

**REGULAR MEETING AGENDA
MAYOR AND COUNCIL
October 15, 2015**

Call to Order.

Statement of Compliance with Open Public Meetings Act: *This meeting complies with the Open Public Meeting Act by publication of this location, date and time in the Asbury Park Press and the LINK News on January 8, 2015 and by the posting of same on the municipal bulletin board and Borough Web Site.*

Flag Salute

Invocation

Roll Call

Administrator's Report:

Clerk's Report:

1. Consent Agenda:

- #2015-181 1.1 Resolution authorizing the payment of bills.
- #2015-182 1.2 Resolution acknowledging review of the 2015 Best Practices Inventory

2. Fort Monmouth Reuse Plan Amendment #3

- #2015-183 Resolution providing municipal review for Fort Monmouth Reuse Plan Amendment #3

- 3. Minutes Approval of the Executive Session Minutes of September 3, 2015
Approval of the Regular Meeting Minutes of September 17, 2015
Approval of the Executive Session Minutes of September 17, 2015
Approval of the Special Meeting Minutes of September 28, 2015

- 4. Police Report, August 2015
- 5. Special School Election, December 8, 2015

COMMITTEE REPORTS:

- Finance & Administration, Councilman Briskey, Chair
- Health & Human Services, Council President Kahle, Chair
- Public Works & Engineering, Councilman Gallo, Chair
- Public Safety, Councilman Irace, Chair
- Planning & Development, Councilman Paglia, Chair
- Parks & Recreation, Councilman Patti, Chair

- # 1. Introduction of An Ordinance Amending Chapter 115 "Alcoholic Beverages"

MAYOR MAHON'S REPORT:

Petitions from the public.

Adjournment.

REGULAR MEETING MINUTES

Oceanport, New Jersey
October 15, 2015

The Regular Meeting of the Oceanport Mayor and Council was called to order on October 15, 2015 at 8:20 PM with the Statement of Compliance with the Open Public Meetings Act given by Mayor Mahon.

"Adequate notice of this meeting has been provided by notice to the Asbury Park Press and The Link News on January 8, 2015, and by the posting of same on the municipal bulletin board and Borough Web Site."

PLEDGE OF ALLEGIANCE: Mayor Mahon led the audience and members of the Council in the flag salute.

INVOCATION: Borough Chaplain Wayne Smith, Retired Colonel, gave the invocation.

MEMBERS PRESENT: Councilpersons Briskey, Gallo, Kahle, Patti and Mayor Mahon

MEMBERS ABSENT: Councilpersons Irace, Paglia

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

ADMINISTRATOR'S REPORT: Borough Administrator Bennett requested the Administrator's report presented in workshop be incorporated in the regular meeting for the purposes of the minutes.

CLERK'S REPORT:

1. Consent Agenda:

#2015-181 1.1 Resolution authorizing the payment of bills.

#2015-182 1.2 Resolution acknowledging review of the 2015 Best Practices Inventory

The Clerk advised that there were 2 items on the consent agenda. The Clerk asked for a motion which was made by Council President Kahle and seconded by Councilman Patti.

The Clerk called roll:

AYES: Briskey, Gallo, Kahle and Patti

NAYES: None

ABSTAIN: None

ABSENT: Irace, Paglia

2. Fort Monmouth Reuse Plan Amendment #3

#2015-183 Resolution providing municipal review for Fort Monmouth Reuse Plan Amendment #3

Based on discussion during the Workshop Meeting, a motion was made by Council President Kahle and seconded by Councilman Patti to remove item from the agenda.

The Clerk called roll:

AYES: Briskey, Kahle, Gallo, Patti

NAYES: None

ABSTAIN: None

ABSENT: Irace, Paglia

- #### 3. Minutes
- Approval of the Executive Session Minutes of September 3, 2015
 - Approval of the Regular Meeting Minutes of September 17, 2015
 - Approval of the Executive Session Minutes of September 17, 2015
 - Approval of the Special Meeting Minutes of September 28, 2015

The Clerk asked for a motion approving the Executive Session minutes of September 3, 2015, Regular and Executive Meeting minutes of September 17, 2015 and Special Meeting minutes of September 28, 2015 which was moved by Council President Kahle and seconded by Councilman Gallo.

The Clerk called roll:

AYES: Briskey, Kahle, Gallo, and Patti
NAYES: None
ABSTAIN: None
ABSENT: Irace, Paglia

4. Police Report, August 2015
5. Special School Election, December 8, 2015

Ms. Smith advised that she was in receipt of the Police Report for August 2015 which had been distributed and would be posted.

Ms. Smith reported that she had been contacted by the County that a Special School Election had been called for December 8, 2015 and that she had performed the mandatory newspaper advertisement for registration and voting by mail. Mayor Mahon requested arrangements be made to form a subcommittee between the Board of Education and the Council to get more information or have a meeting with the Council. The Mayor suggested sending a letter to the Board in order to discuss the proposed referendum and provide further details.

COMMITTEE REPORTS:

COUNCILMAN BRISKEY: Councilman Briskey advised that according to APP.com, based on the decision by the Third Circuit Court of Appeals, Monmouth Park hopes to be accepting wagers on sporting events by the Superbowl. The budget has been frozen except for reoccurring items unless it's approved by the Borough Administrator through the department heads. Councilman Briskey reviewed copies of the health insurance proposals, which he will discuss with the Borough Administrator and the Committee. Councilman Briskey thanked the Clerk and Borough Administrator for their work on the Best Practices. He also thanked Fire Chief Wes Sherman for painting the yellow curb at Port Au Peck firehouse.

COUNCIL PRESIDENT KAHLE: The Board of Health had their meeting last week. Several issues were raised. The flu clinic is going to be October 26th from 9:30 to 11 at the First Aid building. The Health Committee is investigating allowing private insurances. The rabies clinic is set for January 16th at the Port Au Peck firehouse from 9 to 11. Residents must have their pets registered with the Borough. Circle K was selling warm milk last week. Residents incorrectly called the Regional Board of Health instead of the Monmouth County. The correct number will be posted on the borough website. Lastly, they mentioned that Deal Lake is being dredged and they are looking for an area to put the dredged material.

The Oceanport Library Association is 50 years old. They will have their 50th anniversary on Monday, October 19th from 6:30 to 8:30 at the library. The public is invited. Refreshments will be served. This does conflict with Old Timers Night at the Port Au Peck firehouse. This is the 38th annual Old Timers Night. It's invitation only. The highlight of the evening will be distribution of certificate of service awards. Congratulations to ex-chief and council member Stuart Briskey who has met the requirement of 305 years of service for the fire department. Also being recognized are Chief Wes Sherman, 20 years; Arno Kohler, 20 years; Richard A. Gallo, III, which is Richard Gallo's son, 10 years; James Gallo, Jr., 5 years of service, and the Life Member award will be given to Paul Brown with 25 years of service.

COUNCILMAN GALLO: The Road Committee met this week with Councilman Irace, Mr. White, Mr. Bennett, the Mayor and himself. Discussed the application of the Monmouth County grant for 2016 to see which road would obtain the best rating in order to receive the grant. The consensus was Main

Street from Oceanport Avenue to Center Street with a backup street of East Main Street from Oceanport Avenue to the bridge in front of borough hall. The resolution will follow at the next council meeting. Councilman Gallo further advised that fall leaf pickup has begun. The schedule is on the borough website and the borough calendar. Residents are urged to check which zone they were in so the leaves don't remain on the roads for extended periods in order to meet the storm water management regulations. Public Works does not pick up branches. But the sanitation company does. Residents are to tie their branches into bundles no more than five feet long, three feet in diameter, with a maximum of three bundles for each pick up. Mr. Bennett is researching a project to do with our tree lined streets, which involves raising the canopy of branches that overhang the roadways, interfere with street signs and look at outstretched and dangerous limbs. Public Works has also prepared all equipment necessary for snow removal.

COUNCILMAN PATTI: Councilman Patti reported that the Parks and Recreation Committee started the parks tour, which was Councilman Patti's goal when he began in April. The tour started at Evergreen Park with Mayor Mahon attending along with various members of the public and members of the Recreation Committee. The Committee was focusing on what the community can be done, improvements that can be done by the borough without major costs and improvements that will require assistance from either the State or the County. According to the 2008 guide, there was a recommendation of various sources that may be able to contribute toward the parks. At the conclusion of the tour of the eight parks, the Committee will research into other funding besides the grants that the borough received from the County. The Committee is waiting for a response regarding a grant for the tennis courts at Community Park. Evergreen was more promising than Trinity. The basketball courts need to be repaved. That will be a substantial expense. Councilman Patti and the Borough Administrator met and the Borough Administrator advised the hoops will be taken care of and the lines on the court and the backboards will be painted. At the last meeting, the Girl Scouts will volunteer to help trim the line because it's overgrown with ragweed. There were recommendations in the 2008 guide that called for extending the playground, but the borough will need financial assistance with that. Trinity was more challenging. It's not going to need much. However, there is a tennis court that is in horrific condition. It may be that the court can be refurbished at a great expense or do something else with it. Suggestions for uses are welcome. In addition, there are basketball courts in poor condition. The 2008 plan called for utilizing a decline in the courts which was intended to be filled with water and used for ice skating, not sure if that ever happened. Trinity is going to involve some County money. The Borough cannot take down large fences and removing the tennis courts. It's a pocket park, which makes it more difficult because it's not on a County road where the County is going to provide grant money. There may be another tour of two more parks in early November.

The Recreation Committee unanimously recommended and approved Beth Watkins as a member of the Recreation Committee.

The Borough Administrator informed Councilman Patti that the senior citizens had concerns over sound barriers in Blackberry Bay Pavilion, and that there are 40 sound barriers that have been ordered. That should cut down on the sound problems. Council President Kahle asked about trees in the parks and whether the Shade Tree Committee was still meeting. Councilman Patti stated that there was consensus that trees shouldn't be touched in Evergreen. There were a few trees that were dead that should be cut down before they cause harm. Councilman Patti stated he was also unsure if the Shade Tree Committee is still active. Mayor Mahon advised that for tree removal, contact Borough Hall because we have a contractor for that. Councilman Patti stated that they only identified two huge trees that needed removal. The trees will leave debris on the basketball courts. There was a recommendation that a broom be left and anyone who wishes to play should sweep the courts themselves. It isn't realistic to send Public Works over every day to clean them up. Councilman Patti noted the attendees were enthusiastic and interested in improvement of the parks. There are six more parks to visit.

The 2008 guide talked about two additional parks, including Phase 2 of Gatta Park, which may not occur because Borough Hall may be moving to that location. It also talked about a park in the Fort, site unnamed. But that does make sense when this property transfers over. There's probably going to be another park for a total of 10.

#959 1. Introduction of An Ordinance Amending Chapter 115 "Alcoholic Beverages"

Councilman Patti called for the introduction of an amendment to the vehicles and traffic ordinance. He then asked the Clerk to read the proposed ordinance by title only. **"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"** was read. Councilman Patti moved to approve this Ordinance upon first reading and to hold the public hearing on the proposed ordinance at the Council meeting of November 5, 2015 and to advertise same in accordance with the law. It was seconded by Council President Kahle.

The Clerk called roll:

AYES: Briskey, Kahle , Gallo, and Patti
NAYES: None
ABSTAIN: None
ABSENT: Paglia, Irace

The Clerk stated that the motion carried.

MAYOR MAHON: The Borough will be able to submit the paperwork to retrieve the \$40,000 deposit for Russel Hall. The Borough has arranged for the reimbursement to the First Aid Squad for Sandy clean up matters in the amount of \$42,715.67. That will be on the bill list for processing at the next meeting. The Mayor thanked Joe Lombardi for bringing that to his attention. There is a planned loan closing with the County Improvement Authority for the bi-annual equipment leasing pool. The purchases that have already been authorized under that program are 4 police vehicles, one fire chief vehicle, one first aid captain vehicle, all fleet replacements and 2 DPW trucks. The one DPW truck will be a DOT type model for snow removal, salt spreader, etc. The other truck will be a four door F-450 rack body truck with a brine tank on it. Both trucks will have plows. Another issue is that all the vehicles are SUVs which have a higher ground clearance. They will replace regular patrol cars which will be retired or reassigned to traffic duty.

The Mayor thanked Mark Lauer and Wayne Mackenrodt for their exceptional work on the ad hoc committee. Their relationship with FMERA and getting access to documents is very helpful. A resident asked a question about Borough Hall at Fort Monmouth. The ad hoc committee raised two questions over the last three meeting. One was with respect to the location of the county shelter coming back into Fort Monmouth. The other was with respect to utilizing a Fort Monmouth building for a new municipal building. The ad hoc committee also discussed other locations that might be suitable and be part of a larger municipal context and adjacent to property the Borough currently leases for OEM and Public Works.

There was discussion regarding the amount of time Mr. Lauer has dedicated to the ad hoc committee, the benefits of seeing the overhead maps at the FMERA meeting, the boundary line issue between Eatontown and Oceanport and potential for moving eastward to allow for easier patrol and enforcement by police, responsibility for streetlights.

PUBLIC:

Mayor Mahon then opened the meeting to anyone from the public who wished to be heard.

Roseann Letson, 37 Morris Place had a question regarding trees that were received after Sandy. Council President Kahle commented that they were received through a grant. Ms. Letson asked that the Borough participate in that again since a lot of her trees died. Councilman Patti stated the Council would like to get the Garden Club and the borough's youth involved. Councilman Patti said there was discussion at the Recreation Committee meeting regarding someone donating trees to Old Wharf Park. He stated Charles Park is in need dire need of shade as well. Secondly, Ms. Letson asked if the Borough has made progress regarding the hiring of a new Borough Administrator. Mayor Mahon contacted Jersey Professional Management to provide those services. He is waiting to receive their proposal. Third, Ms. Letson asked why there was no report of the Planning Board meeting. Mayor Mahon stated there's no report and that the Mayor and Council typically don't report on the Planning Board. Ms. Letson stated the Planning Board is critical, especially with Fort Monmouth. Mayor Mahon reported that the governing body has entertained the prospect of litigation with one of the properties. He had to recuse. Ms. Letson stated there were other items on the agenda. Mayor Mahon stated the majority of those items were Sandy-related approvals for homes that need to be elevated, et cetera. There's over 200 homes affected in town. Ms. Letson stated there are going to be a lot of issues related to the Fort. Mayor Mahon stated the only issue of recusal is when it is a matter of litigation. Ms. Letson requested there be a map of Fort Monmouth shown on the white board during Mayor and Council meetings to show the public what area is being discussed. Mayor Mahon advised that the ad hoc committee is working on obtaining them. The maps are being provided and are being put together for a presentation. Mayor Mahon also advised that the Mayor and Council are researching using the white board to display the resolutions. The maps will be printed and will also be available electronically.

Ron Sickler, 45 Morris Place stated that he and his wife are planning to attend the tour of Fort Monmouth and suggested that places that are mentioned as possible alternate sites be shown on the tour and perhaps the Mayor and Council could explain the benefits of one building over another. Mr. Sickler wanted to talk about the applicant at the Planning Board last night who was disruptive. Not long ago the Borough went through a builder's remedy lawsuit that was expensive. Mr. Sickler is concerned that there will be more lawsuits. Mr. Sickler stated he believes the Mayor should take responsibility for this issue at the Planning Board meeting.

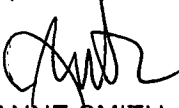
Hugh Sharkey, 39 Algonquin Avenue, Oceanport wanted to know if the annual racetrack financials were received. Mayor Mahon stated the original submission was received in January or February, however the sub-documents were not provided. Mayor Mahon said a follow up request was sent and there was a subsequent OPRA request that requested documents that were not in the public domain. Mr. Sharkey asked if the committee meetings, the sub-committee, the ad hoc, are open to the public. Mayor Mahon advised they were not. Borough Attorney Arnette stated those meetings are not covered by the Open Public Meetings Act. Mayor Mahon confirmed that the group is meeting with FMERA staff and discussing items that have not been exposed to the public or the full board. Mr. Sharkey questioned what the \$11,000 scanner on the bill list was for. The Borough Clerk responded that it was her expense in order to scan all the building files scanned to be a digital document. Mr. Sharkey asked about a previous bill for \$5,000 for another scanner. The Borough Clerk responded that's actually the service first round. It's the scanning service through a co-op agreement. Mr. Sharkey asked if emails are public documents are going to be handled on the Borough's server. Mr. Sharkey stated that in the past emails had been accidentally deleted. Borough Attorney Arnette stated that was not true. Borough Attorney Arnette did not want to discuss Mr. Sharkey's litigation with the borough. Borough Clerk explained when that incident happened, the Borough was not on a server. There is now a Microsoft Exchange server which keeps track of all of the emails used by Borough staff. They are permitted to be destroyed after a request to the Borough Clerk and then authorized by the State. Depending on the topic, destruction dates can be anywhere from a month to a year. Some of it has a 30 year retention. The Borough also purchased an archiving system that is a backup. The information is there whether a staff member accidentally or purposely deletes a file, there is a back up available. Mr. Sharkey mentioned that the Borough scored 82 percent on Best Practices. He wanted to know what last year's score was. The Borough Clerk thought it was around 91. There were several new questions that needed to be addressed. Business Administrator Bennett, the Borough Clerk and the

CFO are implementing measures to answer affirmatively to those new questions. Mr. Sharkey requested it be posted on the website. The Borough Clerk agreed to do that. Mr. Sharkey asked if there were going to be measurable goals for the next Business Administrator to evaluate their effectiveness. Mayor Mahon stated they're waiting for the proposal from the consultant. Mr. Sharkey noted the \$9,000 legal fee for August and wanted to know what was the majority for. Borough Attorney Scott stated Mr. Sharkey would have to look at the bill.

Patrick McSorley, 285 Port-Au-Peck Avenue, had questions regarding the vehicles being purchased. He asked if there is a set mileage limit or age of the vehicle that must be met before purchasing new ones. Mayor Mahon responded saying typically the police vehicles last between 120 and 120,000 miles and the model year is 2009. The fire chief's and the first aid vehicle are 2003 and 2001. Mr. McSorley asked if vehicle maintenance and tires were done under State contract. Business Administrator Bennett responded, stating they were not done under State contract. One vendor was under the bid threshold. Mr. McSorley was asking specifically about the tires. Business Administrator Bennett advised tires were not performed under State contract. The Borough Clerk advised they are not done separately. One repair or maintenance goes beyond the bid threshold, it would have to be sent out for bid and/or use a State contract to secure those items. Lastly, Mr. McSorley noted there were many repairs of vehicles. He asked if the Borough has contacted the County to be able to use their garage. Borough Administrator Bennett advised that he checked into that. He also stated we share services).

As there was no further business, the meeting was adjourned at 9:23 p.m. on a motion by Councilman Gallo seconded by Councilman Briskey and approved by Council.

Respectfully submitted,



JEANNE SMITH
BOROUGH CLERK

ADMINISTRATOR'S REPORT 10-15-2015

BBB BOAT RAMP FACILITY (ongoing) Ramp and floating dock have been completed. The project came in on time and under budget! We have sold 88 permits so far for the use of the ramp. (Total revenues to date

.10/01/15 - \$2,970.00; **10/15/15 - \$2980.00**

BUILDINGS (ongoing)

1. BBB Pavilion. The railing will have to be a project for next year as it is in excess of \$12,000. The parking spaces are going to be incorporated in the 2015 road program. ***Sound barriers have been ordered and should be installed by next week. The additional parking spaces are being marked out next week and have been included in this year's road program. The electrician will be meeting with the representative from Kelly builders (Chelsea Kitchen) and the cabinets will then be ordered to fit around the plumbing and electrical work.***

2. Port Au Peck Firehouse:

Lobby doors. - ***Continue to work with Chief Sherman in making plans for the completion of the lobby. Project is to be completed in a cooperative effort with the Fire Department paying a portion of the project. Refrigerator is being repaired at this time and a new one will be proposed for the Capital Budget of 2016.***

3. DPW Facilities. . Overhead door has been installed and the electric motors for both doors are also in. The roof is complete with gutters and drains. Siding has been installed with all walls being repaired. Electric quotes being secured and will proceed to get new service for the building inside and out. The move to the office building is complete and the DPW staff reports to the new building for work daily. Trucks have been moved to the yard at the Fort. Borough electrician will be proceeding to get some preliminary electrical work done including a new panel in Building 900. New heaters are being furnished for the building from FMERA. The gas has been ordered and the heaters will be installed next week as the electrical work will also be started next week. ***The heaters have been placed at the DPW garage. They were supplied by FMERA. They will be installed as soon as the gas company comes and does the hookup. Installation of the new electrical panel has been completed. The light bulbs have been furnished by FMERA and will be installed by the electrician. To date 108 bulbs have to be replaced.***

4. Community Center/Library –

This project is paid in full by the CD Grant from the County. ***Contract awarded. Work to commence next month. Recreation to be notified to remove their materials from the supply room. Will coordinate with the library so no hours should be lost.***

The Oceanport Library Association will be celebrating their 50th Anniversary on Monday October 19, 2015 from 6:30 to 8:30 pm.

5. Police Headquarters Request for extension in the lease has been sent to FMERA. The extension has been endorsed by Bruce Steadman and been forwarded to the FMERA Board for action. Still awaiting action of FMERA. ***Lease has been signed extending the lease for an additional 6 months.***

6. Old Boro Hall –Curtains have been furnished by the Garden Club at their expense. They have also purchased a TV and Stand for the building. ***Additional boxes continue to be emptied from the building into the Old Wharf House. Some are being sorted for destruction and others is going to be put on film with a grant secured by the Borough Clerk. All boxes have now been removed from the bathroom storage area.***

COAH – Judge Perri granted the Borough immunity from any Builder's Remedy suits until December 8th. This was the result of the Declaratory Judgment filed by Andrew Bayer. ***We are now awaiting a schedule from Judge Perri with respect to the timing of submissions on the 3rd round. The Council will be adopting certain resolutions and ordinances which are being prepared by the Borough Planner in accordance with the directions of the Court. Hiring of another special Master is necessary as the Rutgers professor has withdrawn due to illness.***

FEMA CLAIMS (ongoing) still pending, meeting has been scheduled with representatives from the State as to why we have not been paid to date. Meeting was held with representative from the State. Project worksheet for Protective Measures is nearing finalization and will result in an approximate \$300,000 reimbursement less payments received (approx. \$50,000) Check in the amount of \$129,000 received for protective measures. We have received notification that the sum of \$1,461,580.29 has been obligated for the Borough of Oceanport for the DPW Building and Police Trailers. A portion of this money is for the temporary relocation and balance is to be put toward permanent location. Additional monies remain pending. Approximately \$80,000 has been received for police department relocation. OEM Director has informed me that he has been successful in securing an additional credit for the debris pickup from SSS. We were originally being assessed for a \$500,000 overpayment, which has now been reduced by approximately \$200,000. A repayment schedule has been worked out with the State for the balance. Additional claims submitted and being reviewed. The First Aid did pay over \$42,000 to the Borough for cleaning of the building following the storm. We have traced the money in and the payments out to the vendor. It would appear an amendment needs to be filed by the OEM Director who is in the process of doing so. We are hopeful we can recover 90% of the money for the First Aid. We have been notified that we received an additional 10,725 for the Old Wharf House. ***The First Aid will be receiving a check in the amount of \$42,715.67 as reimbursement for the cleaning bill they paid following Sandy. This represents 100% of what the First Aid advanced for the cleaning. The Borough will be revising its claim***

FORT MONMOUTH: The only change to the projects is

Fort Monmouth Marina – Notice of violation from DEP was served on concessionaire. Attorneys for concessionaire are attempting to resolve differenced directly with the state. Construction of the non-impacted areas is proceeding. Notice of violation from DEP has been served on the Federal Government. All parties are engaged in attempts to resolve all outstanding issues. Sewer problem resulted in the restaurant being closed for 2 nights. Matter has been corrected and place reopened. Closing delayed until NFA (No further Action) letter received from the DEP to the Army. Army to meet with Tidelands concerning other issue relating to the bulkhead.

RPM – A purchase and sale agreement has been reached between FMERA and RPM for the sale of the Officer Housing parcel located near the main gate of the fort on Oceanport Avenue. Planning Board approval for the North and South portion of the project has been secured. Ready to close as soon as FMEREA closes with the Army. Should be approximately ***November 1st***. ***Construction***

meeting held with RPM. They will be starting on the South Post with renovations. The Club house office will be the first building done.

Fitness Center – The Purchase and Sale agreement has been signed. Due Diligence has begun. It is anticipated the closing will take place on or about **January 1st**. Building will not open until closing. The property will require a re-use amendment.

Chapel – One bids was received on the Chapel and the school attached to the Chapel on June 19th. The Assembly of God (currently in Shrewsbury) has received the OK from the Real Estate team. Site Plan is to be submitted to the Oceanport Planning Board.

Dance Hall – Bids were received on June 26th. Two (2) bids were received. One is a taxable use and the other a non-taxable use. It is expected to have an early 2016 closing. This will take an amendment to the reuse plan as this building was originally scheduled for demolition. Contract negotiations will begin with the recommended purchaser soon. The recommended purchaser is a taxable use. For a micro-brewery and café.

Nursing quarters – Bids were received on this property (next to the old hospital). On June 19th. Five (5) bids were received. The evaluation team is to review and report to the Real estate committee. **Evaluation complete.** Will report to the Real Estate committee next week. The recommended party is an experienced residential developer. The project is for profit and therefore will be taxable.

Russell Hall – Three (3) proposals were submitted in interest for Russell Hall. One by the Borough. The recommended investor is looking to close by the end of the calendar year. The proposal deals with incubator Hi-tech companies and are expected to bring a number of jobs to Oceanport from out of State. This will be taxable. I met with one of the bidders, (Tether View) who will be applying to appear before Council to present what they want to do with the property. They will be using 2/3 of the building for their own company and seek to rent out the other 1/3 to incubator Hi-tech companies. Contract negotiations have already begun. Borough to file withdrawal of Proposal and waiver of Standing to Challenge. We will be getting our \$40,000 deposit back in exchange for the FMERA moving ahead with a taxable entity renting the building.

Prevailing Wage changes – A ruling by the Attorney General changed the status of the use of prevailing wage at the Fort. Only on those properties which are owned by FMERA are subject to the mandate of paying the prevailing wage.

The following properties will be going out to bid in the near future.

1. **Allison Hall** – Bid to be going out between now and spring of 2016. Ongoing marketing and evaluation taking place as to appropriate use. Allison Hall is a 36,665 sf, circa 1928 building that served as the Fort's first permanent hospital. It was converted to office use when Patterson Hospital was constructed in 1962. The Reuse Plan proposes that Allison Hall be renovated for office use. Staff believes that Allison Hall should be repurposed for an alternate commercial use. One possible option is to incorporate the structure into the vision for a boutique hotel planned for the Parker's Creek waterfront. Staff further recommends combining Allison Hall with the adjacent land and buildings to the north so that Allison Hall would have frontage on the creek and its future waterfront promenade. Since this will be a use different than in the Reuse Plan the RFOTP will alert prospective purchasers that the change in use will be subject to Board Approval of a Reuse Plan amendment or a variance.

2. **The Lodging Area-** consists of eight buildings located in Oceanport, adjacent to Parker's Creek in the northeast quadrant of the Main Post. Two of the buildings were used by FEMA in 2013 and 2014 to house families displaced by Sandy. Two others are historic properties. One Building is pledged to the Affordable Housing Alliance for supportive housing under one of FMERS's Legally Binding Agreements. The reuse Plan designates these buildings for reuse as housing and the remainder of the Lodging Area to be replaced by a boutique hotel and spa and a waterfront promenade. Two parties have expressed interest in purchasing the Lodging Area for retention and reuse, one for health, wellness and conference uses, and the other for a non-profit use. Neither would utilize the property for permanent housing. Staff believes that it is appropriate to retain some or all of the existing buildings for one or more of these uses, but specifically excluding permanent residences. Any development of the property must include the planned waterfront promenade.
3. **Barkers Circle -** .Bid going out between now and spring of 2016. This is in the reuse Plan for residential. The Reuse Plan calls for the renovation of three of the five Barker Circle buildings into 75 units of housing, with the two remaining buildings (Building 206 and 208) adapted as municipal offices for the Borough of Oceanport. The Borough has advised that it does not need either building for public purposes, so staff is proposing to make Buildings 206 and 208 available for private development, preferably for non-residential use. The Fire House is projected for continued use as a fire house in the Reuse Plan, but is no longer needed for that purpose; the Oceanport Police Department is subleasing the Fire House from FMERA on an interim basis through 2016. Kaplan Hall is designated for civic use in the Reuse Plan. Staff proposes to combine Barker Circle, the Fire House and Kaplan Hall in a Request for Offers to Purchase (RFOTP). A provision will be included to permit the withdrawal of the Fire House if it is needed for continued public use.
4. **The Commissary-** Bid has been received from 1 company. It is a hi-tech company and anticipated to be converted to offices. Proposal being reviewed as to compliance. No recommendation as yet. One of the newer buildings on the Fort, the 53,700sf Commissary was completed in 1998. The reuse Plan envisions the Commissary as a future retail building that could serve the residential and commercial occupants of the Oceanport Education/Mixed Use Neighborhood. The use as an officer/RD use is not consistent with the Reuse Plan, however staff believes it is more suited for Rand D than retail given its location and the change of the area since the inception of the Plan.
5. **Squires Hall –** .Bid should be going out before the end of the year.

The redevelopment for uses other than currently contemplated in the Reuse Plan is subject to separate Board approval of a Reuse Plan amendment or a variance. To approve a Reuse Plan amendment, the Board would first approve the transmission of the proposed amendment to the three host municipalities for the municipalities to have an opportunity to provide comments and then would approve the responses to any comments and the proposed amendment itself.

We have been notified by FMERA that they are willing to reopen the discussions on permanent locations for the Police and DPW operations. They also would like to restart the discussion on the Borough acquisition of real estate in exchange for services-in-kind, cash, or a combination thereof.

Another meeting of the ad hoc committee was held Monday the 5th. Bill McVitty, President of the Board of Education and Wayne Mackenrodt, Marc Lower attended together with the Mayor, and Council President Kahle and Administrator Bennett. The meeting went well and a bus tour of the Oceanport section of the Fort has been set for Saturday October 24 at 10 am. Buses will be supplied

by FMERA. *To date 65 persons have signed up for the bus tour. An additional meeting is tentatively scheduled for October 21st at Maple Place School. FMERA representatives will be present to answer questions. The program will be under the direction of Mark Lower, Chair of the ad hoc committee.*

GRANTS

Recreation Committee is requesting that the Borough apply for a County Park Grants for improvement of the tennis courts at Community Center Park - Application due in September. Application being prepared for submission. Public Hearing held and application submitted for the Community center tennis Courts.

Application pending for "Safe Street" Grant so we can hire a police officer.

HEALTH BENEFITS: All conversions of health and dental have been completed. The 8 HSA accounts have been funded by the town. Meeting with the broker on Wednesday September 30th to discuss the process for the renewal. *Renewal may include certain changes which will be reviewed by the Finance Committee.*

PERSONNEL: We are currently advertising and accepting applications for a Construction Code Official. We have received 7 applications. Interviews will be set up next week and a recommendation will be presented to Council by the next meeting. This is a part-time position with no benefits.

Interviews have been held with Administrator and Chairman Briskey and Councilman Paglia. Recommendation will be on agenda for Thursday.

Fred Corcione has been hired as Interim Construction Code Official. At the end of the 60 day period, a permanent selection will be made from the three individuals who've served as interim.

We have received the resignation of a member of the DPW. An advertisement will be placed. We are going to start by seeing if we can find a part-time seasonal employee and see how they work out.

We have received an application for unemployment from a retired police officer. Since they have been retired since 9/30/12 and receive a pension we will be opposing the application for unemployment.

The DPW interviews will be started from the existing pool of applicants on file.

PORTABLE GENERATOR PROJECT - ongoing

Kick off meeting was held 01/14/2015. Agreement has been signed and returned. Funding for this project (over and above the grant amount) will be funded through a bond ordinance. The Board of Education has agreed to contribute – amount to be determined upon final cost estimate. Updated cost estimates are presently being prepared by the Borough engineer. July 7th report has been filed.

Storm Water Management Update – Meeting held with DEP, DPW and Borough Engineer to assure compliance with state requirements of our storm water management plan. County has been contracted to do the required street sweeping on East Main Street and Main Street. (This previously was done by Rumson who stopped doing it).

VEHICLES:

Police vehicles and public works vehicles as approved in the budget have been identified and will be funded through the MCIA lease purchase program. Total cost estimated at \$416,000. Closing is scheduled for October 28, 2015.

WOODBINE CEMETERY: To date, no application filed with Cemetery Board as of **October 15, 2015.**

RECREATION – The Peninsula Soccer Club has been approved by the Recreation Committee for use of Maria Gatta Park again this fall. The club would like to bring in portable lighting during late October and November so they are able to practice until 8 pm. The recreation committee has approved this. Unless there is an objection I will notify the Club this is acceptable as long as the lights are placed not to shine in any residences. And must be removed at the end of the season. Need answer on his request. Lights have been delivered to the field. They will start to use them October 1st.

SHARED SERVICES WITH SEA BRIGHT-

I have been contacted by the Borough of Sea Bright that they are interested in purchasing a hot patch machine together with Oceanport. I will proceed to get the costs and present this new shared services proposal to the Council.

Another opportunity for shared services for a hot patch machine with another municipality has presented itself. This will be renting equipment that they own. I am proceeding with this to determine the time we need such a machine and the work that can be performed by our DPW. Once those decisions are made we can determine if we should continue to rent or purchase with another town.

MISC.

There is presently an Ordinance that prohibits cars from parking on the front lawns of homes. There have been several long term violations. Before having the Code Enforcement proceed, we need direction if we want the cars off the lawns and placed on the narrow streets.

The Corrective Action Plan has been submitted. All actions will be completed by the end of the year.

VILLAGE CENTER – ***There are a total of 36 residential units in the Center. Currently 28 are rented.***

EMERGENCY ALERT SYSTEM - I have checked with the OEM Director and been informed as follows. There is no Tornado Warning, there is a Severe Weather Warning. There is no activation for Fire and First Aid at this time and most likely will not be unless there is a total failure of the present County paging system and the "I am responding system" within the fire department. For the FD, it's basically a backup for failures at this point.

The system does not have calls for the schools, other than "no School" which has been replaced by the modern Reverse Call system operated by the schools. Also, The Director has provided Emergency Alerting System radio receivers to each public building under the Storm Ready program, which included both schools. They should still have the radios in the main office areas. These radios were set to activate on an alert from the National Weather Service for any weather emergency approaching Oceanport and national; emergency. If from the storm and the many changes which have happened since Sandy and replacements are needed, these radio cost no more than \$40.00 so they are easy to replace. This is the fast notice the schools could possibly get.

The Director is waiting for the company to do the upgrade of the system to allow Internet access. The system was recently tested from the PD and there was a problem with 2 pole positions, which will be sent to the company for a solution that can be done "in house". That could be as simple as the new antenna needs to be adjusted, power interruption of another issue that is undetermined.

Steps are being taken to correct the deficiencies in the siren system which has resulted in the inability to activate the sirens on two poles. A new lap top has been purchased for OEM and arrangements are being made to have the two inactive sirens inspected and repaired if necessary.

BUDGET –

A freeze on spending has been imposed by administration on all departments. Any additional purchasers must be approved by administration prior to any money being encumbered. We will be sending out preliminary worksheets to all department heads shortly in order to prepare for the 2016 Budget.

CFO and Bond Counsel are preparing two go to bid for the capital improvement program. The amount to be borrowed for this year's program \$775,000.

REVALUATION:

A Notice of Sale has been posted on the Boro website to fund the preparation of the tax maps and the revaluation. Bond Counsel will be pursuing this.

MUNICIPAL JOINT INSURANCE FUND – A survey was completed of all loss control items and suggestions were made. The suggestions have been distributed to the department heads to be implemented. Will be followed up by Administration.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING PAYMENT OF BILL LIST FOR OCTOBER 15, 2015**

**RESOLUTION #2015-181
10-15-15**

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated October 15, 2015; and

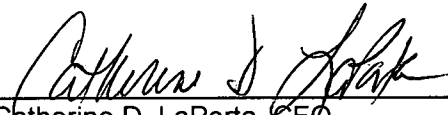
WHEREAS, the Governing Body has determined that the bill list as prepared comports with the vouchers submitted by various vendors; and

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of October 15, 2015.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill lists dated October 15, 2015 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

CERTIFICATION OF FUNDS

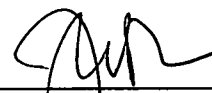
I, Catherine D. LaPorta, Chief Financial Officer, of the Borough of Oceanport, do hereby certify that funds are available for the purpose stated herein.


Catherine D. LaPorta, CFO

Motion: *Kahle* Second: *Patti*

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Briskey	(x)	()	()	()
Gallo	(x)	()	()	()
Kahle	(x)	()	()	()
Irace	()	()	()	(x)
Paglia	()	()	()	(x)
Patti	(x)	()	()	()
Mahon	()	()	()	()

I certify that the foregoing Resolution #2015-181 was adopted by the Borough Council of the Borough of Oceanport at their meeting held on October 15, 2015


JEANNE SMITH, RMC
BOROUGH CLERK

**BOROUGH OF OCEANPORT
BILL LIST**

OCTOBER 15 2015

PAYEE

AMOUNT

PAYROLL ACCOUNT

\$ 85,990.84 21st Pay

2015 EXPENDITURES

CAPITAL TRUST TOTAL

\$ 10,000.00

DOG REGISTRY TOTAL

\$ 7.80

OPEN SPACE TRUST TOTAL

\$ 82,032.21

2014 VOUCHERS PAID

\$ 228,774.41

**2014 VOUCHERS PAID THIS MEETING
TOTAL**

\$ -
\$ 228,774.41

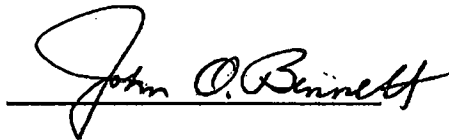
2015 VOUCHERS PAID

\$ 18,107,775.68

**2015 VOUCHERS PAID THIS MEETING
TOTAL**

\$ 416,275.63
\$ 18,524,051.31

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



John O. Bennett

**RESOLUTION OF THE BOROUGH OF OCEANPORT
ACKNOWLEDGING REVIEW AND AUTHORIZING SUBMITTAL OF THE
2015 BEST PRACTICES INVENTORY**

**RESOLUTION #2015-182
10-15-15**

WHEREAS, the State's Fiscal Year Appropriations Act (P.L. 2011, c.85) requires the Division of Local Government Services to determine how much of each municipality's allocation of its CMPTRA and ETR aid will be disbursed based upon the results of Best Practices Inventory to be completed by each municipality; and

WHEREAS, the Inventory is a constructive way to encourage municipalities to consider and embrace a range of best practices that will help improve financial accountability and transparency; and

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Oceanport that the best practices inventory was discussed publicly at the Mayor and Council meeting of October 15, 2015, and shall be submitted to the Division of Local Government Services and certified by the Chief Administrative Officer and Chief Financial Officer and a certification by the Municipal Clerk that the Inventory was discussed publicly.

Motion: *Kahle* Second: *Patti*

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

I certify that the foregoing Resolution #2015-182 was adopted by the Borough Council of the Borough of Oceanport at their meeting held on October 15, 2015



JEANNE SMITH, RMC
BOROUGH CLERK