



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

- #1007 2nd Reading and PUBLIC HEARING of Ordinance Amending Dog License Fees
- #1008 2nd Reading and PUBLIC HEARING of Ordinance Setting Forth Policy & Regulations for Blackberry Bay Park Launch Facility
- #1009 2nd Reading and PUBLIC HEARING of Ordinance Creating an ADA Committee
- #1010 2nd Reading and PUBLIC HEARING of Ordinance amending Property Maintenance Code to Expand Certificate of Occupancy 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



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

MINUTES • OCTOBER 17, 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 gave the invocation.
- V. **Roll Call:**

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

- VI. **Administrators Report:** Ms. Phelps reported that she requested a sports wagering application from the State to request the Borough's portion of the revenue from sports betting at Monmouth Park, she submitted quarterly FEMA reports for the new Municipal Complex, Police Department's generator and elevation of private structures grant application. Solutions Architecture will make a presentation on the Borough's school district's proposed referendum for renovation of Wolf Hill and Maple Place schools. Ms. Phelps provided a site visit of Bldg. 901, the new Municipal Complex, to Sea Bright Councilman Keeler and Administrator Verruni. They were interested in the proposed courtroom. Both municipalities wish to continue the shared services agreement for court. Ms. Phelps spent a significant amount of time attending to Public Works issues and dealing with the new Municipal Complex. Asbestos remediation and demolition work has been completed at the new complex. She stated she was excited about the groundbreaking ceremony to be held on October 18, 2019, and invited everyone to attend.
- VII. **Clerk's Report:** Ms. Smith stated the Board of Election notified her that the school referendum will occur as a special election on Dec. 10, 2019. The County Clerk's Office will advertise as required by law.
- 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

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

IX. Minutes:

1. Mayor & Council - Workshop – Sept. 5, 2019 7:00 PM

RESULT: ACCEPTED [UNANIMOUS]
MOVER: Robert Proto, Councilman
SECONDER: Richard Gallo, Councilman
AYES: Deerin, Gallo, O'Brien, Proto
ABSENT: Irace, Solan

2. Mayor & Council - Regular Meeting – Sept. 19, 2019 7:00 PM

RESULT: ACCEPTED [UNANIMOUS]
MOVER: William Deerin, Councilman
SECONDER: Richard Gallo, Councilman
AYES: Deerin, Gallo, O'Brien, Proto
ABSENT: Irace, Solan

3. Approval of Executive Session, Sept. 19, 2019

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

X. Resolutions:

- #2019-198** Resolution appointing Relief Crossing Guard Wes Sherman

RESULT: ADOPTED [UNANIMOUS]
MOVER: William Deerin, Councilman
SECONDER: Richard Gallo, Councilman
AYES: Deerin, Gallo, O'Brien, Proto
ABSENT: Irace, Solan

#2019-199 Resolution authorizing 2018 Road Program Change Order #1

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Richard Gallo, Councilman
SECONDER:	William Deerin, Councilman
AYES:	Deerin, Gallo, O'Brien, Proto
ABSENT:	Irace, Solan

#2019-200 Resolution authorizing 2nd Amendment to Purchase Agreement for future Municipal Complex

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

XI. First Reading Ordinances:

Introduction of an Ordinance to Increase Fees for Liquor Licenses

Councilman Proto called for the introduction of **"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 "** 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 November 7, 2019 and to advertise same in accordance with the law, which was seconded by Councilman Deerin.

RESULT:	APPROVED ON FIRST READING [UNANIMOUS]	Next: 11/7/2019 7:30 PM
MOVER:	Robert Proto, Councilman	
SECONDER:	William Deerin, Councilman	
AYES:	Deerin, Gallo, O'Brien, Proto	
ABSENT:	Irace, Solan	

Introduction of Ordinance regulating helistops and their usage

Councilman Proto called for the introduction of **"AN ORDINANCE OF THE BOROUGH OF OCEANPORT COUNTY OF MONMOUTH, STATE OF NEW JERSEY REGULATING HELISTOPS AND ITS USAGE WITHIN THE BOROUGH OF OCEANPORT "** 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 November 7, 2019 and to advertise same in accordance with the law, which was seconded by Councilman O'Brien.

RESULT:	APPROVED ON FIRST READING [3 TO 0]	Next: 11/7/2019 7:30 PM
MOVER:	Robert Proto, Councilman	
SECONDER:	Michael O'Brien, Councilman	
AYES:	Deerin, O'Brien, Proto	
ABSTAIN:	Gallo	
ABSENT:	Irace, Solan	

XII. Second Reading Ordinances:

#1007 Ordinance Amending Dog License Fees

Councilman Proto called for the 2nd reading and Public Hearing of an ordinance to amend dog license fees and asked the Clerk to read the affidavit of publication of the proposed ordinance by title only. **"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"**.

PUBLIC HEARING: Mayor Coffey opened the meeting for public comment for this ordinance. As no one from the public wished to be heard, Mayor Coffey closed the public hearing on a motion by Councilman Proto, which was approved by Council.

Councilman Proto made a motion to adopt the ordinance and advertise in accordance with law, which was seconded by Councilman Gallo.

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

#1008 Ordinance Setting Forth Policy & Regulations for Blackberry Bay Park Launch Facility

Councilman Proto called for the 2nd reading and Public Hearing of an ordinance for the Blackberry Bay Park Launch Facility and asked the Clerk to read the affidavit of publication of the proposed ordinance by title only. **"AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY SETTING FORTH POLICY AND REGULATIONS FOR THE BLACKBERRY BAY PARK LAUNCH FACILITIES"**.

PUBLIC HEARING: Mayor Coffey opened the meeting for public comment for this ordinance. As no one from the public wished to be heard, Mayor Coffey closed the public hearing on a motion by Councilman Deerin, which was seconded by Councilman Gallo and approved by Council.

Councilman Proto made a motion to adopt the ordinance and advertise in accordance with law, which was seconded by Councilman Gallo.

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

#1009 Ordinance Creating an ADA Committee

RESULT:	TABLED [UNANIMOUS]
MOVER:	Robert Proto, Councilman
SECONDER:	Richard Gallo, Councilman
AYES:	Deerin, Gallo, O'Brien, Proto
ABSENT:	Irace, Solan

#1010 Ordinance amending Property Maintenance Code to Expand Certificate of Occupancy Requirements

Councilman Proto called for the 2nd reading and Public Hearing of an ordinance to amend the Property Maintenance code and asked the Clerk to read the affidavit of publication of the proposed ordinance by title only. **"AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH 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 ".

PUBLIC HEARING: Mayor Coffey opened the meeting for public comment for this ordinance. As no one from the public wished to be heard, Mayor Coffey closed the public hearing on a motion by Councilman Gallo, which was seconded by Councilman Proto and approved by Council.

Councilman Proto made a motion to adopt the ordinance and advertise in accordance with law, which was seconded by Councilman Gallo.

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

XIII. Committee Reports:

1. Councilman Proto, Planning and Development Liaison – Councilman Proto had no report
2. Councilman Irace, Finance and Administration Liaison – Absent
3. Councilman Gallo, Public Works and Engineering Liaison – Councilman Gallo reported that the 2019 road program includes Hedge Dr., Relwolf and Milton. The contract has been awarded and approved to Fiore Paving. Adrian Ave. has been completed. He will meet with the Borough Administrator and Engineer to review the 2020 road program. Councilman Gallo reminded residents to follow the 3 zone leaf pick up schedule, available on the Borough website.
4. Councilman O'Brien, Health and Human Services Liaison – Councilman O'Brien reported that the Water Watch and Environmental Committees held their monthly meetings. The Environmental Committee continues its work on proposal to ban single use plastics. He reported that the Committee needs to reschedule a meeting with NJ FRAMES, a group that focuses on the Two Rivers area and future challenges for the area. FMERA has not held a meeting since his last report. He also requested that residents leave a gap when piling leaves so the water can move through the leaves and property and if there is a storm drain near a property, he requested that homeowners try to keep the drain clear.
5. Council President Solan, Public Safety Liaison – Absent
6. Councilman Deerin, Parks and Recreation Liaison – Councilman Deerin expressed his thanks to the Parks & Recreation Committee for their efforts on Summer's End and Movies in the Park. The Halloween parade will be held on Oct. 27 and a tentative opening of Evergreen Park is scheduled for Nov. 16th. Councilman Deerin reported that the Girl Scouts have proposed a book exchange program, which will be installed and maintained by the Scouts' parents.

XIV. Mayor Coffey's Report:

1. Oceanport - Eatontown Municipal Boundary – Mayor Coffey stated there is an issue regarding the border between Oceanport and Eatontown, at the bowling alley location. Langan Engineering performed a historical analysis of the property and based on that review, determined that the tax maps should reflect that the property is Eatontown's. Their Council has introduced an ordinance to amend their maps and has requested that Oceanport do the same.

Ordinance approving municipal boundary with Eatontown on Fort Monmouth

Councilman Proto called for the introduction of **"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 "** 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 November 7, 2019 and to advertise same in accordance with the law, which was seconded by Councilman O'Brien.

RESULT:	APPROVED OF FIRST READING [UNANIMOUS]	Next: 11/7/2019 7:30 PM
MOVER:	Robert Proto, Councilman	
SECONDER:	Michael O'Brien, Councilman	
AYES:	Deerin, Gallo, O'Brien, Proto	
ABSENT:	Irace, Solan	

Mayor Coffey noted that he attended and enjoyed both the Pasta Dinner hosted by the First Aid Squad, and the Pumpkinfest hosted by the Oceanport Hook & Ladder.

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

Sam Zimmerman, 6 Iselin Lane, Chairman of HOA at the Jockey Club, thanked the Governing Body for introducing the ordinance amendment regarding helistops at Monmouth Park Racetrack.

Rich Barnes, Kimberly Woods Board member, also expressed his thanks to the Governing Body for introducing the helistops ordinance. He stated a problem exists now with the route of the helicopters. He reminded residents to attend the Maple Place School's Halloween festival this weekend.

Robin Kelly, 43 Cayuga Ave, Historical Committee member, advised that the Committee has commissioned banners for installation on light poles on E. Main St. and provided details, including pricing for sponsorship and three different types of banners available.

Buzz Baldanza, Algonquin Ave, OEM Manager, read a detailed statement (attached hereto) regarding the history of municipal OEMs and the mission of OEM, handling natural hazards, national security and technological man-made hazards. Mr. Baldanza stated he has 18 years of service and 14 years as Coordinator and 30 years as a police officer. He discussed OEM's participation in the Community Rating System, which provides a discount on flood insurance rates. He described the OEM's efforts in the Storm Ready and High Water Mark programs, and along with the Borough Engineer's flood plain management system, will continue to benefit the residents. He described the qualifications of several OEM volunteers. He outlined the many grants OEM received for equipment and the invitation by NJ Transit to attend advanced training. Mr. Baldanza described the breakdown of the 2004 Dodge Durango, and repairs would be more than the vehicle's worth, so it was removed from service. In 2018, OEM submitted a timely quote with a request to replace the Durango with a new and better vehicle. In June 2019, he was advised by the CFO that the vehicle replacement would not be funded. He received no communication from Public Safety or Finance Councilmembers regarding the purchase. Mr. Baldanza stated the OEM members have no confidence in members of the Public Safety and Finance committees. In light of the lack of support from those committees, he announced the names of members of OEM that will resign effective January 1st, 2020. Mayor Coffey told Mr. Baldanza that he will be knocking on his door and this situation can't be.

Rich Barnes, Kimberly Woods, stated that the community is losing a very good, dependable, reliable OEM director. He has been a member of OEM for 10 years. He stated if the Borough loses Mr. Baldanza, there will be a big void.

Christina Hewitt, 19 Iselin Lane, stated she was dumbfounded and in shock at Mr. Baldanza's announcement. She listed the services OEM provides such as flood notices and road closings. Ms. Hewitt asked the price of the vehicle, and offered to pay for its purchase.

Mike Sikand, 34 Riverside Ave., thanked Ms. Hewitt for her sentiment and stated he would contribute with her.

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

At 7:41 pm, the Mayor asked for a motion to approve Resolution #2019-129, authorizing the Governing Body to enter Executive Session, which was made by Councilman Proto, seconded by Councilman Gallo.

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

At 7:51 pm, the Mayor & Council returned from Executive Session and the regular meeting was reopened on a motion by Councilman Deerin and seconded by Councilman Gallo and approved by Council.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	William Deerin, Councilman
SECONDER:	Richard Gallo, Councilman
AYES:	Deerin, Gallo, O'Brien, Proto
ABSENT:	Irace, Solan

XVII. Action from Executive Session:

#2019-202 Resolution authorizing continued litigation for removal of right of way trespasses on Shore Road

Borough Attorney Scott Arnette read the full resolution into the record. Mayor Coffey called for a motion to approve the resolution, which was made by Councilman Proto and seconded by Councilman Deerin.

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

XVIII. Adjournment: As there was no further business, the meeting was adjourned at 7:54 PM on a motion by Councilman Proto, seconded by Councilman Deerin and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK

**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

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Robert Proto, Councilman
SECONDER:	William Deerin, Councilman
AYES:	Deerin, Gallo, O'Brien, Proto
ABSENT:	Irace, Solan

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



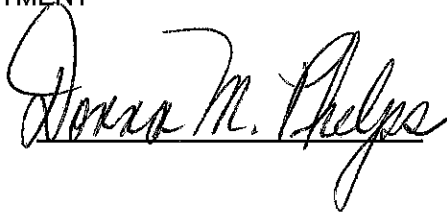
JEANNE SMITH, RMC
BOROUGH CLERK

**BOROUGH OF OCEANPORT
BILL LIST**

17-Oct-19

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

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



List of Bills - (All Funds)

Vendor	Description	Payment	Check Total
Current Fund			
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)

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
Capital Fund			
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
DOG TRUST FUND			
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
OPEN SPACE TRUST			
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	2,880.00
	PO 4335 STONE DUST FOR BLACKBERRY BAY 9/17/	30.00	2,910.00
UCC Trust			
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
OTHER TRUST			
1576 - SKIP'S SPORTS	PO 4371 CENTENNIAL CELEBRATION T-SHIRTS	214.00	214.00
DEVELOPERS ESCROW TRUST			
1195 - MASER CONSULTING, P.A.	PO 4031 OPB003 CO INSPECTION - 83 BRIDGEWAT	125.00	125.00
	PO 4401 Planning Board Review - 275 PORT AU	123.75	123.75
	PO 4400 Planning Board Review - 544 SEAWANE	123.75	123.75
	PO 4399 Planning Board Review - OP GARDENS.	783.75	783.75
	PO 4398 Planning Board Review - THE LOFT PA	453.75	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	

TOTALS FOR	Current Fund	95,765.69	285.10	225.00	96,275.79
=====					
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	

TOTALS FOR	FEDERAL AND STATE GRANTS	0.00	0.00	1,770.21	1,770.21
=====					
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	

TOTALS FOR	Capital Fund	0.00	0.00	270,112.33	270,112.33
=====					
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	

TOTALS FOR	DOG TRUST FUND	0.00	0.00	440.00	440.00
=====					
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	

TOTALS FOR	OPEN SPACE TRUST	0.00	0.00	15,296.20	15,296.20
=====					
18-101-01-100-101	CASH UCC TRUST			0.00	499.31
18-270-55-600	RESERVE FOR UCC TRUST			499.31	

TOTALS FOR	UCC Trust	0.00	0.00	499.31	499.31
=====					

Summary By Account

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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

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 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 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 WILD HEART INDUSTRIES	158,532.15	158,532.15	04-101-01-100-011
10/10/2019		4446		01-201-26-305-201 01-201-26-306-201	SOLID WASTE COLLECTION RECYCLING COLLECTION SUBURBAN DISPOSAL	14,566.67 2,833.33	17,400.00	01-101-01-000-011
10/10/2019		4445		01-201-31-465-201 01-201-31-465-201	DISPOSAL, RECYCLING & ROLL-OFF CONTAINER NJ Recycling Enhancement Act Fee SUBURBAN DISPOSAL	22,456.57 669.36	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.

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Robert Proto, Councilman
SECONDER:	William Deerin, Councilman
AYES:	Deerin, Gallo, O'Brien, Proto
ABSENT:	Irace, Solan

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

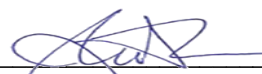
WHEREAS, the Borough Council agrees with said recommendation.

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

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Robert Proto, Councilman
SECONDER:	William Deerin, Councilman
AYES:	Deerin, Gallo, O'Brien, Proto
ABSENT:	Irace, Solan

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

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

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**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.

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Robert Proto, Councilman
SECONDER:	William Deerin, Councilman
AYES:	Deerin, Gallo, O'Brien, Proto
ABSENT:	Irace, Solan

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

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.

**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.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	William Deerin, Councilman
SECONDER:	Richard Gallo, Councilman
AYES:	Deerin, Gallo, O'Brien, Proto
ABSENT:	Irace, Solan

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

**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.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Richard Gallo, Councilman
SECONDER:	William Deerin, Councilman
AYES:	Deerin, Gallo, O'Brien, Proto
ABSENT:	Irace, Solan

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

**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.

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

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

Jeanne Smith, Borough Clerk

By:

Mayor John F. Coffey

ATTEST:

FORT MONMOUTH ECONOMIC
REVITALIZATION AUTHORITY, Seller

By:

Bruce Steadman,
Executive Director

**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

**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.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	William Deerin, Councilman
SECONDER:	Richard Gallo, Councilman
AYES:	Deerin, Gallo, O'Brien, Proto
ABSENT:	Irace, Solan

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

**RESOLUTION OF THE BOROUGH OF OCEANPORT
COUNTY OF MONMOUTH, STATE OF NEW JERSEY DIRECTING THE
BOROUGH ATTORNEY TO CONTINUE LITIGATION AND TAKE ALL
NECESSARY ACTION TO HAVE THE TRESPASSING STRUCTURES
REMOVED FROM THE BOROUGH'S RIGHT OF WAY FOR SHORE ROAD**

**Resolution #2019-202
10/17/19**

WHEREAS, Keith Salnick has constructed a dock/ramp structure that trespasses and encroaches into and upon the Borough's Right of Way for Shore Drive; and

WHEREAS, the Borough directed its Attorney to file suit against Defendant Keith Salnick to remove all trespassing structures, including but not limited to pilings, framing and decking; and

WHEREAS, Defendant Keith Salnick has requested a meeting with Council or its representatives to discuss the Borough giving him an Easement or License Agreement, to allow his trespassing structures to remain within the Borough's Right of Way for Shore Road; and

WHEREAS, the Borough has considered and thoroughly discussed Defendant Salnick's request in Executive Session.

NOW THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Oceanport that it does not desire to enter into any discussion with Defendant Keith Salnick regarding an easement or license agreement that will allow Defendant Salnick's trespassing structures to remain within its Right of Way for Shore Road; and

BE IT FURTHER RESOLVED, that the Borough Attorney is hereby directed to continue pursuit of the ongoing litigation and take all necessary action to have the trespassing structures removed from the Borough's Right of Way for Shore Road and to secure from Defendant Salnick all expenditures and Attorney's fees associated with this litigation, as allowed by Court Rule and by the Superior Court of New Jersey, Monmouth County, Chancery Division.

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

I certify that the foregoing Resolution #2019-202 was adopted by the Oceanport Governing Body at the Regular Meeting held October 17, 2019



JEANNE SMITH, RMC
BOROUGH CLERK