo reported the cutting of the grass by the contractor going well, has freed up public works to do other tasks; removal of stone parking lot at Blackberry Bay Park and installation of stone dust for a nice hard surface, easier to walk on for the seniors and thanked Public Works and the Borough Administrator for making that happen.

4. Councilman O'Brien, Health and Human Services Liaison

Councilman O'Brien reported on meetings of Water Watch Committee, results of water testing, overall water quality continues to be good, has been all summer; involvement with the NJ FRAMES project to provide flood resiliency to the Two Rivers area of Monmouth County, proposals call for installation of bulkheads, levies, roads and train tracks and encouraged the public to view [nj.gov/dep](http://nj.gov/dep). There was no meeting of the FMERA environmental board to report on.

5. Council President Solan, Public Safety Liaison

Council President Solan announced the Run for the Fallen event on Sept. 29th, stopping at various hero markers including four in Oceanport, urged Borough residents to attend the one being held at E. Main Street and Pemberton Avenue where Shauna Brocklebank Adams, killed in a training incident in Korea, will be recognized and honored. Council President Solan also announced Pasta Dinner fundraiser for the First Aid on Oct. 11th at 5pm; summarized the monthly police report of vehicle stops, summons issued, Kortney Rose event; offered his comments on the recently adopted law providing for Temporary Risk Protective Order and Final Risk Protective Order and questioned their constitutionality. DWI task force held a DWI checkpoint on Oceanport Avenue late August, no drivers arrested during that checkpoint.

6. Councilman Deerin, Parks and Recreation Liaison - Absent

- XIII. Mayor Coffey's Report:** Mayor Coffey commented on the great job done by Parks & Recreation on this year's Summer's End Festival, gets better and better every year because of the volunteers, Borough Police Department, Fire Department and Public Works staff. Mayor Coffey also announced a basketball game at Evergreen Park, Ms. Phelps confirmed court does need to be striped.

Mayor Coffey also read the following Proclamation - September is Hunger Action Month:

**WHEREAS**, hunger and poverty are issues of grave concern in the United States, the State of New Jersey and the Borough of Oceanport; and

**WHEREAS**, the Borough of Oceanport is committed to taking steps to raise awareness about the need to combat hunger; and

**WHEREAS**, the Borough of Oceanport is committed to working with *fulfill*, formerly *The FoodBank of Monmouth & ocean counties* in educating people about the role and importance of food banks in addressing hunger and raising awareness of the need to devote more resources and attention to hunger issues; and

**WHEREAS**, the federal poverty level for a family of four (4) has become \$23,850, in 2014; and

**WHEREAS**, the real cost of living in Monmouth county is 41% higher than the national average ; and one (1) in every seven (7) households in Ocean County earns below the real cost of living; and

**WHEREAS**, more than 136,000 individuals in Monmouth and ocean counties rely on food provided by the members of the foodbank of Monmouth and ocean counties annually; and

**WHEREAS**, one (1) in every ten (10) people in Monmouth and Ocean counties received "emergency" food from the FoodBank of Monmouth and Ocean Counties and their network of food pantries, soup kitchens, shelters and other community organizations; and

**WHEREAS**, food banks across the country will host numerous events throughout the month of September to bring awareness and attention to encourage involvement in efforts to end hunger in their local community.

**NOW, THEREFORE, I, JOHN F. COFFEY, II, MAYOR**, together with the members of our governing body and the entire Borough of Oceanport, in order to promote public awareness about hunger, do hereby declare September 2019 as **Hunger Action Month** in the Borough of Oceanport and call this observation to the attention of its citizens.

Mayor Coffey reported that the Kortney Rose Foundation event went well and reached their goal of \$100,000 in funds raised for a total of \$2 million for pediatric brain tumor research.

Mayor Coffey concluded his report with the following statement: "With respect to the beautiful treatise on fiscal and fiduciary responsibility on part of the Mayor, I agree with everything I said and wrote back then and if you think that in my capacity as Mayor on the FMERA board I'm not doing what I believe is in the best interests of Oceanport then you haven't been paying attention to the past 17 years of my living. With respect to the Barker's Circle, it's the same developer that is putting in the dance hall that was so incredibly deferential to our Planning Board when he appeared there and provided that great representation as to what was going to be built at the dance hall and I'm sure you're going to see another presentation at the Planning Board that will knock your socks off with respect to *this* developer. This item has been discussed at not one, not two, not three, not four but six, at least six FMERA meetings and it was also mentioned when FMERA was here a long, long time ago. There's no secret that the proposal is 75 residential units, 60 of which are for either sale or lease at market rate, 15 of which by law have to be affordable housing. The firehouse where our police reside for free for the past several years is going to be converted into a restaurant, and the small theater that you see as you drive past the firehouse, police station, is going to be turned into a local community theatre event space. This is part of the, two things that we can't get around that we, Joe and I fought so hard against 10 years ago now, is that the numbers are fixed, 720 residential units, 144 of which must be, 20%, affordable housing units. Can't get past that. There, in order to have 720 units to be built on 430 acres you're going to have a little bit higher density than we're used to in the rest of Oceanport. It is my opinion, and my belief that the Fort section, and I know that Council disagrees with me, the Fort section will look totally different then the rest of Oceanport. Its going to have 4 liquor licenses. Four liquor licenses on 430 acres and if you count the marina that would be a 5th liquor license. But the State of New Jersey gave us 4 liquor license which we can do with what we want and provide to the proprietors who are buying developing here. With respect to Barker's Circle, they're paying \$4.85 million for this, and that's been known for quite a while, and they're going to put \$22 million of improvements into those horrible, unaesthetic, those buildings should be knocked down. When you come out of the marina making right hand turn onto Oceanport Ave to Little Silver you see these horrific dorm-type buildings that...I lived in Laurel Gardens when I first got married, and those buildings, and I'm not disparaging Laurel Gardens in Eatontown, those buildings have more aesthetic appeal than these buildings at Barker's Circle. Nonetheless they are within the historical area and can't be taken down. So this developer has to figure out a way, God bless him, he's go to figure out a way to turn those units into high-end rentals or high-end sales and use the existing facilities. One building is also going to be kept non-residential – it will be commercial, at this point office space, but I'm sure when the developer comes into the Planning Board this will all be fleshed out a little bit more. In connection with each one of these developments I do an analysis to figure out what we're going to get as far as tax revenue. When I voted in favor of the Somerset property which is the 143 high-end units, \$900,000 each projected and 37 rental affordable housing, when built out will generate about \$1.8 million in tax revenue – we don't get all of that – we get 25% of that to the Borough, it has to be shared with the County and the school board. This new 75 unit building when built out is going to generate a tremendous amount of tax revenue again which the Borough of Oceanport will, and the school system will receive about, close to 80% to put towards our coffers. I don't take any of this stuff lightly. It's no doubt that there's a break down in communication between me and this Council. There was a break down in communication between the last mayor and this Council. There's one commonality there. But any question about whether I'm putting the Borough of Oceanport first, when I'm sitting there as Mayor, I've said on the record at FMERA where my allegiance lies. I'm elected by the *Borough of Oceanport's* residents. I have a fiduciary duty to them. I think I'm fulfilling that each and every month I sit there, each and every month I sit here".

**XIV. Petitions from the public:** Mayor Coffey opened the meeting to petitions from the public.

Maggie Lippolis, 65 Monmouth Rd, asked questions about the ordinance creating an ADA committee and the break out of members and asked why the First Aid was not recommended as membership, questioned who the Director of Health was. Ms. Phelps responded it would likely be the county. Ms. Lippolis further

commented that she sees the Fire Chief for Oceanport as part of the group, and guess that Public Safety Director would be the Chief but doesn't remember hearing of a director of health in the Borough. There's a board of health and hopes it was just a typographical error or an oversight. Oceanport First Aid would be part of this group considering they do patient care including mobility and extreme difficult situations to move their patients.

Barbara Josselyn, 62 Manitto Place, on behalf of the seniors was there to thank Councilman Gallo for fixing the parking lot for them and anyone else involved in it. Ms. Josselyn also discussed that their by-laws says that she is supposed to come to all of the Council meetings and she would be changing that – a duty of the president. Ms. Josselyn asked if there was someone who was the liaison to the seniors. There was some discussion on which Committee they came under and it was determined it was under Parks and Rec – Councilman Deerin. They will be updating their by-laws last updated in 2006.

Bob Fiore, 5 Fiore Court, appeared and brought to their attention issues with building simple driveways in Oceanport, the ordinance being enforced, the permit required, an inspection fee and a \$1,000 deposit and believes it's a bit extreme and asked that they reconsider it. Discussion ensued on the purpose for the ordinance. Councilman Proto responded that he would be happy to look into the ordinance but this may never have been enforced because we never had a full-time code enforcement officer which we have now and there will be people not happy that they are being enforced now. That said, if this ordinance is a bit prohibitive they'd be happy to look into it. Mr. Fiore commented he thought the intent was for the utilities who dig into the streets. Ms. Smith advised that the ordinance was put in place for a formal process by which its guaranteed that if the work performed is done improperly, there's recourse for the Borough done in its right of way; the cash repair deposit covers that and is refunded if not used, the engineer has to inspect it to be sure it was repaired properly. She suggested that they consider posting a bond which would cover all of their projects like the utilities company do if they do that much work in town and what that entailed. Ms. Smith also advised that if the owner has a survey that shows the work to be performed is not in the right of way then they do not need a permit. Councilman Proto stated to Ms. Smith that we could meet with John and review the ordinance again. Mr. Fiore also asked about the project to do Wolf Hill Road and as a contractor suggested that they wait until after the school work being done so it doesn't get torn up. There was discussion that was discussed and the engineer had not had a concern. Ms. Phelps commented that they were still waiting to see if they were awarded the grant for it or the work likely wouldn't be done. Mr. Fiore also commented that the striping at Evergreen was *not* getting done as he was told to hold off – they're going to paint it...Ms. Phelps answered she was not sure about that...Mayor Coffey asked if that was the seal. Mr. Fiore responded that if they paint it, it has to cure 30 days and so they took the striping out.

Hank Wollman, 16 Center Street, stated he thought he observed some congeniality between the mayor and council but below the surface it looks like they are issue. He believes that everyone who runs for a public position, for the most part, does it in the best interest of the town. With FMERA, he worked at Fort Monmouth, it was clear to him that the towns have no power so anyone under the illusion that we have any power with FMERA. That was the first time he had heard those numbers, so we're stuck with that right. He thanked everyone for their service, not many want this job, always someone to tell them they're not doing it right but it takes a lot of time out of their schedules and of course the Borough staff do a great job.

Council President Solan spoke as to the school referendum project which was presented at both back to school nights, his conversation with the new superintendent and requested that Ms. Phelps prepare an official invite to the architecture firm involved in the school referendum project to attend a Council meeting and give the same presentation to Council, town and have it broadcast so they know exactly what it entails and the financial impact.

#### **XV. Executive Session:**

#2019-188 Resolution authorizing an Executive Session

**Litigation, Negotiations and the Attorney Client Privilege N.J.S.A. 10:4-12(b)(7) and**  
Borough of Oceanport vs. Salnick, Keith  
Borough Planner Contract

At 8:10 pm, the Mayor stated that an Executive Session was needed. Ms. Smith read the resolution authorizing the Governing Body to enter Executive Session which was added to the Agenda and approved on a motion by Councilman Gallo and seconded by Councilman Irace.

|                  |                                     |
|------------------|-------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>          |
| <b>MOVER:</b>    | Joseph A. Irace, Councilman         |
| <b>SECONDER:</b> | Richard Gallo, Councilman           |
| <b>AYES:</b>     | Gallo, Irace, O'Brien, Proto, Solan |
| <b>ABSENT:</b>   | Deerin                              |

At 8:51 pm, the Mayor & Council returned from Executive Session and the regular meeting was reopened on a motion by Councilman Gallo and seconded by Councilman Irace and approved by Council.

- XVI. Adjournment:** As there was no further business, the meeting was adjourned at 8:52 PM on a motion by Councilman Irace, seconded by Councilman Gallo and approved by Council.

Respectfully submitted,

Jeanne Smith  
BOROUGH CLERK



**RESOLUTION OF THE BOROUGH OF OCEANPORT  
APPOINTMENTS TO THE POLICE DEPARTMENT FOR THE PERIOD  
JANUARY 1, 2019 TO DECEMBER 31, 2019**

**Resolution #2019-198  
10/17/19**

**WHEREAS**, Police Chief Michael Kelly has advised that there is a need to fill the vacancy for the third relief crossing guard position; and

**WHEREAS**, Chief Kelly has recommended the appointment of Joseph "Wes" Sherman to fill the vacancy.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Oceanport, that Joseph "Wes" Sherman is hereby appointed as a School Relief Crossing Guard effective October 1, 2019 through December 31, 2019 based on the recommendation of the Mayor and Police Chief Michael Kelly.

I certify that the foregoing Resolution #2019-198 was adopted  
by the Oceanport Governing Body at the Regular Meeting held  
October 17, 2019

---

JEANNE SMITH, RMC  
BOROUGH CLERK

## BOROUGH OF OCEANPORT

Michael P. Kelly  
*Chief of Police*

Michael S. Chenoweth  
*Captain*

Michael Fagiarone  
*Lieutenant*



## POLICE DEPARTMENT

P.O. BOX 370, OCEANPORT, NEW JERSEY 07757

732.222.6300

*Main*

732.222.6301 ext 1015

*Records*

732.222.0945

*Fax*

September 30, 2019

Donna Phelps, Borough Administrator  
Jeanne Smith, Borough Clerk  
Steven Solan, Public Safety Chair, Oceanport Borough Council

Dear Members,

Please accept this letter and attached application from Joseph "Wes" Sherman to be hired on as a Reserve "fill-in" Crossing Guard for the Borough of Oceanport.

The Crossing Guard contingent in Oceanport has normally included three (3) reserve fill in guards. We have been operating with only two for the last couple of years.

Mr. Sherman has showed interest in the position, and with his background in community service as a firefighter, and member of the Office of Emergency Management, as well as work with the Department of Public works, Wes would be a reliable candidate for the position.

I ask the Borough Council accept his application for school Crossing guard and approve his application to the position.

Thank You

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael P. Kelly".

Michael P. Kelly  
Chief of Police

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
AUTHORIZING CHANGE ORDER #1 - 2018 ROAD PROGRAM CONTRACT**

**Resolution #2019-199  
10/17/19**

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

**WHEREAS**, there is a need to amend the contract with Fiore Paving Co. as stated in a letter from the Engineer dated October 7, 2019 to adjust for as-built quantities; and

**WHEREAS**, the original contract of \$164,326.04 will be decreased by \$1,106.09 to reflect adjustments for as-built quantities and closes out the project; and

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

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

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

I certify that the foregoing Resolution #2019-199 was adopted  
by the Oceanport Governing Body at the Regular Meeting held  
October 17, 2019

\_\_\_\_\_  
JEANNE SMITH, RMC  
BOROUGH CLERK



Engineers  
Planners  
Surveyors  
Landscape Architects  
Environmental Scientists

10.2.a

**Corporate Headquarters**  
331 Newman Springs Road, Suite 203  
Red Bank, NJ 07701  
T: 732.383.1950  
F: 732.383.1984  
www.maserconsulting.com

October 7, 2019

**VIA EMAIL**

Honorable Mayor and Council  
Borough of Oceanport  
315 East Main Street  
Oceanport, NJ 07757

Re: Partial Payment No. 2 Final  
2018 Road Program  
Borough of Oceanport, Monmouth County, New Jersey  
MC Project No. OPB-157

Dear Mayor and Council:

We are writing this letter to certify that Fiore Paving Company, 4 Fiore Court, Oceanport, NJ 07757, contractor for the above-referenced project, has completed the work as listed on the enclosed Partial Payment Certificate No. 2 Final, and is entitled to payment in the amount of \$107,768.12, upon submission of an acceptable two year Maintenance Bond in the amount of \$16,219.95.

Also enclosed with this Payment are three copies of Change Order No. 1 & Final. This adjusts some items to their as-built quantities and closes out the project. The original contract amount was \$164,326.04. Change Order #1 decreases the contract by \$1,106.09 to \$163,326.04.

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

Very truly yours,

MASER CONSULTING P.A.

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

WHW/nb  
Enclosure

cc: Jeanne Smith, RMC, Borough Clerk  
Robert Fiore (via email Fiorepaving@aol.com)

\\Hqfas1\general\Projects\Opb\OPB-157\Correspondence\OUT\191007\_whw\_smith.docx

**35**  
YEARS OF  
Customer Loyalty  
through

**Packet Pg. 52**

## BOROUGH OF OCEANPORT

## PAYMENT APPLICATION NO. 2 FINAL

DATE: 9/23/2019

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

Project No. OPB-157

ESTIMATE OF THE AMOUNT AND VALUE OF WORK COMPLETED UNDER CONTRACT FOR:  
2018 ROAD PROGRAM

Period 4/13/19 to 9/23/19

| Item | Description                                      | Contract Quantity | Unit  | Unit or Lump Sum Price | Contract Totals | Amended Quantity | Previous Quantity | Current Period |             | Total To Date |             |
|------|--------------------------------------------------|-------------------|-------|------------------------|-----------------|------------------|-------------------|----------------|-------------|---------------|-------------|
|      |                                                  |                   |       |                        |                 |                  |                   | Quantity       | Amount      | Quantity      | Amount      |
| 1    | Clearing Site                                    | 1                 | LS    | \$28,561.00            | \$28,561.00     |                  | 0.50              | 0.50           | \$14,280.50 | 1.00          | \$28,561.00 |
| 2    | Fuel Price Adjustment                            | 1                 | LS    | \$1,500.00             | \$1,500.00      |                  | 0.00              |                | \$0.00      | 0.00          | 0.00        |
| 3    | Traffic Director, Flagger                        | 64                | HRS   | \$81.00                | \$5,184.00      |                  | 40.00             | 46.00          | \$3,726.00  | 86.00         | \$6,966.00  |
| 4    | Breakaway Barricades                             | 8                 | Unit  | \$0.01                 | \$0.08          |                  | 0.00              |                | \$0.00      | 0.00          | 0.00        |
| 5    | Drums                                            | 20                | Unit  | \$0.01                 | \$0.20          |                  | 0.00              | 2.00           | \$0.02      | 2.00          | \$0.02      |
| 6    | Traffic Cones                                    | 50                | Unit  | \$0.01                 | \$0.50          |                  | 0.00              | 50.00          | \$0.50      | 50.00         | \$0.50      |
| 7    | Construction Signs                               | 150               | SF    | \$0.01                 | \$1.50          |                  | 0.00              | 125.00         | \$1.25      | 125.00        | \$1.25      |
| 8    | Tack Coat                                        | 320               | Gal.  | \$0.01                 | \$3.20          |                  | 0.00              | 200.00         | \$2.00      | 200.00        | \$2.00      |
| 9    | Excavation, Unclassified                         | 745               | CY    | \$0.01                 | \$7.45          |                  | 0.00              | 725.00         | \$7.25      | 725.00        | \$7.25      |
| 10   | Dense Graded Aggregate, Base Course, 6" Thick    | 2110              | SY    | \$0.01                 | \$21.10         |                  | 0.00              |                | \$0.00      | 0.00          | 0.00        |
| 11   | Hot Mix Asphalt 9.5M64, Surface Course, 2" Thick | 318               | Ton   | \$90.00                | \$28,620.00     |                  | 0.00              | 258.05         | \$23,224.50 | 258.05        | \$23,224.50 |
| 12   | Hot Mix Asphalt 19M64, Base Course, 4" Thick     | 554               | Tons  | \$80.00                | \$44,320.00     |                  | 0.00              | 612.20         | \$48,976.00 | 612.20        | \$48,976.00 |
| 13   | HMA Driveway, 3.5" Thick                         | 70                | SY    | \$30.00                | \$2,100.00      |                  | 72.60             |                | \$0.00      | 72.60         | \$2,178.00  |
| 14   | Concrete Driveway, Reinforced, 6" Thick          | 35                | SY    | \$110.00               | \$3,850.00      |                  | 17.10             | 32.00          | \$3,520.00  | 49.10         | \$5,401.00  |
| 15   | Reset Existing Pavers                            | 5                 | SY    | \$125.00               | \$625.00        |                  | 4.80              |                | \$0.00      | 4.80          | \$600.00    |
| 16   | Concrete Curb and Gutter                         | 1046              | LF    | \$34.50                | \$36,087.00     |                  | 920.00            | 15.00          | \$517.50    | 935.00        | \$32,257.50 |
| 17   | Reconstructed Inlet Type "B", Using New Casting  | 4                 | Units | \$2,000.00             | \$8,000.00      |                  | 0.00              | 2.00           | \$4,000.00  | 2.00          | \$4,000.00  |
| 18   | Curb Piece, Type "N"                             | 1                 | Unit  | \$500.00               | \$500.00        |                  | 1.00              |                | \$0.00      | 1.00          | \$500.00    |
| 19   | Bicycle Safe Grate                               | 1                 | Unit  | \$500.00               | \$500.00        |                  | 1.00              |                | \$0.00      | 1.00          | \$500.00    |
| 20   | Reset Manhole, Sanitary, Using Existing Casting  | 1                 | Unit  | \$0.01                 | \$0.01          |                  | 0.00              |                | \$0.00      | 0.00          | 0.00        |
| 21   | Traffic Markings Lines, 4"                       | 310               | LF    | \$3.00                 | \$930.00        |                  | 0.00              | 275.00         | \$825.00    | 275.00        | \$825.00    |
| 22   | Traffic Markings Lines, 6"                       | 110               | LF    | \$4.00                 | \$440.00        |                  | 0.00              | 33.00          | \$132.00    | 33.00         | \$132.00    |
| 23   | Traffic Markings Lines, 24"                      | 85                | LF    | \$15.00                | \$1,275.00      |                  | 0.00              | 61.00          | \$915.00    | 61.00         | \$915.00    |
| 24   | Topsoiling, 4" Thick                             | 225               | SY    | \$6.00                 | \$1,350.00      |                  | 208.00            |                | \$0.00      | 208.00        | \$1,248.00  |
| 25   | Fertilizing and Seeding, Type F                  | 225               | SY    | \$1.00                 | \$225.00        |                  | 208.00            |                | \$0.00      | 208.00        | \$208.00    |
| 26   | Straw Mulching                                   | 225               | SY    | \$1.00                 | \$225.00        |                  | 208.00            |                | \$0.00      | 208.00        | \$208.00    |

10.2.a

## BOROUGH OF OCEANPORT

## PAYMENT APPLICATION NO. 2 FINAL

DATE: 9/23/2019

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

Project No. OPB-157

ESTIMATE OF THE AMOUNT AND VALUE OF WORK COMPLETED UNDER CONTRACT FOR:  
**2018 ROAD PROGRAM**

Period 4/13/19 to 9/23/19

| Item | Description               | Contract Quantity | Unit | Unit or Lump Sum Price | Contract Totals         | Amended Quantity | Previous Quantity | Current Period |              | Total To Date |                      |
|------|---------------------------|-------------------|------|------------------------|-------------------------|------------------|-------------------|----------------|--------------|---------------|----------------------|
|      |                           |                   |      |                        |                         |                  |                   | Quantity       | Amount       | Quantity      | Amount               |
| S-1  | Geotextile                | 1                 | LS   | \$700.00               | \$700.00                |                  | 0.00              | 1.00           | \$700.00     | 1.00          | 700.00               |
| S-2  | 2 1/2" Clean Stone        | 52.78             | Tons | \$80.00                | \$4,222.40              |                  | 0.00              | 52.78          | \$4,222.40   | 52.78         | 4,222.40             |
| S-3  | East Main Street Striping | 1                 | LS   | \$1,586.53             | \$1,586.53              |                  | 0.00              | 1.00           | \$1,586.53   | 1.00          | 1,586.53             |
|      |                           |                   |      |                        | Total This Estimate     |                  |                   |                | \$106,636.45 | Total To Date | \$163,219.95         |
|      |                           |                   |      |                        | Less 2.0% Retained      |                  |                   |                |              |               |                      |
|      |                           |                   |      |                        | Net Amount              |                  |                   |                |              |               | \$ 163,219.95        |
|      |                           |                   |      |                        | Less Previous Estimates |                  |                   |                |              |               | \$ 55,451.83         |
|      |                           |                   |      |                        | <b>AMOUNT DUE</b>       |                  |                   |                |              |               | <b>\$ 107,768.12</b> |
|      |                           |                   |      |                        | Original Contract Value |                  |                   |                |              |               | \$ 164,326.04        |
|      |                           |                   |      |                        | Change Orders to Date   |                  |                   |                |              |               | \$ (1,106.09)        |
|      |                           |                   |      |                        | Adjusted Contract Value |                  |                   |                |              |               | \$ 163,219.95        |

CERTIFICATE OF CONTRACTOR

I certify that all items, units, quantities and prices of work and material shown in this progress estimate are correct; that all work has been performed and materials supplied in full accordance with the terms of the contract documents and all authorized changes thereto; that the foregoing is a true and correct statement of the contract account up to and including the last day of the period covered by this estimate, and that no part of the stated amount due this estimate has been received.

BY:

Fiore Paving Co., Inc.

DATE

APPROVED:

Maser Consulting P.A.

DATE

|                     |                        |
|---------------------|------------------------|
| <b>Project</b>      | 2018 Road Program      |
| <b>Municipality</b> | Borough of Oceanport   |
| <b>County</b>       | Monmouth               |
| <b>Contractor</b>   | Fiore Paving Co., Inc. |

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

- Supplemental Items S-1 thru S-3
- Final As-Built Quantities

**Increased Items -**

| <u>Item No.</u> | <u>Description</u>                           | <u>Quantity (+/-)</u> | <u>Unit Price</u> | <u>Amount</u> |
|-----------------|----------------------------------------------|-----------------------|-------------------|---------------|
| 3               | Traffic Director, Flagger                    | 22 Hrs.               | \$ 81.00          | \$ 1,782.00   |
| 12              | Hot Mix Asphalt 19M64, Base Course, 4" Thick | 58.2 Tons             | \$ 80.00          | \$ 4,656.00   |
| 13              | HMA Driveway, 3.5" Thick                     | 2.6 Tons              | \$ 30.00          | \$ 78.00      |
| 14              | Concrete Driveway, Reinforced, 6" Thick      | 14.1 SY               | \$110.00          | \$ 1,551.00   |

**Total Increase:**

\$ 8,067.00

**Decreased Items -**

| <u>Item No.</u> | <u>Description</u>                               | <u>Quantity (+/-)</u> | <u>Unit Price</u> | <u>Amount</u> |
|-----------------|--------------------------------------------------|-----------------------|-------------------|---------------|
| 2               | Fuel Price Adjustment                            | -1 LS                 | \$1,500.00        | \$ (1,500.00) |
| 4               | Breakaway Barricades                             | -8 Unit               | \$0.01            | \$ (0.08)     |
| 5               | Drums                                            | -18 Unit              | \$0.01            | \$ (0.18)     |
| 7               | Construction Signs                               | -25 SF                | \$0.01            | \$ (0.25)     |
| 8               | Tack Coat                                        | -120 Gal.             | \$0.01            | \$ (1.20)     |
| 9               | Excavation, Unclassified                         | -20 CY                | \$0.01            | \$ (0.20)     |
| 10              | Dense Graded Aggregate, Base Course, 6" Thick    | -2110 SY              | \$0.01            | \$ (21.10)    |
| 11              | Hot Mix Asphalt 9.5M64, Surface Course, 2" Thick | -59.95 Ton            | \$90.00           | \$ (5,395.50) |
| 15              | Reset Existing Pavers                            | -0.2 SY               | \$125.00          | \$ (25.00)    |
| 16              | Concrete Curb and Gutter                         | -111 LF               | \$34.50           | \$ (3,829.50) |
| 17              | Reconstructed Inlet Type "B", Using New Casting  | -2 Units              | \$2,000.00        | \$ (4,000.00) |
| 20              | Reset Manhole, Sanitary, Using Existing Casting  | -1 Unit               | \$0.01            | \$ (0.01)     |
| 21              | Traffic Markings Lines, 4"                       | -35 LF                | \$3.00            | \$ (105.00)   |
| 22              | Traffic Markings Lines, 6"                       | -77 LF                | \$4.00            | \$ (308.00)   |
| 23              | Traffic Markings Lines, 24"                      | -24 LF                | \$15.00           | \$ (360.00)   |
| 24              | Topsoiling, 4" Thick                             | -17 SY                | \$6.00            | \$ (102.00)   |
| 25              | Fertilizing and Seeding, Type F                  | -17 SY                | \$1.00            | \$ (17.00)    |
| 26              | Straw Mulching                                   | -17 SY                | \$1.00            | \$ (17.00)    |

**Total Decrease:**

\$ (15,682.02)

**Supplemental Items -**

| <u>Item No.</u> | <u>Description</u>        | <u>Quantity (+/-)</u> | <u>Unit Price</u> | <u>Amount</u> |
|-----------------|---------------------------|-----------------------|-------------------|---------------|
| S-1             | Geotextile                | 1 LS                  | \$ 700.00         | \$ 700.00     |
| S-2             | 2 1/2" Clean Stone        | 52.78 Tons            | \$ 80.00          | \$ 4,222.40   |
| S-3             | East Main Street Striping | 1 LS                  | \$ 1,586.53       | \$ 1,586.53   |

**Total Supplemental:**

\$ 6,508.93

Amount of Original Contract

\$ 164,326.04

Adjusted Amount Based on Change

Extra

\$ 8,067.00

Order No. 1 Final

Supplemental

\$ 6,508.93

Reduction

\$ -15,682.02

Total Change

\$ -1,106.09

% Change in Contract

-0.67%

[(-) Decrease]



Maser Consulting P.A.  
(Engineer)

6/12/19

(Date)



Fiore Paving Co., Inc.  
(Contractor)

(Date)

107-19

Borough of Oceanport  
(Presiding Officer)

(Date)



|                     |                        |
|---------------------|------------------------|
| <b>Project</b>      | 2018 Road Program      |
| <b>Municipality</b> | Borough of Oceanport   |
| <b>County</b>       | Monmouth               |
| <b>Contractor</b>   | Fiore Paving Co., Inc. |

In accordance with the project Supplementary Specification, the following are changes in the contract.

Location and Reason for Change (Attach additional sheets if required) -

- Supplemental Items S-1 thru S-3
- Final As-Built Quantities

**Increased Items -**

| <u>Item No.</u>        | <u>Description</u>                           | <u>Quantity (+/-)</u> | <u>Unit Price</u> | <u>Amount</u>      |
|------------------------|----------------------------------------------|-----------------------|-------------------|--------------------|
| 3                      | Traffic Director, Flagger                    | 22 Hrs.               | \$ 81.00          | \$ 1,782.00        |
| 12                     | Hot Mix Asphalt 19M64, Base Course, 4" Thick | 58.2 Tons             | \$ 80.00          | \$ 4,656.00        |
| 13                     | HMA Driveway, 3.5" Thick                     | 2.6 Tons              | \$ 30.00          | \$ 78.00           |
| 14                     | Concrete Driveway, Reinforced, 6" Thick      | 14.1 SY               | \$110.00          | \$ 1,551.00        |
| <b>Total Increase:</b> |                                              |                       |                   | <b>\$ 8,067.00</b> |

**Decreased Items -**

| <u>Item No.</u>        | <u>Description</u>                               | <u>Quantity (+/-)</u> | <u>Unit Price</u> | <u>Amount</u>         |
|------------------------|--------------------------------------------------|-----------------------|-------------------|-----------------------|
| 2                      | Fuel Price Adjustment                            | -1 LS                 | \$1,500.00        | \$ (1,500.00)         |
| 4                      | Breakaway Barricades                             | -8 Unit               | \$0.01            | \$ (0.08)             |
| 5                      | Drums                                            | -18 Unit              | \$0.01            | \$ (0.18)             |
| 7                      | Construction Signs                               | -25 SF                | \$0.01            | \$ (0.25)             |
| 8                      | Tack Coat                                        | -120 Gal.             | \$0.01            | \$ (1.20)             |
| 9                      | Excavation, Unclassified                         | -20 CY                | \$0.01            | \$ (0.20)             |
| 10                     | Dense Graded Aggregate, Base Course, 6" Thick    | -2110 SY              | \$0.01            | \$ (21.10)            |
| 11                     | Hot Mix Asphalt 9.5M64, Surface Course, 2" Thick | -59.95 Ton            | \$90.00           | \$ (5,395.50)         |
| 15                     | Reset Existing Pavers                            | -0.2 SY               | \$125.00          | \$ (25.00)            |
| 16                     | Concrete Curb and Gutter                         | -111 LF               | \$34.50           | \$ (3,829.50)         |
| 17                     | Reconstructed Inlet Type "B", Using New Casting  | -2 Units              | \$2,000.00        | \$ (4,000.00)         |
| 20                     | Reset Manhole, Sanitary, Using Existing Casting  | -1 Unit               | \$0.01            | \$ (0.01)             |
| 21                     | Traffic Markings Lines, 4"                       | -35 LF                | \$3.00            | \$ (105.00)           |
| 22                     | Traffic Markings Lines, 6"                       | -77 LF                | \$4.00            | \$ (308.00)           |
| 23                     | Traffic Markings Lines, 24"                      | -24 LF                | \$15.00           | \$ (360.00)           |
| 24                     | Topsoiling, 4" Thick                             | -17 SY                | \$6.00            | \$ (102.00)           |
| 25                     | Fertilizing and Seeding, Type F                  | -17 SY                | \$1.00            | \$ (17.00)            |
| 26                     | Straw Mulching                                   | -17 SY                | \$1.00            | \$ (17.00)            |
| <b>Total Decrease:</b> |                                                  |                       |                   | <b>\$ (15,682.02)</b> |

**Supplemental Items -**

| <u>Item No.</u>            | <u>Description</u>        | <u>Quantity (+/-)</u> | <u>Unit Price</u> | <u>Amount</u>      |
|----------------------------|---------------------------|-----------------------|-------------------|--------------------|
| S-1                        | Geotextile                | 1 LS                  | \$ 700.00         | \$ 700.00          |
| S-2                        | 2 1/2" Clean Stone        | 52.78 Tons            | \$ 80.00          | \$ 4,222.40        |
| S-3                        | East Main Street Striping | 1 LS                  | \$ 1,586.53       | \$ 1,586.53        |
| <b>Total Supplemental:</b> |                           |                       |                   | <b>\$ 6,508.93</b> |

Amount of Original Contract

\$ 164,326.04

Adjusted Amount Based on Change

Order No. 1 Final \$ 163,219.95

% Change in Contract

[-(+ Decrease)] -0.67%

Extra

\$

8,067.00

Supplemental

\$

6,508.93

Reduction

\$

-15,682.02

Total Change

\$

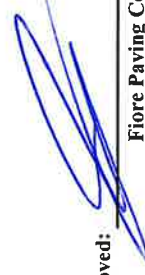
-1,106.09

Maser Consulting P.A.  
(Engineer)

06/17/19

(Date)

Approved:

Fiore Paving Co., Inc.  
(Contractor)

10-7-19

(Date)

Borough of Oceanport  
(Presiding Officer)

(Date)



|              |                        |
|--------------|------------------------|
| Project      | 2018 Road Program      |
| Municipality | Borough of Oceanport   |
| County       | Monmouth               |
| Contractor   | Fiore Paving Co., Inc. |

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

- Supplemental Items S-1 thru S-3
- Final As-Built Quantities

**Increased Items -**

| Item No.        | Description                                  | Quantity (+/-) | Unit Price | Amount      |
|-----------------|----------------------------------------------|----------------|------------|-------------|
| 3               | Traffic Director, Flagger                    | 22 Hrs.        | \$ 81.00   | \$ 1,782.00 |
| 12              | Hot Mix Asphalt 19M64, Base Course, 4" Thick | 58.2 Tons      | \$ 80.00   | \$ 4,656.00 |
| 13              | HMA Driveway, 3.5" Thick                     | 2.6 Tons       | \$ 30.00   | \$ 78.00    |
| 14              | Concrete Driveway, Reinforced, 6" Thick      | 14.1 SY        | \$110.00   | \$ 1,551.00 |
| Total Increase: |                                              |                |            | \$ 8,067.00 |

**Decreased Items -**

| Item No.        | Description                                      | Quantity (+/-) | Unit Price | Amount         |
|-----------------|--------------------------------------------------|----------------|------------|----------------|
| 2               | Fuel Price Adjustment                            | -1 LS          | \$1,500.00 | \$ (1,500.00)  |
| 4               | Breakaway Barricades                             | -8 Unit        | \$0.01     | \$ (0.08)      |
| 5               | Drums                                            | -18 Unit       | \$0.01     | \$ (0.18)      |
| 7               | Construction Signs                               | -25 SF         | \$0.01     | \$ (0.25)      |
| 8               | Tack Coat                                        | -120 Gal.      | \$0.01     | \$ (1.20)      |
| 9               | Excavation, Unclassified                         | -20 CY         | \$0.01     | \$ (0.20)      |
| 10              | Dense Graded Aggregate, Base Course, 6" Thick    | -2110 SY       | \$0.01     | \$ (21.10)     |
| 11              | Hot Mix Asphalt 9.5M64, Surface Course, 2" Thick | -59.95 Ton     | \$90.00    | \$ (5,395.50)  |
| 15              | Reset Existing Pavers                            | -0.2 SY        | \$125.00   | \$ (25.00)     |
| 16              | Concrete Curb and Gutter                         | -111 LF        | \$34.50    | \$ (3,829.50)  |
| 17              | Reconstructed Inlet Type "B", Using New Casting  | -2 Units       | \$2,000.00 | \$ (4,000.00)  |
| 20              | Reset Manhole, Sanitary, Using Existing Casting  | -1 Unit        | \$0.01     | \$ (0.01)      |
| 21              | Traffic Markings Lines, 4"                       | -35 LF         | \$3.00     | \$ (105.00)    |
| 22              | Traffic Markings Lines, 6"                       | -77 LF         | \$4.00     | \$ (308.00)    |
| 23              | Traffic Markings Lines, 24"                      | -24 LF         | \$15.00    | \$ (360.00)    |
| 24              | Topsailing, 4" Thick                             | -17 SY         | \$6.00     | \$ (102.00)    |
| 25              | Fertilizing and Seeding, Type F                  | -17 SY         | \$1.00     | \$ (17.00)     |
| 26              | Straw Mulching                                   | -17 SY         | \$1.00     | \$ (17.00)     |
| Total Decrease: |                                                  |                |            | \$ (15,682.02) |

**Supplemental Items -**

| Item No.            | Description               | Quantity (+/-) | Unit Price  | Amount      |
|---------------------|---------------------------|----------------|-------------|-------------|
| S-1                 | Geotextile                | 1 LS           | \$ 700.00   | \$ 700.00   |
| S-2                 | 2 1/2" Clean Stone        | 52.78 Tons     | \$ 80.00    | \$ 4,222.40 |
| S-3                 | East Main Street Striping | 1 LS           | \$ 1,586.53 | \$ 1,586.53 |
| Total Supplemental: |                           |                |             | \$ 6,508.93 |

Amount of Original Contract

\$ 164,326.04

\$ 8,067.00

Adjusted Amount Based on Change

\$

\$ 6,508.93

Order No. 1 Final

\$ 163,219.95

\$ -15,682.02

Total Change

\$ -1,106.09

% Change in Contract

-0.67%

[(-) Decrease]

Maser Consulting P.A.  
(Engineer)

01/7/19

(Date)

Fiore Paving Co., Inc.  
(Contractor)

10-7-19

(Date)

Borough of Oceanport  
(Presiding Officer)

(Date)

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
SECOND AMENDMENT TO PURCHASE AND SALE AND REDEVELOPMENT  
AGREEMENT WITH THE FORT MONMOUTH ECONOMIC REVITALIZATION  
AUTHORITY FOR THE NEW MUNICIPAL COMPLEX**

**Resolution #2019-200  
10/17/19**

**WHEREAS**, the Borough Council adopted Resolution #2017-122 authorizing execution of a Purchase and Sale and Redevelopment Agreement with the Fort Monmouth Economic Revitalization Authority for the property known as the 900 Area; and

**WHEREAS**, the 900-area parcel consists of 13 acres of land including Buildings 900, 901, 914, 915, 916, 917, 918, 977, 983, located in the Borough of Oceanport (the "Property"); and

**WHEREAS**, the Project included the retention and renovation of Buildings 900, 901, 917, 918, 977 and 983; the demolition of Buildings 914, 915, and 916; the expenditure of an estimated amount of \$10,000,000; and the Borough's contribution of one-third (1/3) of the costs, not to exceed Fifty Thousand Dollars, for a new water main and a maximum of Seventy-Five Thousand Dollars toward the costs of off-Property improvements to the electrical grid; and

**WHEREAS**, subsequent to the execution of the closing documents, a survey issued by Langan Engineering identified that northern portions of the Property bordering Oceanport Creek, totaling 0.105 acres, were subject to tidelands claim(s) by the State ("Tidelands Carve-out Parcel"); and

**WHEREAS**, in August 2017, FMERA approved the First Amendment to the PSARA which allowed both existing Environmental Carve-Out, Parcel 69, and the Tideland Carve-Out Parcel to be conveyed in subsequent closings; and

**WHEREAS**, on August 16, 2017, FMERA conveyed the property to the Borough of Oceanport in as-is condition for \$1,053,000.00, excluding Environmental Carve-out Parcel 69 consisting of approximately 0.07 acres and a Tideland's Carve-out Parcel consisting of approximately 0.105 acres; and

**WHEREAS**, on April 18, 2018, a Second Closing for Carve-out Parcel 69 took place after the Army completed its environmental investigations and remedial action and conveyed Environmental Carve-out Parcel 69 to FMERA; the Tideland Carve-Out Parcel is pending New Jersey Department of Environmental Protection clearance; and

**WHEREAS**, pursuant to the executed PSARA between FMERA and the Borough, the Borough made the Fifty Thousand Dollar contribution to FMERA for the completion of a new water main to the site, which was installed in June 2019 and the Borough remains responsible for its utility obligations; and

**WHEREAS**, under section 6.2 of the PSARA, the Borough shall be responsible for renovating Buildings 900, 901, 917, 918, 977 and 983 and demolishing all other buildings on the Property, including but not limited to, Buildings 914, 915 and 916. Purchaser shall commence the Project within six (6) months of the Initial Closing and all demolition shall be completed six (6) months thereafter. Purchaser shall complete the renovation of a first building, as evidenced by its receipt of a certificate of occupancy for the first building renovation no later than December 31, 2018 and shall complete all phases of the Project no later than twelve (12) months after completion of demolition and site work; and

**WHEREAS**, the Borough now seeks to demolish Buildings 917, 918 and 983 and an extension of the Project completion timeline to August 31, 2020; and

**WHEREAS**, FMERA has adopted the attached Second Amendment to the PSARA with the following revisions to its material terms: (1) Section 6.2 of the Agreement is amended to provide that Buildings 917, 918 and 983 on the Property be permitted to be demolished, 2) the language regarding completion of the first building is hereby deleted; and 3) the Project completion timeline shall be extended to August 31, 2020.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Mayor and Borough Clerk are hereby authorized to execute the Second Amendment to the Purchase & Sale and Redevelopment Agreement with the Fort Monmouth Economic Revitalization Authority for the future Municipal Complex in the 900-area effective immediately.

**BE IT FURTHER RESOLVED**, that the Borough Clerk shall forward a fully executed copy of the Second Amendment to the PSARA to the Fort Monmouth Economic Revitalization Authority.

I certify that the foregoing Resolution #2019-200 was adopted  
by the Oceanport Governing Body at the Regular Meeting held  
October 17, 2019

---

JEANNE SMITH, RMC  
BOROUGH CLERK

## SECOND AMENDMENT TO PURCHASE AND SALE AGREEMENT AND REDEVELOPMENT AGREEMENT

**THIS SECOND AMENDMENT TO PURCHASE AND SALE AGREEMENT AND REDEVELOPMENT AGREEMENT** (“Second Amendment”), is made and entered into as of this \_\_\_\_\_ day of October 2019, by and between Fort Monmouth Economic Revitalization Authority (“Seller”), a public body corporate and politic constituted as an independent authority and instrumentality of the State of New Jersey, pursuant to P.L. 2010, c. 51 , N.J.S.A. 52:271- 18 et seq., whose address is 502 Brewer Avenue, Oceanport, New Jersey 07757, and the Borough of Oceanport (“Purchaser”), a political subdivision of the State of New Jersey, having an address at 315 East Main Street, Oceanport, New Jersey 07757. Seller and Purchaser are collectively referred to herein as the “Parties.”

**WHEREAS**, the Parties have heretofore entered into a certain Purchase and Sale Agreement and Redevelopment Agreement, dated July 31, 2017, as amended by the First Amendment to the Purchase and Sale Agreement and Redevelopment Agreement dated August 15, 2017 (collectively the “Agreement”), whereby Seller agreed to sell and Purchaser agreed to purchase and redevelop approximately 13 acres of real property located on Fort Monmouth, Oceanport, New Jersey within Block 110, Lot 1 (the “Property”); and

**WHEREAS**, subsequent to the execution of the Agreement and the closing documents, a survey issued by LANGAN Engineering identified that northern portions of the Property bordering Oceanport Creek, totaling 0.105 acres, are were subject to tidelands claim(s) by the State; and

**WHEREAS**, in the First Amendment to the Agreement the Parties agreed to proceed to closing on the Property provided that Environmental Carve-out Parcel 69 and the parcel subject to the Tideland’s claim (“Tideland Carve-Out Parcel”) were to be conveyed in subsequent closings to occur within 30 days of Purchaser receiving title from the Army or receiving clearance against the tideland claim, respectively; and

**WHEREAS**, by Quitclaim Deed dated July 31, 2017, Purchaser took title to the Property, subject to the covenants and obligations as stated in the Agreement; and

**WHEREAS**, by Quitclaim Deed dated April 18, 2018 the Purchaser took title to Carve-out Parcel 69; and

**WHEREAS**, pursuant to the Agreement, Purchaser agreed to renovate Buildings 900, 901, 917, 918, 977 and 983 and to demolish all other building on the Property including Buildings 914, 915 and 916; to complete the renovation of a first building by no later than December 31, 2018, and to complete construction of the Project no later than twelve (12) months after completion of demolition and site work; and

**WHEREAS**, the Purchaser has informed Seller that it now intends to demolish Buildings 917, 918 and 983 and requests an amendment to the timeline for Project completion.

**NOW, THEREFORE,** in consideration of the foregoing and other good and other valuable consideration, the receipt of which is hereby acknowledged, the Parties hereby agree as follows:

1. Recitals; Definitions. The recitals set forth above are true and correct and by this reference are incorporated herein in their entirety. Any terms not otherwise defined or expressly modified herein shall have the same meaning described to it in the Agreement.

2. Redeveloper Designation; Redevelopment Project, Capital Investment, and Job Creation.

Subsection 6.2 is amended to provide that Buildings 917, 918 and 983 on the Property is permitted to be demolished. It is understood that the inclusion of Buildings 917, 918 and 983 in the list of Buildings permitted to be demolished shall not alter the timelines contained therein, including the obligation to commence the Project.

Subsection 6.2 is amended to delete any reference to “first building renovation” and the timeline associated forthwith.

Subsection 6.2 is further amended to state that Purchase shall complete all phases of the Project no later than August 31, 2020.

3. Counterpart Copies. This Second Amendment may be executed in any number of counterpart copies, all of which shall have the same force and effect as if all parties hereto had executed a single copy hereof.

4. Entire Agreement, Ratifications and Reconciliation. The Agreement, the First Amendment and this Second Amendment contain the final and entire Agreement between the Parties with respect to the sale and purchase of the Property and are intended to be an integration of all prior negotiations and understandings. Except as modified in the First Amendment and this Second Amendment, the Agreement is hereby ratified and remains in full force and effect. The terms and provisions of this Second Amendment shall be reconciled with the terms and provisions of the Agreement to the fullest extent reasonable possible; provided, however, in the event of any irreconcilable conflict between any term or provision of this Second Amendment and any terms or provisions of the Agreement, such term or provision of this Second Amendment shall control.

**[Signatures on following page]**

**IN WITNESS WHEREOF**, the Parties have hereunto set their hands and seals the day and year first written above.

ATTEST: BOROUGH OF OCEANPORT, Purchaser

\_\_\_\_\_ By: \_\_\_\_\_  
Mayor John F. Coffey

ATTEST: FORT MONMOUTH ECONOMIC  
REVITALIZATION AUTHORITY, Seller

\_\_\_\_\_ By: \_\_\_\_\_  
Bruce Steadman,  
Executive Director

**ADOPTED**  
**September 18, 2019**

**Resolution Regarding  
Second Amendment to Purchase and Sale and Redevelopment Agreement with the Borough of Oceanport  
for a future Municipal Complex in the 900-Area**

**WHEREAS**, at the Authority's June 21, 2017 meeting, the Board authorized FMERA staff to enter into a PSARA with the Borough of Oceanport, for a future Municipal Complex in the 900 Area and the PSARA was executed on July 31, 2017; and

**WHEREAS**, the 900-area parcel consists of 13 acres of land including Buildings 900, 901, 914, 915, 916, 917, 918, 977, 983, located in the Borough of Oceanport (the "Property"); and

**WHEREAS**, the Project included the retention and renovation of Buildings 900, 901, 917, 918, 977 and 983; the demolition of Buildings 914, 915, and 916; the expenditure of an estimated amount of \$10,000,000; and the Borough's contribution of one-third (1/3) of the costs, not to exceed Fifty Thousand Dollars, for a new water main and a maximum of Seventy-Five Thousand Dollars toward the costs of off-Property improvements to the electrical grid; and

**WHEREAS**, subsequent to the execution of the closing documents, a survey issued by Langan Engineering identified that northern portions of the Property bordering Oceanport Creek, totaling 0.105 acres, were subject to tidelands claim(s) by the State ("Tidelands Carve-out Parcel"); and

**WHEREAS**, in August 2017, FMERA approved the First Amendment to the PSARA which allowed both existing Environmental Carve-Out, Parcel 69, and the Tidelands Carve-Out Parcel to be conveyed in subsequent closings; and

**WHEREAS**, on August 16, 2017, FMERA conveyed the property to the Borough of Oceanport in as-is condition for \$1,053,000.00, excluding Environmental Carve-out Parcel 69 consisting of approximately 0.07 acres and a Tidelands Carve-out Parcel consisting of approximately 0.105 acres; and

**WHEREAS**, on April 18, 2018, a Second Closing for Carve-out Parcel 69 took place after the Army completed its environmental investigations and remedial action and conveyed Environmental Carve-out Parcel 69 to FMERA; the Tidelands Carve-Out Parcel is pending New Jersey Department of Environmental Protection clearance; and

**WHEREAS**, pursuant to the executed PSARA between FMERA and the Borough, the Borough made the Fifty Thousand Dollar contribution to FMERA for the completion of a new water main to the site, which was installed in June 2019 and the Borough remains responsible for its utility obligations; and

**WHEREAS**, under section 6.2 of the PSARA, Purchaser shall be responsible for renovating Buildings 900, 901, 917, 918, 977 and 983 and demolishing all other buildings on the Property, including but not limited to, Buildings 914, 915 and 916. Purchaser shall commence the Project within six (6) months of the Initial Closing and all demolition shall be completed six (6) months thereafter. Purchaser shall complete the renovation of a first building, as evidenced by its receipt of a certificate of occupancy for the first building renovation no later than December 31, 2018 and shall complete all phases of the Project no later than twelve (12) months after completion of demolition and site work; and

**WHEREAS**, The Borough now seeks to demolish Buildings 917, 918 and 983 and an extension of the Project completion timeline to August 31, 2020; and

**WHEREAS** FMERA staff proposes the attached Second Amendment to the PSARA with the following revisions to its material terms: (1) Section 6.2 of the Agreement is amended to provide that Buildings 917, 918 and 983 on the Property be permitted to be demolished, 2) the language regarding completion of the first building is hereby deleted; and 3) the Project completion timeline shall be extended to August 31, 2020.

**WHEREAS**, all other material terms of the PSARA as presented to the Board will remain unchanged. The attached Second Amendment to the PSARA is in substantially final form. The final terms of the amendment will be subject to the approval of Purchaser's Counsel, FMERA's Executive Director and the Attorney General's Office.

**WHEREAS**, the Real Estate Committee has reviewed the request and recommends it to the Board for approval.

**THEREFORE, BE IT RESOLVED THAT:**

1. The Authority approves the Second Amendment to the Purchase & Sale and Redevelopment Agreement with the Borough of Oceanport for a future Municipal Complex in the 900-area on terms substantially consistent to those set forth in the attached memorandum and with final terms acceptable to the Executive Director and the Attorney General's Office and authorizes the Executive Director to execute the Agreement.

2. This resolution shall take effect immediately, but no action authorized herein shall have force and effect until 10 days, Saturdays, Sundays, and public holidays excepted, after a copy of the minutes of the Authority meeting at which this resolution was adopted has been delivered to the Governor of the State of New Jersey for his approval, unless during such 10-day period the Governor of the State of New Jersey shall approve the same, in which case such action shall become effective upon such approval, as provided by the Act.

**Attachment**

**Dated: September 18, 2019**

**EXHIBIT 4**



## ORDINANCE

### AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY AMENDING CHAPTER 115 OF THE CODE OF THE BOROUGH OF OCEANPORT, ENTITLED "ALCOHOLIC BEVERAGES" FOR THE INCREASE IN FEES FOR LIQUOR LICENSES

**BE IT ORDAINED** by the Council of the Borough of Oceanport, in the County of Monmouth, in the State of New Jersey, that Chapter 115, Sections 7 and 8 are hereby amended to increase the renewal fees for plenary retail consumption licenses and plenary retail distribution licenses as follows:

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

#### Article II. Licensing

##### **§ 115-7. Fee for retail consumption license.**

The annual license fee for plenary retail consumption licenses shall be and is hereby fixed at ~~\$1243.00~~ each. \$1,491.00.

##### **§ 115-8. Fee for retail distribution license.**

The annual license fee for plenary retail distribution licenses shall be and is hereby fixed at ~~\$745.~~ \$894.00.

**BE IT FURTHER ORDAINED** that all other terms and provisions of Article II, Chapter 115, Alcoholic Beverages, Licensing of the Borough Code shall remain unchanged.

**BE IT FURTHER ORDAINED** that this Ordinance shall take effect upon final passage and publication in accordance with the law.

#### **APPROVED ON FIRST READING**

DATED:

JEANNE SMITH  
Clerk of the Borough of Oceanport

#### **ADOPTED ON SECOND READING**

DATED: October 17, 2019

JEANNE SMITH  
Clerk of the Borough of Oceanport

**APPROVAL BY THE MAYOR ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_.**

**JOHN F. COFFEY, II**  
Mayor

## ORDINANCE

### AN ORDINANCE OF THE BOROUGH OF OCEANPORT COUNTY OF MONMOUTH, STATE OF NEW JERSEY REGULATING HELISTOPS AND ITS USAGE WITHIN THE BOROUGH OF OCEANPORT

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

#### **DEFINITIONS:**

Helistop is defined as an area of land utilized for the landing and take off of helicopters for noncommercial and emergency purposes. A helistop shall not provide for, nor include, fueling or maintenance of helicopters. Helicopters shall not be parked at the helistop except when loading and discharging passengers.

#### **PROHIBITED ACTIVITIES:**

Helistop shall specifically exclude, and it shall be prohibited to conduct or allow, maintenance, fueling, storage of fuels or helicopter parking or storage. The helicopters shall only be permitted on the helistop for loading and discharging of passengers, not to exceed 15 minutes on the ground, except in cases of emergency. Emergency use can be so declared by the Mayor of Oceanport, the Chief of Police of Oceanport and the Deputy Chief of Police of Oceanport.

#### **TRIPS AND USAGE.**

(1) The helistop owner/operator shall be allowed to land and take off between sunrise and sunset only. The operation of the helistop shall start no sooner than May 1st and must cease on November 1st each year. Operation and landing of helicopters at the helistop before sunrise or after sunset and between November 1st through May 1st shall be prohibited.

(2) The number of flights in and out of the helistop shall be consistent with the temporary Certificate of License issued for the helistop by the New Jersey Department of Transportation, Bureau of Aeronautics. The number applies to the helistop regardless of helicopter owner or operator.

(3) The helistop owner/operator shall provide notice to the Borough Administrator of each take off and landing, at least 24 hours in advance if possible, but never less than 4 hours in advance of any take off or landing. The notice shall be provided by telephone communication and email so that a record of each take off and landing can be retained. Failure to notify the Borough Administrator of a planned take off or landing may result in a reduction in the number of take off and landings that the Borough will allow.

(4) Under no circumstances shall the helistop allow any more than 10 take offs and 10 landings between the valid dates of the license referenced hereinabove.

(5) Under no circumstance shall refueling of the helicopter be permitted at the helistop.

(6) The helistop owner/operator shall comply with all Federal Aviation Regulations (FARS).

**VIOLATIONS:**

Should the helistop owner/operator allow more take offs and landings to occur than are allowed within the Temporary Certificate of License, or more than the maximum allowed (10 take offs and 10 landings), the helistop owner/operator shall be responsible for a per passenger fine for the offending take off or landing of not more than \$2,000.00 for each passenger in the helicopter that exceeds the aforementioned take off and landing numbers.

**SECTION 2.** All ordinances and resolutions or parts of ordinances and resolutions, inconsistent with this amending ordinance be and the same are hereby repealed.

**SECTION 3.** This amending ordinance shall become effective upon due passage and publication according to law.

**APPROVED ON FIRST READING**

DATED: October 17, 2019

JEANNE SMITH  
Clerk of the Borough of Oceanport

**ADOPTED ON SECOND READING**

DATED: October 17, 2019

JEANNE SMITH  
Clerk of the Borough of Oceanport

**APPROVAL BY THE MAYOR ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_.**

**JOHN F. COFFEY, II**  
**Mayor**

## ORDINANCE

### AN ORDINANCE AMENDING DOG LICENSE FEES, CHAPTER 127 (ANIMALS) OF THE CODE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY

**SECTION 1.** BE IT ORDAINED by the Borough Council of the Borough of Oceanport, County of Monmouth and State of New Jersey that the following amendments be made as follows:

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

#### Chapter 127 Animals

#### Article I. Dogs

##### **§127-1. Licenses required; license fee; expiration; duplicate tags.**

- A. Each and every dog shall be duly licensed and shall bear evidence of such license at all times in accordance with the laws of the State of New Jersey.
- B. The annual fee for such license issued shall be as follows:
  - (1) Annual License fee for a non-spayed or non-neutered (non-altered) dog: \$18.00
  - (2) Annual License fee for a spayed or neutered (altered) dog: \$15.00

~~\$10.80 for each dog, plus \$1.20 for the registration tags of each dog. In addition, there shall be a surcharge of \$3 for each non-spayed and non-neutered dog.~~
- C. The foregoing license fees shall include the State charge of \$1.00 for the dog registration tag fee, the surcharge of \$0.20 for the Pilot Clinic Fund of the State of New Jersey and, in the case of a non-spayed or non-neutered (non- altered) dog, the charge of \$3 for the Animal Control Fund of the State of New Jersey.
- D. Said licenses, registration tags and renewals thereof shall expire on the last day of January of each year. Any license purchased after February 28<sup>th</sup> shall be assessed an additional late fee of \$10.00.
- E. In the event that any registration tag is lost, stolen or mutilated beyond recognition, that owner of said dog shall secure a duplicate or new tag. The fee for said duplicate or new tag shall be the sum of \$1.

**SECTION 2.** All ordinances and resolutions or parts of ordinances and resolutions, inconsistent with this amending ordinance be and the same are hereby repealed.

**SECTION 3.** This amending ordinance shall become effective upon due passage and publication according to law.

**APPROVED ON FIRST READING**

DATED: September 19, 2019

JEANNE SMITH

Clerk of the Borough of Oceanport

**ADOPTED ON SECOND READING**

DATED: October 17, 2019

JEANNE SMITH

Clerk of the Borough of Oceanport

**APPROVAL BY THE MAYOR ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_.**

**JOHN F. COFFEY, II**  
**Mayor**

## ORDINANCE

### AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY SETTING FORTH POLICY AND REGULATIONS FOR THE BLACKBERRY BAY PARK LAUNCH FACILITIES

**WHEREAS**, there is a need to set forth additional policy and regulations regarding the Blackberry Bay Park Boat Launch facilities;

**BE IT ORDAINED** by the Borough Council of the Borough of Oceanport, County of Monmouth and State of New Jersey that the following be added to Chapter 279 Parks and Recreation as follows:

#### **I. BLACKBERRY BAY PARK LAUNCH FACILITIES**

##### **Section One: LAUNCH FEE ESTABLISHED.**

No person shall launch a watercraft from the Blackberry Bay Park boat launching facility without paying the launch fee established in this Section. If a motor vehicle and empty trailer related to that watercraft is parked in the parking lot related to the launching of a single boat, each vehicle shall be construed as having launched such boat and each such vehicle shall be subject to pay the daily launch fee or obtain a seasonal permit. Except as otherwise provided by resolution of the Governing Body, fees for use of the launching facilities are contained within the Borough of Oceanport Fee Ordinance, Chapter 204.

##### **Section Two: PAYMENT OF LAUNCH FEE.**

Each holder of a daily or seasonal launching pass shall display the pass in a visible location on the dashboard of the motor vehicle used to launch the watercraft. Application for a daily or seasonal permit shall be made on a form provided by the Borough Clerk's Office. Every person that launches on a single day shall utilize the permit issued by the Borough Clerk and shall post in a visible location on the dashboard of the motor vehicle used to launch the boat. The parking of a motor vehicle with an empty trailer in the parking lot of Blackberry Bay Park without a visible seasonal permit or valid one day permit on the motor vehicle's dashboard will be conclusive evidence of a failure to comply with Section One.

##### **Section Three: COMMERCIAL USE.**

Commercial use of the Blackberry Bay Park Launch Facilities is prohibited.

##### **Section Four: FEE EXEMPTION**

Application for use of the launch facilities by outside governmental agencies shall be exempt from the fee at the discretion of the Borough Clerk.

##### **Section Five: CITATION ENFORCEMENT**

The Borough of Oceanport hereby adopts and authorizes the use of a citation to be issued for violations of this ordinance, including ordinances for which a statutory counterpart exists. Citations authorized under this ordinance may be issued by the Code Enforcement Officer, Police Department or and/or by any other officer of the Borough. Nothing herein shall be construed to prohibit the Borough from enforcing this ordinance by any other lawful means.

#### **II. SEVERABILITY.**

The provisions of this ordinance shall be deemed severable and it is expressly declared that the Borough Council would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be affected.

**III. EFFECTIVE DATE.**

This ordinance shall become effective upon passage and publication in accordance with law.

**APPROVED ON FIRST READING**

DATED: September 19, 2019

JEANNE SMITH

Clerk of the Borough of Oceanport

**ADOPTED ON SECOND READING**

DATED: October 17, 2019

JEANNE SMITH

Clerk of the Borough of Oceanport

**APPROVAL BY THE MAYOR ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_.**

**JOHN F. COFFEY, II**

**Mayor**

## ORDINANCE

### AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CREATING AN ADA COMMITTEE

**BE IT ORDAINED** by the Mayor and the Borough Council of the Borough of Oceanport, County of Monmouth, and State of New Jersey, as follows:

1. Establishment: There shall be established an Americans With Disabilities Act committee, whose membership shall be comprised of individuals listed below, as well as the ADA Coordinator appointed by the Mayor, all of whom shall participate without compensation.
2. Members: The Committee shall consist of a representative from the Borough Council, nominated by the Borough Council, the Business Administrator, the Chief of Police, the Board of Health Chairman, the Director of Public Works, the Chair of the Council Planning & Development Committee, the Chief of the Borough Fire Department, a representative of the Borough Board of Education, as nominated by the board, a senior citizen and two disabled residents of the Borough of Oceanport. The Mayor shall be authorized to appoint the ADA Coordinator with the advice and consent of Council, who shall preferably be residents of the Borough of Oceanport; however, this shall not preclude the appointment of a nonresident member of exceptional qualifications and interest in the Borough of Oceanport. Any individual appointed to the Committee who is not an employee of the Borough shall be appointed by the Mayor with the advice and consent of Council, unless otherwise authorized by this section. All appointees shall serve at the pleasure of the Mayor and Council.
3. Powers and Duties: The Americans With Disabilities Act Committee shall make recommendations to the administration of the Borough of Oceanport as concerns services, practices and policies in furtherance of a self-evaluation to be implemented by the Borough of Oceanport pursuant to Public Law 101:336; 42 U.S.C. 12101 et seq.
4. Coordinator: The Mayor shall appoint the ADA Coordinator and a member of the Committee who shall be designated as the ADA Deputy Coordinator, one of whom should be an employee of the Borough of Oceanport with the advice and consent of Council.
5. Adoption and Statement of Policy: The Borough of Oceanport hereby adopts a policy of nondiscrimination on the basis of disability. The Borough of Oceanport does not discriminate on the basis of disability in the admission or access to or treatment or employment in its programs or activities.

**BE IT FURTHER ORDAINED** that the public hearing on this Ordinance shall take place on October 17, 2019.

#### APPROVED ON FIRST READING

DATED: September 19, 2019

JEANNE SMITH  
Clerk of the Borough of Oceanport

#### ADOPTED ON SECOND READING

DATED: October 17, 2019

JEANNE SMITH  
Clerk of the Borough of Oceanport



APPROVAL BY THE MAYOR ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_.

JOHN F. COFFEY, II  
Mayor

**From:** [Scott Arnette](#)  
**To:** [Donna Phelps](#); [Jeanne Smith](#)  
**Cc:** [Oceanport Mayor](#); [Diane Lindsay \(dlindsay@arnettelaw.com\)](mailto:dlindsay@arnettelaw.com)  
**Subject:** ADA Coordinator  
**Date:** Tuesday, August 6, 2019 12:12:42 PM  
**Attachments:** [OP ADA ORDINANCE .docx](#)  
[ATT00001.htm](#)  
[RESOLUTION ADA Appointment.docx](#)  
[ATT00002.htm](#)

---

Hey there,

I have attached an Ordinance Creating an ADA Committee and a Resolution appointing an ADA Coordinator for the Mayor and Council's review at the next workshop meeting. Both documents are in Word Format so you can work with them to the extent you feel necessary to get them into the form you desire. They may wish to rework the Members Section of the Committee, but I recommend that it remain as it is presently written.

Call with any questions.

Regards,  
Scott

Scott Arnette, Esq.

Certified Civil Trial Attorney, NJ Supreme Court  
Certified Civil Trial Advocate, NBTA

The Arnette Law Firm LLC  
The Coastal Building  
151 Bodman Place, Suite 200  
Red Bank, New Jersey 07701

Tel: 732.933.9900

Fax: 732.933.9959

[www.arnettelaw.com](http://www.arnettelaw.com)

## ORDINANCE

### AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY AMENDING CHAPTER 295 OF THE CODE OF THE BOROUGH OF OCEANPORT, ENTITLED "PROPERTY MAINTENANCE" PASSED AND APPROVED ON OCTOBER 3, 2013, AS LAST REVISED AND PASSED ON MARCH 21, 2019

**SECTION 1.** BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport that the following amendments be made to Chapter 295 entitled Property Maintenance:

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

295-2. Revisions The following sections of the International Property Maintenance Code are hereby revised:

E. Section 113, Certificate of Occupancy, is hereby added as a new section to read as follows:

113.1. Certificate of occupancy required for rental/resale and transfer of title; forms; fees; conditional approval: No owner, owner of rental properties, agent of owner, real estate agent or broker, firm, company, partnership, corporation or person or persons shall sell, rent, transfer, grant, lease, let or mortgage with right of occupancy or otherwise dispose of the ownership or occupancy thereof, whether or not for a consideration and whether such disposal of ownership or occupancy be temporary or permanent, any dwelling unit, hotel, motel, rooming unit, boardinghouse or premises on which a building is located and is used for human occupancy unless a certificate of occupancy certifying that the building and premises are in compliance with all other ordinances of the Borough of Oceanport. Such certificate of occupancy shall be granted or denied within 21 days from the date of the application for same. All applications are subject to review for open-permits or outstanding violations which shall be satisfactorily addressed prior to any inspection by the Housing Inspector being scheduled.

1. The Housing Inspector shall cause to be prepared appropriate application forms, including a copy of the lease between owner and tenant, for such certificate of occupancy, which forms shall be available in the Building Department. The Housing Inspector shall also cause to be prepared appropriate forms of such certificate of occupancy.

2. A charge of \$50 65 for rentals and ~~\$50~~ for transfers of ownership, to cover the cost of inspection in connection with such applications, shall be paid to the Building Department at the time the application is filed and shall not be refundable. A charge of ~~\$25~~ 50 for each re-inspection related to temporary certificate or non-occupancy certificate shall be paid to the Building Department prior to issuance of a final ~~the~~ certificate of occupancy. A charge of \$125 will apply to any request for applications eligible for an expedited certificate.

3. Whenever the Housing Inspector shall have made an inspection of any property as herein provided in connection with a proposed sale of such property and upon determining that one or more violations of this code exist, the Housing Inspector shall, upon request of the owner of such property, distinguish between those violations that may endanger the public health or safety and those which do not. All public health and safety violations shall be corrected immediately. Upon receipt of a letter signed by any prospective purchaser of such property acknowledging the existence of those violations which do not endanger the public health or safety and accepting responsibility for the corrections of such violations, the Housing Inspector may issue a conditional certificate of occupancy enumerating the violations remaining to be corrected and specifying the time within which such violations should be corrected, which time shall be commensurate with the nature of the violations to be corrected.

113.2. Short Term Rental Property Prohibited Uses: Notwithstanding anything to the contrary

contained in the Borough Code, it shall be unlawful for an Owner, lessor, sub-lessor, any other person(s) or entity(ies) with possessory or use right(s) in a Dwelling Unit, their principals, partner or shareholders, or their agents, employees, representative and other person(s) or entity(ies), acting in concert or a combination thereof, to receive or obtain actual or anticipated consideration for soliciting, advertising, offering, and/or permitting, allowing, or failing to discontinue the use of occupancy of any Dwelling Unit, as defined herein, for a period of ninety (90) days or less. Nothing in this Ordinance will prevent formation of an otherwise lawful occupancy of a Dwelling Unit for a rental period of more than ninety (90) days.

113.3. Sublease of any Rental Property: Any conditions pertaining to subleasing of rental property will require a new certificate of occupancy and full disclosure from the property owner.

113.4. Violations and penalties.

Any person or organization that shall violate any provision of this article shall be subject to a penalty as set forth below:

Unless another penalty is expressly provided by New Jersey statute, any person, firm or corporation in violation of this chapter may be subject to a penalty of \$500.

A second offense of this chapter may be subject to a fine of \$1,000.

A third offense of this chapter may be subject to a fine of \$2,000.

## **F. Chapter 2 DEFINITIONS**

### **Section 202 General Definitions**

ADVERTISE OR ADVERTISING - Any form of solicitation, promotion and communication for marketing, used to solicit, encourage, persuade or manipulate viewers, readers or listeners into contracting for goods and/or services in violation of this Ordinance, as same may be viewed through various media including but not limited to, newspapers, magazines, flyers, handbills, pamphlets, commercials, radio, direct mail, internet websites, or text or other electronic messages for the purpose of establishing occupancies or uses of rental property, for consideration, which are prohibited by this Ordinance.

CODE OFFICIAL - The official who is charged with the administration and enforcement of this code, or any duly authorized representative. The duly authorized representative for certificates of occupancy for rentals and transfers of title shall be known as the "Housing Inspector."

CONSIDERATION - Soliciting, charging, demanding, receiving or accepting any legally recognized form of consideration including a promise or benefit, a quid-pro-quo, rent, fees, other form of payment or thing of value.

DWELLING UNIT - Any structure, or portion thereof, whether furnished or unfurnished, which is occupied in whole or in part, or intended, arranged or designed to be occupied, for sleeping, dwelling, cooking, gathering and/or entertaining, as a residential occupancy, by one or more persons. This definition includes an apartment, condominium, building, co-operative, converted space or portions thereof, that is offered to use, made available for use, or is used for accommodations, lodging, cooking, sleeping, gathering and/or entertaining of occupants and/or guest(s), for consideration for a period of ninety (90) days or less.

HOUSEKEEPING UNIT - Constitutes a family-type situation, involving one or more persons, living together that exhibit the kind of stability, permanency and functional lifestyles equivalent to that of a traditional family unit, as further described in the applicable reported and unreported decisions of the

New Jersey Superior Court.

**MUNICIPAL SEPARATE STORM SEWER SYSTEM** - A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is owned or operated by the Borough or other public body and is designed and used for collecting and conveying stormwater.

**OCCUPANT** - Any individual using, inhabiting, living, gathering, entertaining, being entertained as a guest, or sleeping in a Dwelling Unit, or portion thereof, or having other permission or possessor right(s) within a Dwelling Unit.

**OWNER** - Any person(s) or entity(ies), association, limited liability company, corporation or partnership or any combination who legally use, possess, own, lease, sub-lease or license (including an operator, principal, shareholder, director, agent or employee, individual or collectively) that has charge, care, control or participates in the expenses and/or profit of a Dwelling Unit pursuant to a written or unwritten agreement, rental, lease, license, use, occupancy agreement or any other agreement.

**PERSON** - An individual, firm, corporation, association, partnership, limited liability company, association, entity and any person(s) and/or entity(ies) acting in concert or any combination therewith.

**RESIDENTIAL OCCUPANCY** - The use of a Dwelling Unit by an Occupant(s).

**SEEPAGE PIT** - A chamber or tank constructed below grade for the purpose of recharging water into the ground. The chamber may be preformed of composite materials or built to suit. The chamber shall hold at least 50 gallons and shall have perforated bottom and sides.

**GROUNDWATER** - Water that is found underground in the cracks and spaces in soil, sand and rock.

**STORMWATER** - Water resulting from precipitation (including rain and snow) that runs off the surface of the land, is transmitted to the subsurface, and is captured by storm sewers or other drainage facilities.

**SUMP PIT** - A space into which a sump pump is installed, designed to provide sufficient depth and volume for proper performance of the pump.

**SUMP PUMP DISCHARGE** - The end of the pipe from the sump pump where water becomes unconfined and reverts to gravity flow.

**SUMP PUMP** - A pump, with related valves, pipe and fittings, installed for the purpose of evacuating water, usually from a basement area.

**SECTION 2.** All ordinances and resolutions or parts of ordinances and resolutions, inconsistent with this amending ordinance be and the same 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.

**SECTION 3.** This amending ordinance shall become effective upon due passage and publication according to law.

**APPROVED ON FIRST READING**

DATED: September 19, 2019

JEANNE SMITH

Clerk of the Borough of Oceanport

**ADOPTED ON SECOND READING**

DATED: October 17, 2019

JEANNE SMITH

Clerk of the Borough of Oceanport

**APPROVAL BY THE MAYOR ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_.**

**JOHN F. COFFEY, II**  
**Mayor**

**From:** [Oceanport Mayor](#)  
**To:** [Jeanne Smith](#)  
**Subject:** Eatontown/Oceanport Boundary Line Adjustment  
**Date:** Thursday, October 10, 2019 4:26:36 PM

---

Jeanne:

We have been asked to confirm the adjustment of our tax map to reflect the actual boundary line between Oceanport and Eatontown on Fort property adjacent to the bowling alley as previously mentioned at a recent council meeting. Eatontown has begun its process by way of the introduction of an ordinance and, in order to perfect same, we will need to do a mirror ordinance. The documents supporting this ordinance are:

1. Existing Tax Map pertinent to the boundary municipal line near what is now the bowling alley near the boarder between Eatontown and Oceanport on the Fort property.
2. Boundary Memo Binder from Langan Engineering evidencing the Eatontown / Oceanport boundary as an extension of Route 71, as shown on the Langan boundary map and in the Reuse Plan.
3. Eatontown's proposed ordinance regarding the acceptance of the Langan Engineering Report and the appropriate adjustment of its tax map.

Jay

=====

Mayor John F. Coffey II  
 Borough of Oceanport, NJ  
 732-222-8221  
 email [mayor@oceanportboro.com](mailto:mayor@oceanportboro.com)  
 Borough Website [www.Oceanportboro.com](http://www.Oceanportboro.com)  
 All emails are retained in accordance with the Open Public Records Act

## ORDINANCE

### AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY APPROVING THE MUNICIPAL BOUNDARY BETWEEN OCEANPORT AND THE BOROUGH OF EATONTOWN ON FORT MONMOUTH PROPERTY

**WHEREAS**, lands formerly known as Fort Monmouth are under the authority of the Fort Monmouth Revitalization Authority ("FMERA"); and

**WHEREAS**, as the local authority for Fort Monmouth, FMERA has requested Langan Engineering to survey, map and determine the engineer's opinion of the municipal boundary between Oceanport and the Borough of Eatontown on what was the main base of Fort Monmouth; and

**WHEREAS**, Joseph Romano, PLS, of Langan Engineering submitted a package to FMERA on August 12, 2019 regarding the Oceanport/Eatontown Municipal Boundary, as reflected on the 2014 Langan ALTA Survey, which mapped the outbound limits of Fort Monmouth; and

**WHEREAS**, Langan Engineering, based on the placement of the municipal boundary and Chapter 105 of the 1920 New Jersey Legislature Acts of the 144th Legislature, which defined the bounds of Oceanport as the elongation of the center line of Monmouth Road from Turtle Mill Brook to Lafetra's Brook, reaffirmed the boundary between Oceanport and Eatontown on the Fort Monmouth Property, set forth more fully in the attached survey and reproduction of the 1920 legislation attached hereto as Exhibit A.

**NOW, THEREFORE, BE IT ORDAINED**, by the Borough Council of the Borough of Oceanport, County of Monmouth and State of New Jersey, that the Borough Council hereby accepts and adopts the municipal boundary of Oceanport and Eatontown on what was the main base of Fort Monmouth, as reflected on the 2014 Langan ALTA Survey, which mapped the outbound limits of Fort Monmouth, and based on the placement of the municipal boundary and Chapter 105 of the 1920 New Jersey Legislature Acts of the 144th Legislature, which defined the bounds of Oceanport as the elongation of the center line of Monmouth Road from Turtle Mill Brook to Lafetra's Brook, as set forth more fully in the attached survey and legislation attached hereto and made a part hereof as Exhibit A.

**BE IT FURTHER ORDAINED**, that this Ordinance shall become part of the Borough's Code, as though codified as set forth more fully herein.

All other Ordinances or parts of Ordinances, which are inconsistent herewith, are repealed, only to the extent of such inconsistency. All other parts not inconsistent herewith are ratified and confirmed.

This Ordinance shall become effective immediately upon final passage and publication as required by law.



## MEMORANDUM

**TO:** Bruce Steadman, Executive Director  
FMERA Development Team

**FROM:** Kristy Dantes, Director of Facilities and Infrastructure

**CC:** File

**DATE:** August 13, 2019

**SUBJECT:** Municipal Boundary of Oceanport and Eatontown

Bruce,

Attached is a package, which includes a letter from Joseph Romano, P.L.S, of Langan Engineering, dated 12 August 2019, regarding the Oceanport/Eatontown municipal boundary as reflected on the 2014 Langan ALTA survey which mapped the outbound limits of Fort Monmouth. Langan based the placement of the municipal boundary on Chapter 105 of the 1920 New Jersey Legislature Acts of the 144<sup>th</sup> Legislature, which defined the bounds of Oceanport as an elongation of the center line of Monmouth Road from Turtle Mill brook to Lafetra's brook. That text is also attached.

All parcels on Fort Monmouth, and the outbound surveys created for those parcels, are based on the 2014 Langan ALTA survey, and the municipal boundary reflected therein.

For illustration purposes, also included is 'Exhibit 1', which gives in overall view of the referenced line.



Kristy

12 August 2019

Via Email: [Kdantes@njeda.com](mailto:Kdantes@njeda.com)

Kristy Dantes  
Director of Facilities & Infrastructure  
Fort Monmouth Economic Revitalization Authority  
P.O. Box 267  
Oceanport, NJ 07757

**RE: Fort Monmouth Economic Revitalization Authority (FMERA)  
Town Line  
Oceanport, Monmouth County, New Jersey  
Langan Project No.: 100291701**

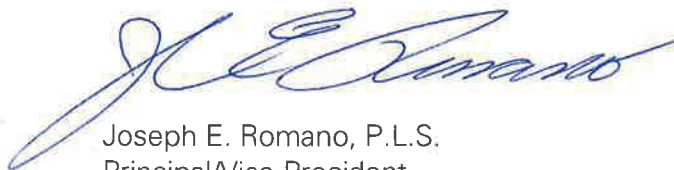
Dear Kristy:

As requested, we have reviewed our files and records with respect to the location of the Township line between Oceanport and Eatontown, as graphically shown on the attached surveys, and have found no evidence that would indicate the line as shown is incorrect. This is supported by Chapter 105 "Borough of Oceanport" at Line (4) "in a northerly direction following the prolongation of the middle of Monmouth Road..." on Pages 223-224 of the New Jersey Legislature Acts for the 144<sup>th</sup> Legislature, dated 1920.

We hope this resolves this issue. If you have any comments or require additional information, please let us know.

Sincerely,

**Langan Engineering and Environmental Services, Inc.**



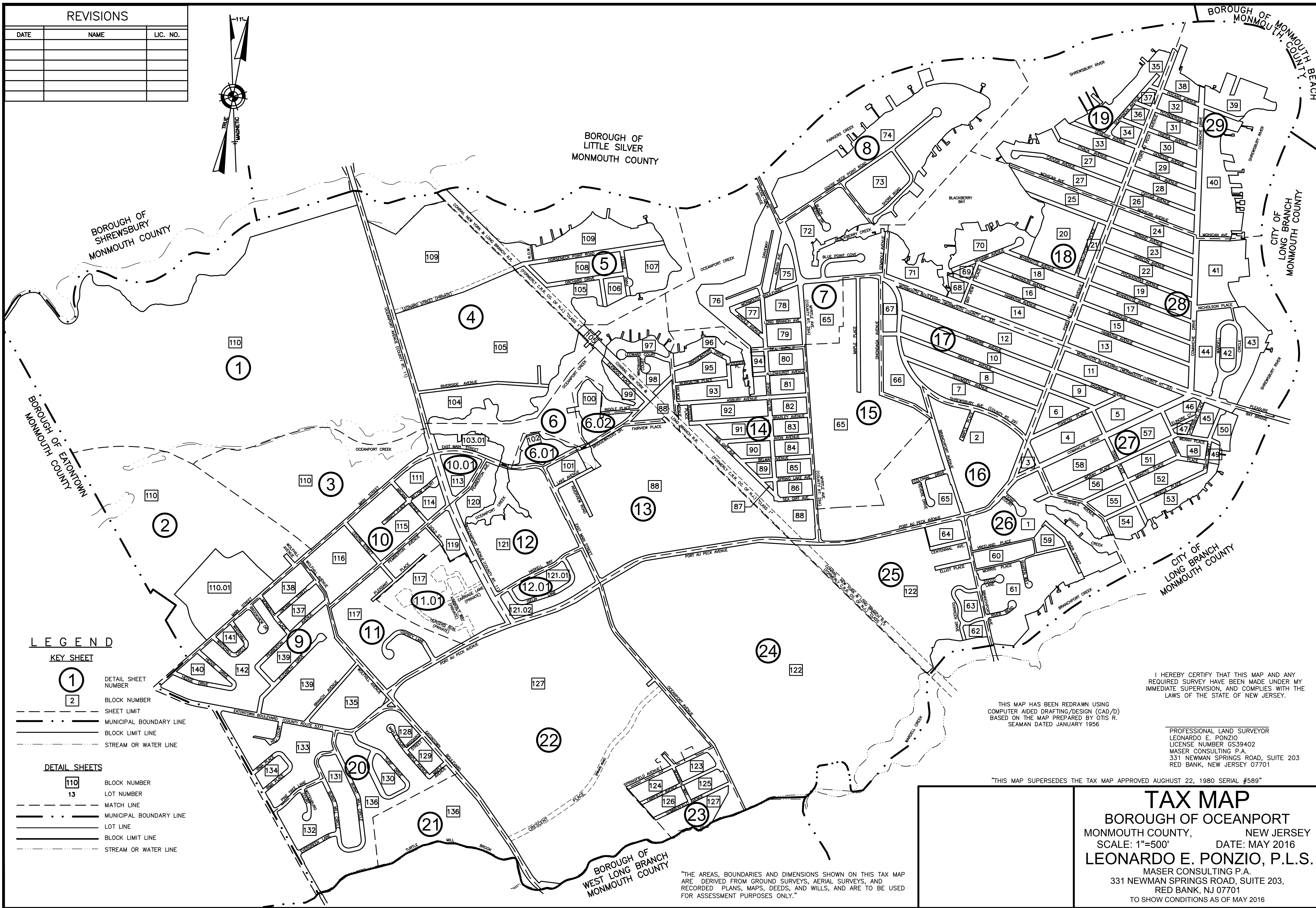
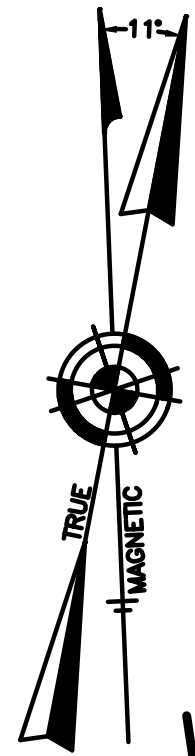
Joseph E. Romano, P.L.S.  
Principal/Vice President

Enc.: Langan ALTA Surveys, VL101, VL102, and VL103, dated 11-06-2014

NJ Certificate of Authorization No. 24GA27996400

\\langan.com\data\PAR\data7\100291701\Survey Data - 100291701\Office Data\TOWN LINE DATA\Langan 2019-08-12 to Dantes 3.docx

| REVISIONS |      |          |
|-----------|------|----------|
| DATE      | NAME | LIC. NO. |
|           |      |          |
|           |      |          |
|           |      |          |
|           |      |          |
|           |      |          |



I HEREBY CERTIFY THAT THIS MAP AND ANY  
REQUIRED SURVEY HAVE BEEN MADE UNDER MY  
IMMEDIATE SUPERVISION, AND COMPLIES WITH THE  
LAWS OF THE STATE OF NEW JERSEY.

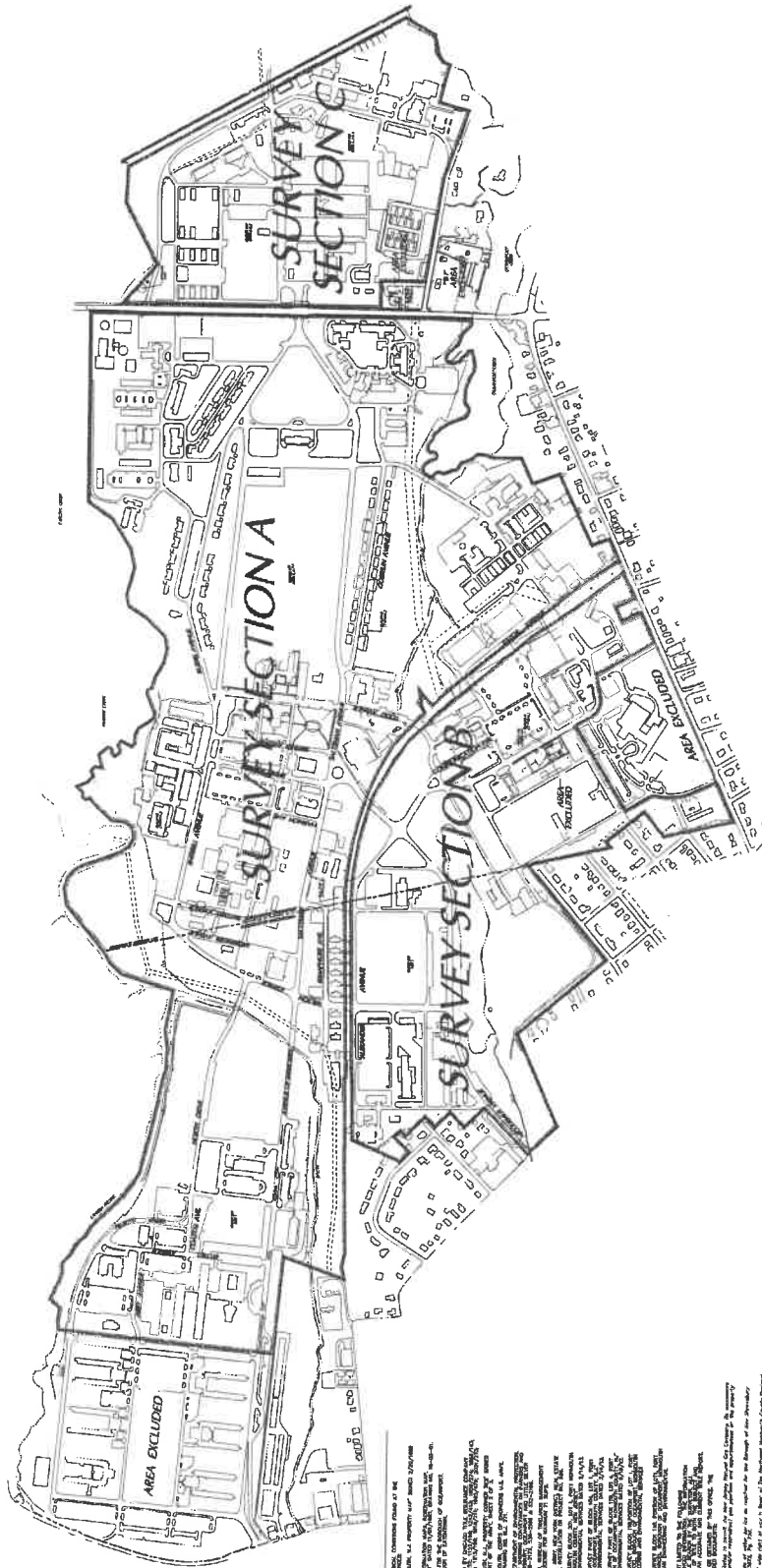
THIS MAP HAS BEEN REDRAWN USING  
COMPUTER AIDED DRAFTING/DESIGN (CAD/D)  
BASED ON THE MAP PREPARED BY OTIS R.  
SEAMAN DATED JANUARY 1956

PROFESSIONAL LAND SURVEYOR  
LEONARDO E. PONZIO  
LICENSE NUMBER GS39402  
MASER CONSULTING P.A.  
331 NEWMAN SPRINGS ROAD, SUITE 203  
RED BANK, NEW JERSEY 07701

"THIS MAP SUPERSEDES THE TAX MAP APPROVED AUGUST 22, 1980 SERIAL #589"

**TAX MAP**  
BOROUGH OF OCEANPORT  
MONMOUTH COUNTY, NEW JERSEY  
SCALE: 1"=500' DATE: MAY 2016  
**LEONARDO E. PONZIO, P.L.S.**  
MASER CONSULTING P.A.  
331 NEWMAN SPRINGS ROAD, SUITE 203,  
RED BANK, NJ 07701  
TO SHOW CONDITIONS AS OF MAY 2016

"THE AREAS, BOUNDARIES AND DIMENSIONS SHOWN ON THIS TAX MAP  
ARE DERIVED FROM GROUND SURVEYS, AERIAL SURVEYS, AND  
RECORDED PLANS, MAPS, DEEDS, AND WILLS, AND ARE TO BE USED  
FOR ASSESSMENT PURPOSES ONLY."



# NOTES

1. THE SITE PLAN IS A PRELIMINARY DESIGN. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
2. THE SITE PLAN IS BASED ON THE INFORMATION PROVIDED BY THE OWNER. THE ENGINEER HAS CONDUCTED A VISUAL INSPECTION OF THE SITE AND HAS FOUND NO MAJOR OBSTRUCTIONS TO THE PROPOSED DEVELOPMENT.
3. THE SITE PLAN IS BASED ON THE ASSUMPTION THAT THE PROPOSED DEVELOPMENT WILL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF PORTLAND ZONING ORDINANCES.
4. THE SITE PLAN IS BASED ON THE ASSUMPTION THAT THE PROPOSED DEVELOPMENT WILL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF PORTLAND PLANNING AND DEVELOPMENT DEPARTMENT'S GUIDELINES.
5. THE SITE PLAN IS BASED ON THE ASSUMPTION THAT THE PROPOSED DEVELOPMENT WILL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF PORTLAND'S ENVIRONMENTAL IMPACT STATEMENT.
6. THE SITE PLAN IS BASED ON THE ASSUMPTION THAT THE PROPOSED DEVELOPMENT WILL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF PORTLAND'S CLIMATE ACTION PLAN.
7. THE SITE PLAN IS BASED ON THE ASSUMPTION THAT THE PROPOSED DEVELOPMENT WILL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF PORTLAND'S SUSTAINABLE DEVELOPMENT STRATEGY.
8. THE SITE PLAN IS BASED ON THE ASSUMPTION THAT THE PROPOSED DEVELOPMENT WILL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF PORTLAND'S TRANSPORTATION AND TRAVEL PLAN.
9. THE SITE PLAN IS BASED ON THE ASSUMPTION THAT THE PROPOSED DEVELOPMENT WILL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF PORTLAND'S WATER AND WASTEWATER PLAN.
10. THE SITE PLAN IS BASED ON THE ASSUMPTION THAT THE PROPOSED DEVELOPMENT WILL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF PORTLAND'S ENERGY AND CLIMATE PLAN.
11. THE SITE PLAN IS BASED ON THE ASSUMPTION THAT THE PROPOSED DEVELOPMENT WILL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF PORTLAND'S HOUSING AND COMMUNITY DEVELOPMENT PLAN.
12. THE SITE PLAN IS BASED ON THE ASSUMPTION THAT THE PROPOSED DEVELOPMENT WILL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF PORTLAND'S ECONOMIC DEVELOPMENT PLAN.
13. THE SITE PLAN IS BASED ON THE ASSUMPTION THAT THE PROPOSED DEVELOPMENT WILL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF PORTLAND'S CULTURAL AND HERITAGE PLAN.
14. THE SITE PLAN IS BASED ON THE ASSUMPTION THAT THE PROPOSED DEVELOPMENT WILL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF PORTLAND'S LAND USE AND PLANNING PLAN.
15. THE SITE PLAN IS BASED ON THE ASSUMPTION THAT THE PROPOSED DEVELOPMENT WILL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF PORTLAND'S PUBLIC SAFETY AND SECURITY PLAN.
16. THE SITE PLAN IS BASED ON THE ASSUMPTION THAT THE PROPOSED DEVELOPMENT WILL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF PORTLAND'S SOCIAL SERVICES AND COMMUNITY CARE PLAN.
17. THE SITE PLAN IS BASED ON THE ASSUMPTION THAT THE PROPOSED DEVELOPMENT WILL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF PORTLAND'S HEALTH AND HUMAN SERVICES PLAN.
18. THE SITE PLAN IS BASED ON THE ASSUMPTION THAT THE PROPOSED DEVELOPMENT WILL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF PORTLAND'S ENVIRONMENTAL AND NATURE PLAN.
19. THE SITE PLAN IS BASED ON THE ASSUMPTION THAT THE PROPOSED DEVELOPMENT WILL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF PORTLAND'S RECREATION AND CULTURAL PLAN.
20. THE SITE PLAN IS BASED ON THE ASSUMPTION THAT THE PROPOSED DEVELOPMENT WILL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF PORTLAND'S ARTS AND CULTURE PLAN.

1. THE SITE PLAN IS A PRELIMINARY DESIGN. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

| DATE     | DESCRIPTION       | BY        | CHECKED   |
|----------|-------------------|-----------|-----------|
| 11-06-14 | Final site plan   | J. Langan | J. Langan |
| 10-20-14 | Revised site plan | J. Langan | J. Langan |
| 11-11-14 | Revised site plan | J. Langan | J. Langan |
| 11-11-14 | Revised site plan | J. Langan | J. Langan |

| DATE     | DESCRIPTION       | BY        | CHECKED   |
|----------|-------------------|-----------|-----------|
| 11-06-14 | Final site plan   | J. Langan | J. Langan |
| 10-20-14 | Revised site plan | J. Langan | J. Langan |
| 11-11-14 | Revised site plan | J. Langan | J. Langan |
| 11-11-14 | Revised site plan | J. Langan | J. Langan |

| DATE     | DESCRIPTION       | BY        | CHECKED   |
|----------|-------------------|-----------|-----------|
| 11-06-14 | Final site plan   | J. Langan | J. Langan |
| 10-20-14 | Revised site plan | J. Langan | J. Langan |
| 11-11-14 | Revised site plan | J. Langan | J. Langan |
| 11-11-14 | Revised site plan | J. Langan | J. Langan |

| DATE     | DESCRIPTION       | BY        | CHECKED   |
|----------|-------------------|-----------|-----------|
| 11-06-14 | Final site plan   | J. Langan | J. Langan |
| 10-20-14 | Revised site plan | J. Langan | J. Langan |
| 11-11-14 | Revised site plan | J. Langan | J. Langan |
| 11-11-14 | Revised site plan | J. Langan | J. Langan |

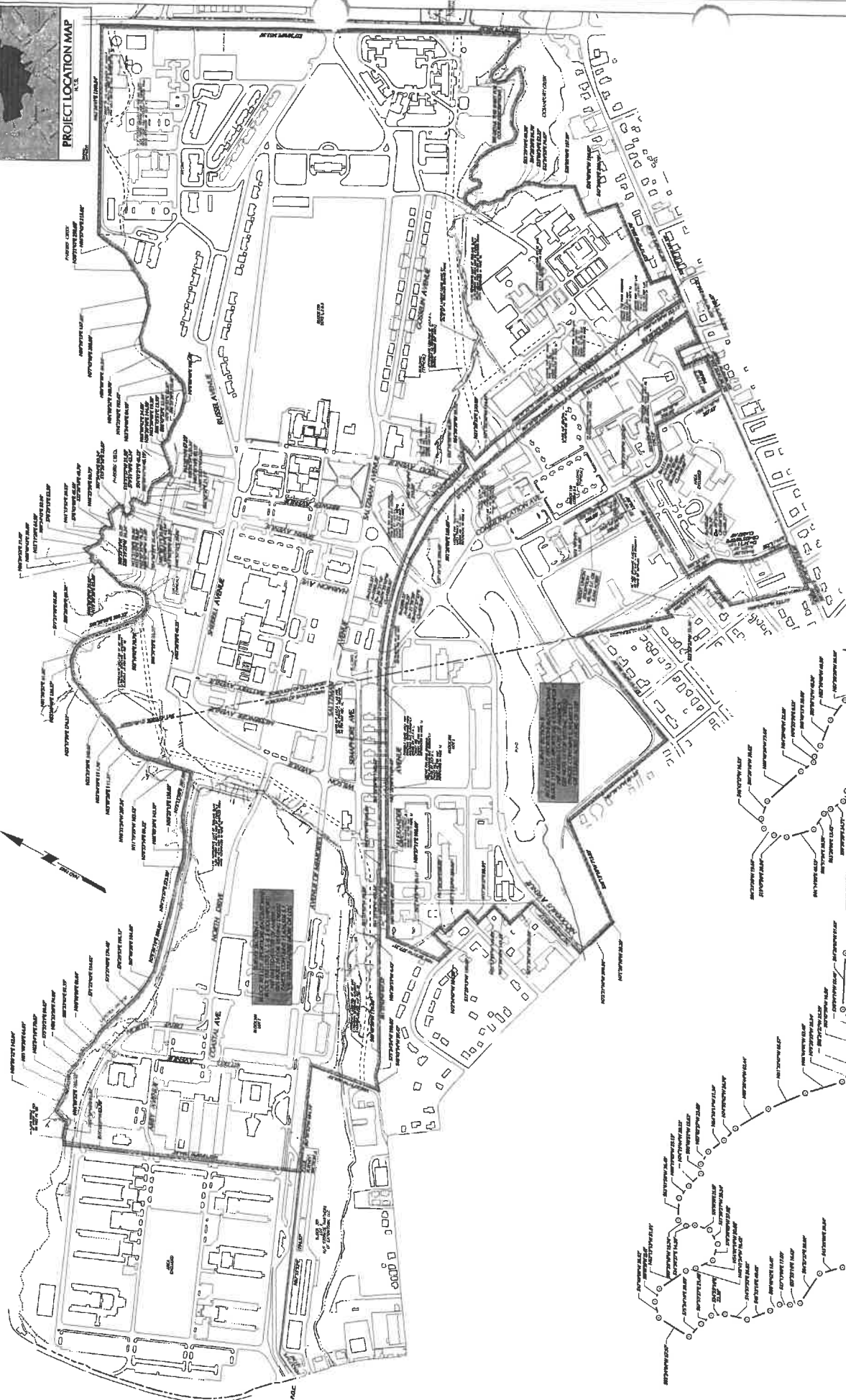
| DATE     | DESCRIPTION       | BY        | CHECKED   |
|----------|-------------------|-----------|-----------|
| 11-06-14 | Final site plan   | J. Langan | J. Langan |
| 10-20-14 | Revised site plan | J. Langan | J. Langan |
| 11-11-14 | Revised site plan | J. Langan | J. Langan |
| 11-11-14 | Revised site plan | J. Langan | J. Langan |

| DATE     | DESCRIPTION       | BY        | CHECKED   |
|----------|-------------------|-----------|-----------|
| 11-06-14 | Final site plan   | J. Langan | J. Langan |
| 10-20-14 | Revised site plan | J. Langan | J. Langan |
| 11-11-14 | Revised site plan | J. Langan | J. Langan |
| 11-11-14 | Revised site plan | J. Langan | J. Langan |





PROJECT LOCATION MAP



SEE SHEET VL-101 FOR NOTES

**LANGAN**  
ENGINEERS

3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100

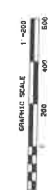
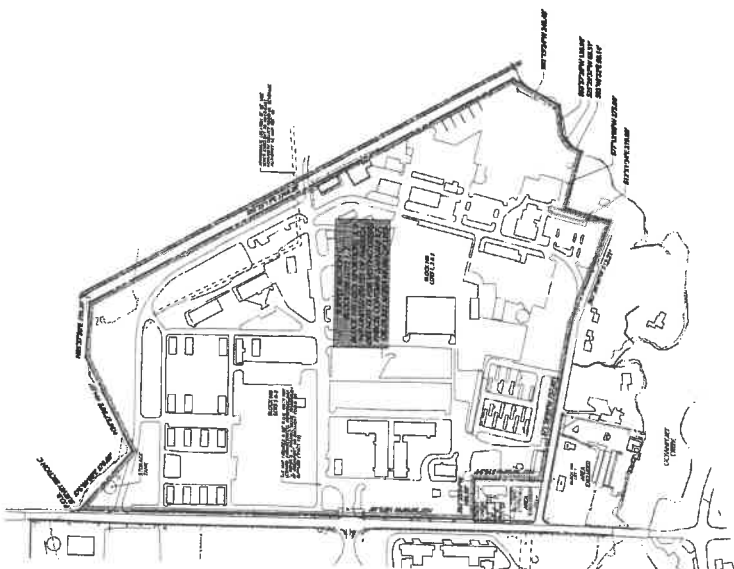
GRAPHIC SCALE  
1"=100'  
0 200 400 600

SURVEY SECTION A COURSE DETAIL  
SCALE 1"=100'

ALTA/ACSM  
LAND TITLE SURVEY  
SURVEY SECTION A AND B  
SOUTH OF RUSSELL AVENUE  
SOUTH OF WILSON AVENUE  
SOUTH OF NORTH AVENUE  
SOUTH OF CENTRAL AVENUE  
SOUTH OF PARK AVENUE  
SOUTH OF SOUTH AVENUE  
SOUTH OF EAST AVENUE  
SOUTH OF WEST AVENUE

VL-101

14.1

[illegible]

|                  |  |             |  |
|------------------|--|-------------|--|
| Project No.      |  | Drawing No. |  |
| Project Name     |  | VL-         |  |
| Project Location |  | Sheet 3     |  |
| Project Date     |  | Date        |  |
| Project Status   |  | Status      |  |
| Project Manager  |  | Contractor  |  |
| Project Engineer |  | Scale       |  |

## CHAPTERS 104 &amp; 105. LAWS OF 1920.

223

way and may also lay out routes in continuation of, connecting with, or in addition to the routes above specified.

2. This act shall take effect immediately.

Approved April 6, 1920.

## CHAPTER 105.

An Act to incorporate the "Borough of Oceanport," in the county of Monmouth.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. The inhabitants of that portion of the township of Eatontown, in the county of Monmouth, contained within the limits hereinafter set forth, are hereby constituted and declared to be a body politic and corporate in fact and in law by the name of the "Borough of Oceanport," and shall be governed by the general laws of the State relating to boroughs.

Corporate  
name.

2. The territorial limits of said borough shall be as follows:

Boundaries  
of borough of  
Oceanport.

Beginning in the middle of Monmouth road where the same is intersected by the middle of Turtle Mill brook, said beginning point being in the north line of the borough of West Long Branch; thence (1) along the middle of said Monmouth road and in a northerly direction to the middle of Long Branch and Eatontown boulevard; thence (2) along the said boulevard and in a northwest direction to the middle of Main street leading to Oceanport; thence (3) along the middle thereof and in a northeasterly direction a distance of about six hundred feet more or less to a point where the middle of Monmouth road if extended in a northerly direction would intersect the same; thence (4) in a northerly direction following the prolongation of the middle of Monmouth road and in a northerly direction

to the middle of Lafetra's brook and to the north line of the township of Eatontown; thence (5) in an easterly and thence southerly direction along the middle of Lafetra's brook, Parker's creek and the South Shrewsbury river, following the present Eatontown township northerly and easterly township line to the middle of Branchport creek, and thence (6) continuing along the middle of said Branchport creek and Turtle Mill brook and in a westerly direction to the middle of Monmouth road and to the place of beginning.

**Referendum.****Special election.****When and where held.****Notice.****Ballots.****Marking ballot.**

3. This act shall not become operative until its provisions shall be submitted to the voters of the above-described territory, at a special election to be held within the said territory, and at said election adopted by a majority of the legal voters residing within the said territory on the day of said special election. Said special election shall be held within the said territory within ninety days from the passage of this act, and between the hours of six o'clock A. M. and seven o'clock P. M. of the day fixed for such election and at places within said territory to be fixed by the clerk of the township of Eatontown, in the county of Monmouth. The clerk of the township of Eatontown shall cause public notice of the time and place of the holding of the said election, to be given by advertisements, signed by himself, and set up in at least five public places within said described territory, and published in at least one newspaper circulating therein, at least ten days prior to such election, and the said clerk shall provide for the electors voting at such election, ballots to be printed or written, or partially written and partially printed, upon which ballots shall be printed the propositions to be submitted to the voters, with instructions, in the following form:

If you favor the proposition printed below, make an X mark in the square to the left of and opposite the word "Yes"; if you are opposed thereto, make an X mark in the square to the left of and opposite the word "No".



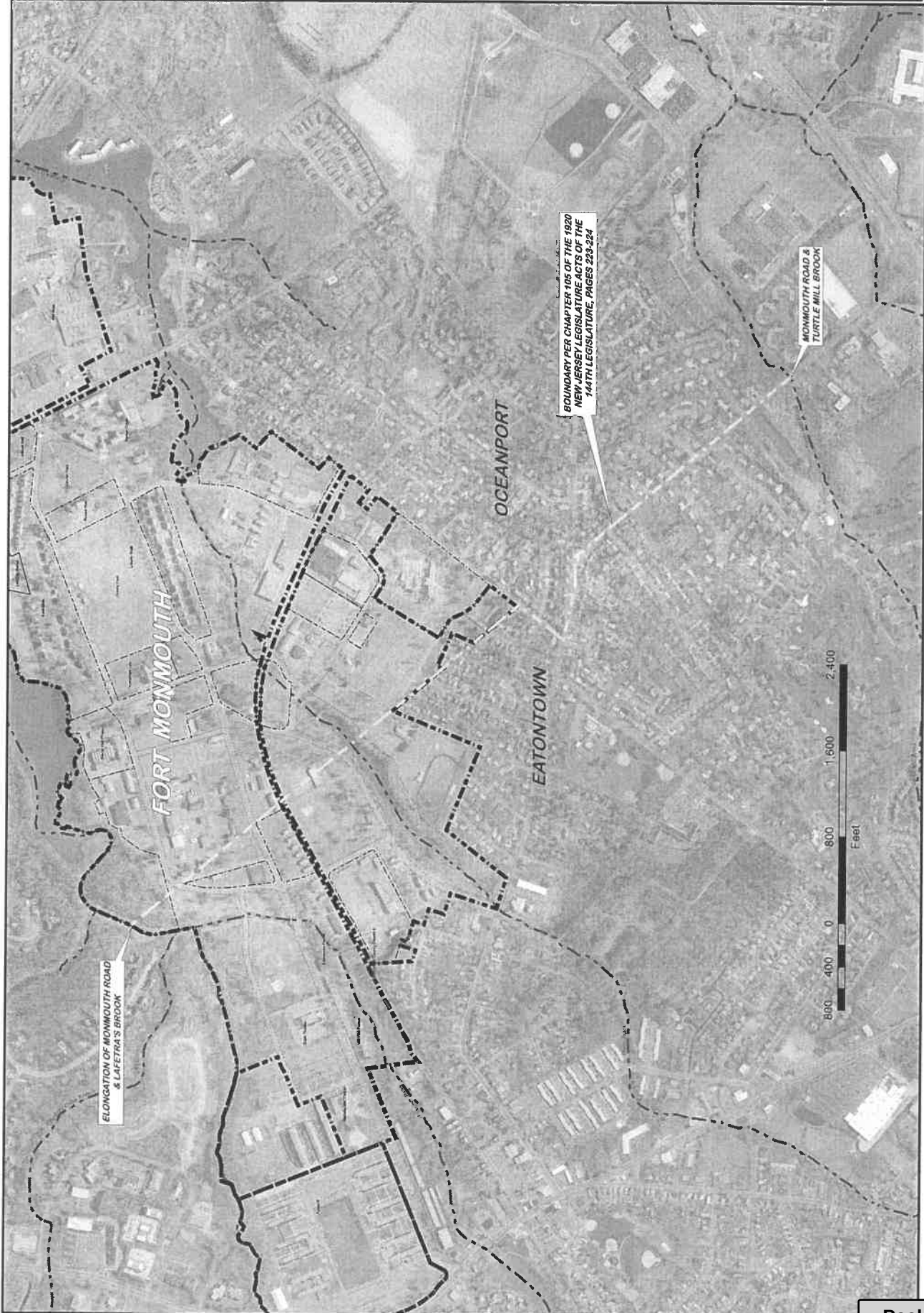
**FORT MONMOUTH**  
FORT MONMOUTH ECONOMIC  
REVALUATION AUTHORITY  
PO Box 300  
Oceanport, NJ 07713  
(732) 726-1313  
www.fortmonmouth.com



**Municipal Boundary  
Fort Monmouth  
Oceanport and Eatontown  
Monmouth County, NJ**

**EXHIBIT 1**

For conceptual purposes only.  
Aerials added to form survey.  
Not intended to be used for any  
purpose other than to show  
relative information conveyed.  
Date: 12/20/19



## ORDINANCE 29-2019

**BOROUGH OF EATONTOWN  
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

**APPROVING THE MUNICIPAL BOUNDARY BETWEEN OCEANPORT AND THE BOROUGH OF EATONTOWN ON  
FORT MONMOUTH PROPERTY**

**WHEREAS**, while Ft. Monmouth is under the authority of the Fort Monmouth Revitalization Authority ("FMERA") as a local authority for Fort Monmouth, FMERA has requested Langan Engineering to survey, map and determine the engineer's opinion of the municipal boundary between Oceanport and the Borough of Eatontown on what was the main base of Fort Monmouth; and

**WHEREAS**, Joseph Romano, PLS, of Langan Engineering submitted a package to FMERA on August 12, 2019 regarding the Oceanport/Eatontown Municipal Boundary, as reflected on the 2014 Langan ALTA Survey, which mapped the outbound limits of Fort Monmouth; and

**WHEREAS**, Langan Engineering, based on the placement of the municipal boundary and Chapter 105 of the 1920 New Jersey Legislature Acts of the 144<sup>th</sup> Legislature, which defined the bounds of Oceanport as the elongation of the center line of Monmouth Road from Turtle Mill Brook to Lafetra's Brook, reaffirmed the boundary between Oceanport and Eatontown on the Fort Monmouth Property, set forth more fully in the attached survey and reproduction of the 1920 legislation attached hereto as Exhibit A.

**NOW, THEREFORE, BE IT ORDAINED**, by the Borough Council of the Borough of Eatontown, County of Monmouth and State of New Jersey, that the Borough Council hereby accepts and adopts the municipal boundary of Oceanport and Eatontown on what was the main base of Fort Monmouth, as reflected on the 2014 Langan ALTA Survey, which mapped the outbound limits of Fort Monmouth, and based on the placement of the municipal boundary and Chapter 105 of the 1920 New Jersey Legislature Acts of the 144<sup>th</sup> Legislature, which defined the bounds of Oceanport as the elongation of the center line of Monmouth Road from Turtle Mill Brook to Lafetra's Brook, as set forth more fully in the attached survey and legislation attached hereto and made a part hereof as Exhibit A.

**BE IT FURTHER ORDAINED**, that this Ordinance shall become part of the Borough's Code, as though codified as set forth more fully herein.

All other Ordinances or parts of Ordinances, which are inconsistent herewith, are repealed, only to the extent of such inconsistency. All other parts not inconsistent herewith are ratified and confirmed.

This Ordinance shall become effect immediately upon final passage and publication as required by law.

DATE INTRODUCED: October 9, 2019

DATE ADOPTED:

APPROVED:

ATTEST:

\_\_\_\_\_  
ANTHONY TALERICO, JR., MAYOR

Date:

\_\_\_\_\_  
JULIE MARTIN, MUNICIPAL CLERK

Date:

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

**Resolution #2019-201  
10/17/19**

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

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

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

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

Borough of Oceanport vs. Salnick, Keith

Professional Services Contract - IT Services

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

I certify that the foregoing Resolution #2019-201 was adopted  
by the Oceanport Governing Body at the Regular Meeting held  
October 17, 2019

\_\_\_\_\_  
JEANNE SMITH, RMC  
BOROUGH CLERK