



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

AGENDA • OCTOBER 3, 2024

Workshop

Clement V. Sommers Municipal Building

7:00 PM

910 Oceanport Way, Oceanport, NJ 07757

I. Call to Order & Statement of Compliance with Open Public Meetings Act

This meeting complies with the Open Public Meetings Act by adequate and electronic notification on January 5, 2024 of this meeting and its location, date and time to the Asbury Park Press and Two River Times and by the posting of same on the municipal bulletin board and Borough's Web Site.

II. Flag Salute, Statement to the Public

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

III. Roll Call

IV. Public Comment on Action Items

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

V. Action Items

- #2024-237 Resolution authorizing payment of BILL LIST 10-03-2024
- #2024-238 Resolution requesting waiver of 390-17(F) - 56 Manitto Place
- #2024-239 Resolution awarding contract for Old Wharf Park Parking Lot Expansion
- #2024-240 Resolution awarding contract to Amazon.com for various goods and services
- #2024-241 Resolution authorizing dedication by Rider, Holiday Extravaganza - *Added*
- 6. Resolution appointing Lesley K. Kirchgessner as Municipal Court Administrator_revised - *Added*

VI. Second Reading & Public Hearing Ordinances

- #1100 Ordinance Amending Chapter 284, Peace and Good Order
- #1101 An Ordinance Authorizing Easement Agreement with Netflix for Osprey Nest relocations

VII. Clerk's Report

Old Business

1. Resolution authorizing refund of funds balance for FMERA MOU 600 Area Water Project

New Business

2. Resolution appointing Donald Baldwin as a per diem Plumbing/Mechanical Subcode & Inspector

3. Resolution appointments to Boards & Committees, HIS, WW
4. Discussion: Floating Dock, Blackberry Bay Park, Mayor Tvrdik
5. Discussion: Resident Request to rent parking space at BBB Park
6. Discussion: Tree Ordinance and Shade Tree Committee, Mayor Tvrdik
7. Discussion: Public Safety Committee Recommendation to Fill Police Chief Vacancy, Councilman Keeshen
8. Discussion: Leasing of Public Building Space - *Added on Late*

Minutes

9. Workshop Minutes, May 2, 2024

VIII. Administrator's Report

1. Request for Easement_60 Shore Road

IX. Mayor's Report**X. Public Comment**

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

XI. Adjournment

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING PAYMENT OF BILL LIST FOR OCTOBER 3, 2024**

**Resolution #2024-237
10/3/24**

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of October 3, 2024.

BE IT RESOLVED, by the Mayor and Council that the bills be paid as on the attached bill list for \$1,412,356.21.

CERTIFICATION OF FUNDS

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

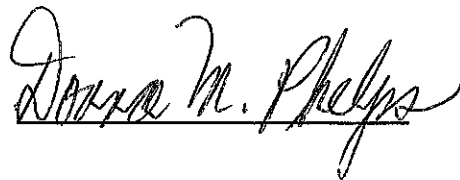


Catherine D. LaPorta, CFO

**BOROUGH OF OCEANPORT
BILL LIST****3-Oct-24**

PAYEE	AMOUNT
PAYROLL ACCOUNT	\$179,301.41
DCRP	\$0.00
MANUAL CHECKS	
The Borja Group	\$7,500.00
GRANT FUND	\$633,991.55
CAPITAL	\$12,729.50
DOG REGISTRY TOTAL	\$431.60
OPEN SPACE TRUST TOTAL	\$27,843.17
SUI	\$4,393.82
UCC TRUST	\$223.00
TRUST OTHER TOTAL	\$3,662.50
ESCROW TRUST TOTAL	\$525.00
NON BUDGETARY	\$307,691.31
2023 VOUCHERS PAID THIS MEETING	\$995.00
2024 VOUCHERS PAID THIS MEETING	\$233,068.35
TOTAL	\$1,412,356.21

TO THE MAYOR AND COUNCIL FOR PAYMENT



List of Bills - (All Funds)

5.1.b

Vendor	Description	Payment	Check Total
Current Fund			
2252 - ALL RISK, INC	PO 17727 POLICE BUILDING	4,270.00	4,270.00
1816 - BULLET LOCK & SAFE COMPANY	PO 17783 SUPPLIES AND REPAIRS	125.00	125.00
1516 - CANON FINANCIAL SERVICES, INC	PO 17919 PD COPIER SERVICE - SEPT 2024	61.13	61.13
2000 - CENTRAL JERSEY EQUIPMENT LLC	PO 17832 JD Z950 72 S/N 1TC950MDCMT100151	654.29	654.29
1047 - CENTRAL JERSEY HEALTH INSURANC	PO 17993 HEALTH / DENTAL INSURANCE - OCT 2024	80,700.32	80,700.32
1050 - CERTIFIED SPEEDOMETER, INC	PO 17606 Cones & Cone Bars with lettering	1,390.00	1,390.00
1807 - COLLIERS ENGINEERING & DESIGN	PO 17885 GENERAL ENGINEERING - 09/07/24	6,000.00	
	PO 17886 FMERA - 600 AREA WATER - 09/07/24	9,847.50	
	PO 17887 BLDG 550 & 551 ASBESTOS ABATEMENT & DEMO	14,891.75	
	PO 17890 ASBESTOS SURVEY & DEMO OF BLDGS -09/07/2	11,964.75	
	PO 17891 FMERA STORMWATER INFRASTRUCTURE STUDY -	51,865.96	
	PO 17892 BLDG 550 & 551 ASBESTOS ABATEMENT & DEMO	6,391.25	
	PO 17893 2024 ROAD PROGRAM - (RESOLUTION #2024-18	23,340.27	124,301.48
1065 - COOPER ELECTRIC SUPPLY CO	PO 17766 TROUBLESHOOT PD GENERATOR- LOW COOLANT	173.00	173.00
1453 - DONNA PHELPS	PO 17948 REIMBURSEMENT - RUGS	629.98	
	PO 17984 MEETINGS DUE TO COVID - 09/20-10/19/24	90.09	720.07
1767 - EVERON, LLC (90-0008456)	PO 17935 FIRE MONITORING - 09/30-10/29/24	68.13	68.13
2190 - FIS ON SITE SERVICE LLC	PO 15646 FIRE POLICE CAR - PM	395.00	
	PO 15648 RESCUE - PM	600.00	
	PO 17787 This is the balance of PM cost of 995. U	395.00	1,390.00
2119 - GEAR WASH	PO 17755 Gear alteration and cleaning - K Crochet	287.48	287.48
1652 - GOLD TYPE BUSINESS MACHINE	PO 16552 new radio for Chiefs Car-unit 1	5,271.19	5,271.19
2127 - HARTFORD FIRE INSURANCE COMPANY	PO 17913 FLOOD INSURANCE - 315 E MAIN ST	9,761.00	9,761.00
1143 - I.D.M. MEDICAL SUPPLY INC	PO 17869 FAS OXYGEN - AUG 2024	265.02	265.02
1649 - INTRON TECHNOLOGY, LLC	PO 17990 MONTHLY MANAGED PHONE SERVICES - 09/15/2	1,497.81	
	PO 17991 MONTHLY MANAGED PHONE SERVICES - 08/15/2	1,457.91	2,955.72
1685 - JANITOR SUPPLY CORP	PO 17809 BUILDING SUPPLIES	274.95	
	PO 17810 SUPPLIES FOR BOROUGH FACILITIES	179.24	454.19
1153 - JERSEY CENTRAL POWER & LIGHT	PO 17973 200-000-956-009 - 07/31-08/29/24	1,591.78	
	PO 17979 200-000-957-015 - 07/30-08/24	577.02	2,168.80
1878 - JERSEY MAIL SYSTEM	PO 16885 INK FOR MAIL MACHINE	488.00	488.00
1434 - Jersey Printing Associates, Inc.	PO 17811 ENVELOPES FOR COURT, FINANCE & TAX	588.00	588.00
1159 - JOSEPH FAZZIO - WALL LLC	PO 17801 DPW SUPPLIES	76.26	
	PO 17803 DPW SUPPLIES	1,477.32	1,553.58
1672 - Kyle + McManus Associates LLC	PO 17923 AFFORDABLE HOUSING	36.75	36.75
1814 - LEAF	PO 17972 COPIERS	223.01	223.01
1538 - MONMOUTH COUNTY TREASURER	PO 16765 BULK PICK UP - MAY	1,207.02	
	PO 16765 BULK PICK UP - MAY	1,461.19	
	PO 17824 BULK PICK UP - AUGUST	1,225.86	3,894.07
2087 - MUSCO SPORTS LIGHTING, LLC	PO 17902 SPORTS LIGHTING - MARIA GATTA PARK - BLA	549,533.90	549,533.90
1245 - NJ AMERICAN WATER CO	PO 17944 OLD WHARF #1 - 08/10-09/13/24	1,620.33	
	PO 17950 MUNICIPAL COMPLEX #2 - 08/10-09/12/24	216.12	
	PO 17951 OLD WHARF #2 - 08/10-09/12/24	23.72	
	PO 17955 24 PORT AU PECK - 08/10-09/13/24	184.09	
	PO 17956 MUNICIPAL COMPLEX #1 - 08/10-09/12/24	409.60	
	PO 17957 MARIA GATTA PARK - 08/10-09/13/24	23.52	
	PO 17958 BLACKBERRY BAY - 08/10-09/13/24	86.57	
	PO 17959 FIRE - 08/10-09/13/24	243.57	2,807.52
1245 - NJ AMERICAN WATER CO	PO 17960 LIBRARY - 08/10-09/13/24	23.52	
	PO 17961 PORT AU PECK FIRE HOUSE - 07/13-08/09/24	216.12	239.64
1245 - NJ AMERICAN WATER CO	PO 17962 OLD WHARF - 08/10-09/13/24	68.09	68.09
1251 - NJ NATURAL GAS CO	PO 17966 LIBRARY - 08/13-09/12/24	42.00	
	PO 17968 FAS UTILITIES - 08/14-10/13/24	71.82	
	PO 17969 433 MYRTLE - 08/14-09/13/24	82.67	
	PO 17970 315 E. MAIN - 08/14-09/13/24	48.79	
	PO 17971 21 MAIN - 08/14-09/13/24	45.61	290.89
1983 - P.E.P. SERVICE	PO 17685 BORO 2014 FORD POLICE INTERCEP 5165MG- T	590.88	590.88
1279 - PL CUSTOM BODY & EQUIPMENT INC	PO 17909 Fixed wiring issue in Unit 9 for on boar	385.00	385.00
1938 - PRIMEPOINT, LLC	PO 17945 PAYROLL SERVICES - 08/31, 09/13, & 09/27	664.20	664.20
2039 - PRO CAP 8, LLC	PO 17965 CERTIFICATE 23-00002 RESOLUTION #2024-22	1,283.82	1,283.82

List of Bills - (All Funds)

5.1.b

Vendor	Description	Payment	Check Total
2130 - REARDON ANDERSON, LLC	PO 17851 CIVIL LITIGATION	1,890.00	1,890.00
1317 - SELECTIVE INSURANCE-FLOOD	PO 17978 433 MYRTLE - PORT AU PECK FIRE STATION	4,218.00	4,218.00
1318 - SEMCORE RENTAL CENTER II	PO 17908 BLANKET 17283 DRAWDOWN FOR EMERGENCY REP	811.00	811.00
1323 - SHORE REGIONAL HIGH SCHOOL	PO 17964 OCT 2024 TAX	306,407.49	306,407.49
1325 - SHREWSBURY AUTO PARTS	PO 17896 BLANKET 17553 DRAWDOWN FOR SUPPLIES	215.74	
	PO 17897 BLANKET 17553 DRAWDOWN FOR SUPPLIES	217.96	
	PO 17898 BLANKET 17553 DRAWDOWN FOR SUPPLIES	246.78	
	PO 17929 TRUCK BED MOUNTING HARDWARE & BATTERY	194.16	874.64
1326 - SIPS PAINT & HARDWARE	PO 17862 FOR SUPPLIES	31.22	31.22
1327 - SLATTERY PEST MANAGEMENT, LLC	PO 17834 PEST CONTROL- COMMUNITY CENTER	150.00	150.00
1330 - STATE OF NEW JERSEY	PO 17934 NJ DIV OF EMPLOYER ACCTS - ENDING 03/31/	80.61	80.61
1337 - SUBURBAN DISPOSAL	PO 17912 DISPOSAL FEE - AUG 2024	26,974.07	
	PO 17922 COLLECTION - SEPT 2024	36,000.00	62,974.07
1387 - VERIZON	PO 17910 OLD WHARF HOUSE FIRE MONITORING - 09/08-	116.04	
	PO 17911 LIBRARY PHONE - 09/07-10/06/24	264.07	
	PO 17927 910 OCEANPORT WAY INTERNET - 09/13-10/12	149.00	
	PO 17928 910 OCEANPORT WAY FIRE MONITORING - 09/1	115.90	645.01
Capital Fund			
2012 - ATLANTIC SECURITY & FIRE, INC	PO 17870 ACCESS CONTROL MONITORING - 10/01-12/31/	72.00	72.00
1807 - COLLIERS ENGINEERING & DESIGN	PO 17894 2023 ROAD PROGRAM - 09/07/24	12,657.50	12,657.50
DOG TRUST FUND			
1445 - Monmouth County SPCA	PO 17818 ANIMAL CONTROL SERVICES - JULY 2024	425.00	425.00
1367 - TREASURER:STATE OF NJ HEALTH	PO 17975 NJ Monthly Dog License Report 8/2024	2.40	
	PO 17976 NJ Monthly Dog License Report July 2024	4.20	6.60
OPEN SPACE TRUST			
2012 - ATLANTIC SECURITY & FIRE, INC	PO 17870 ACCESS CONTROL MONITORING - 10/01-12/31/	24.00	24.00
1807 - COLLIERS ENGINEERING & DESIGN	PO 17895 TRINITY PARK IMPROVEMENT PROJECT- 09/07/	4,735.00	4,735.00
2087 - MUSCO SPORTS LIGHTING, LLC	PO 17902 SPORTS LIGHTING - MARIA GATTA PARK - BLA	20,779.10	20,779.10
2003 - POOR JOHN PORTABLE TOILETS	PO 17932 BLANKET DRAWDOWN 17397 FOR MONTHLY RENTA	1,924.00	1,924.00
2244 - R & R TROPHY & SPORTING GOODS CO	PO 17552 BASES - COMMUNITY CENTER	159.73	159.73
1327 - SLATTERY PEST MANAGEMENT, LLC	PO 17833 PEST CONTROL AT POOL AREA-	150.00	150.00
1992 - THE SHERWIN WILLIAMS COMPANY	PO 17924 SUPPLIES FOR FIELD SPRAYER MACHINE	71.34	71.34
SUI Trust			
1330 - STATE OF NEW JERSEY	PO 17884 2ND QUARTER 2023 UNEMPLOYMENT	4,393.82	4,393.82
UCC Trust			
1814 - LEAF	PO 17972 COPIERS	223.00	223.00
OTHER TRUST			
2241 - ATHLETES' ALLEY	PO 17646 Sponsor Tees for Summer's End- Recreatio	3,087.50	3,087.50
2003 - POOR JOHN PORTABLE TOILETS	PO 17753 Porta Pottys Summers End	575.00	575.00
DEVELOPERS ESCROW TRUST			
1720 - CGP&H	PO 17820 HOUSING REHABILITATION SERVICES - 07/31/	300.00	
	PO 17821 ADM AGENT FOR AFFORDABLE HOUSING - JULY	225.00	525.00
TOTAL			1,225,554.80

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-101-01-000-011	CASH OPERATING			0.00	541,754.66
01-201-20-100-200	ADMINISTRATIVE & EXECUTIVE OE	1,431.08			
01-201-20-130-200	FINANCIAL ADMINISTRATION OE	996.81			
01-201-20-145-200	COLLECTION OF TAXES OE	252.00			
01-201-20-155-200	LEGAL SERVICES OE	1,890.00			
01-201-20-165-200	BOROUGH ENGINEER OE	6,000.00			

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-201-21-181-205	PLANNER SERVICES & FEES	36.75			
01-201-23-210-200-1	GENERAL LIABILITY	13,979.00			
01-201-23-210-202	HEALTH	76,079.38			
01-201-23-210-203	DENTAL	4,620.94			
01-201-25-240-200	POLICE OE	7,107.32			
01-201-25-260-200	FIRST AID ORGANIZATION OE	336.84			
01-201-25-265-200	FIRE DEPARTMENT OE	287.48			
01-201-25-265-209	REPAIRS & MAINTENANCE	395.00			
01-201-26-300-200	STREETS & ROADS OTHER EXPENSES	811.00			
01-201-26-300-271	REPAIRS	3,628.35			
01-201-26-300-273	SUPPLIES	76.26			
01-201-26-305-200	SANITATION-TRASH REMOVAL OE	28,500.00			
01-201-26-306-200	RECYCLING OE	7,500.00			
01-201-26-310-200	PUBLIC BUILDINGS & GROUNDS OE	454.19			
01-201-26-310-252	REPAIRS & EQUIPMENT	4,786.13			
01-201-31-430-201	ELECTRICITY	1,587.94			
01-201-31-430-203	TELEPHONE/INTERNET	3,600.73			
01-201-31-430-204	WATER/SEWER	3,115.25			
01-201-31-430-205	NATURAL GAS	219.07			
01-201-31-430-207	STREET LIGHTING	580.86			
01-201-31-465-200	SANITATION DUMPING FEES	29,406.95			
01-201-41-717-200	FMERA MOU MAIN POST	11,964.75			
01-201-43-490-200	MUNICIPAL COURT OE	84.00			
01-201-44-900-910	BOROUGH ROADS	23,340.27			
01-203-25-265-209	(2023) REPAIRS & MAINTENANCE		995.00		
01-206-55-000-046	REGIONAL SCHOOL TAX			306,407.49	
01-214-55-000-003	DUE 3RD PARTY LIEN HOLDERS			1,283.82	
TOTALS FOR	Current Fund	233,068.35	995.00	307,691.31	541,754.66
02-160-05-000-001	DUE TO/FROM CURRENT FUND			0.00	633,991.55
02-213-40-700-025	CLEAN COMMUNITIES			1,461.19	
02-213-40-700-065	SPORTS WAGERING GRANT			549,533.90	
02-213-40-700-069	FMERA MOU-550 & 551			21,283.00	
02-213-40-700-070	FMERA MOU-600 AREA WATER			9,847.50	
02-213-40-700-071	FMERA - STORMWATER INFRASTRUCTURE STUDY			51,865.96	
TOTALS FOR	FEDERAL AND STATE GRANTS	0.00	0.00	633,991.55	633,991.55
04-101-01-100-011	CAPITAL CASH - TD			0.00	12,729.50
04-215-55-474-000	MUNICIPAL COMPLEX ORD #970			72.00	
04-215-55-995-A00	2023 ROAD PROGRAM			12,657.50	
TOTALS FOR	Capital Fund	0.00	0.00	12,729.50	12,729.50
05-101-00-100-011	CASH - TD			0.00	431.60
05-161-00-500-040	DUE TO STATE OF NJ			6.60	
05-270-00-500-020	RESERVE FOR EXPENDITURES			425.00	
TOTALS FOR	DOG TRUST FUND	0.00	0.00	431.60	431.60
06-101-01-100-011	OPEN SPACE CASH - TD			0.00	27,843.17
06-270-00-500-020	RESERVE FOR OPEN SPACE			27,843.17	
TOTALS FOR	OPEN SPACE TRUST	0.00	0.00	27,843.17	27,843.17
14-101-01-100-101	Cash SUI Trust			0.00	4,393.82
14-270-55-600-155	Reserve for SUI			4,393.82	
TOTALS FOR	SUI Trust	0.00	0.00	4,393.82	4,393.82

5.1.b

5.1.b

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
18-101-01-100-101	CASH UCC TRUST			0.00	223.00
18-270-55-600	RESERVE FOR UCC TRUST			223.00	
TOTALS FOR	UCC Trust	0.00	0.00	223.00	223.00
60-101-01-100-101	CASH-OTHER TRUST - TD			0.00	3,662.50
60-270-55-600-115	RES.FOR SUMMERS END			3,662.50	
TOTALS FOR	OTHER TRUST	0.00	0.00	3,662.50	3,662.50
61-101-01-100-101	CASH-DEV.ESCROW/TD			0.00	525.00
61-270-55-600-205	RES.FOR DEV.ESCROW			525.00	
TOTALS FOR	DEVELOPERS ESCROW TRUST	0.00	0.00	525.00	525.00

Total to be paid from Fund 01 Current Fund	541,754.66
Total to be paid from Fund 02 FEDERAL AND STATE GRANTS	633,991.55
Total to be paid from Fund 04 Capital Fund	12,729.50
Total to be paid from Fund 05 DOG TRUST FUND	431.60
Total to be paid from Fund 06 OPEN SPACE TRUST	27,843.17
Total to be paid from Fund 14 SUI Trust	4,393.82
Total to be paid from Fund 18 UCC Trust	223.00
Total to be paid from Fund 60 OTHER TRUST	3,662.50
Total to be paid from Fund 61 DEVELOPERS ESCROW TRUST	525.00

	1,225,554.80

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

From 09/01/2024 to 09/30/2024 With a Line Amount > 10000.00

DATE	ENTRY #	PO#	CHECK #	ACCOUNT	VENDOR/EXPLANATION	DEBIT	CREDIT	ACCOUNT
9/24/2024	17894			04-215-55-995-A01	PHASE 4.0 CONSTRUCTION OBSERVATION & ADMIN	12,657.50		
9/24/2024					COLLIERS ENGINEERING & DESIGN		12,657.50	04-101-01-100-011
9/24/2024	17893			01-201-44-900-910	ENGINEERING SERVICE - ROADS	23,340.27		
9/24/2024					COLLIERS ENGINEERING & DESIGN		23,340.27	01-101-01-000-011
9/24/2024	17891			02-213-40-700-071	FMERA STORMWATER INFRASTRUCTURE STUDY	51,865.96		
9/24/2024					COLLIERS ENGINEERING & DESIGN		51,865.96	02-160-05-000-001
9/24/2024	17890			01-201-41-717-200	BLDGS 814, 815, 820, 822, 826, & 830 DEMO	11,964.75		
9/24/2024					COLLIERS ENGINEERING & DESIGN		11,964.75	01-101-01-000-011
9/24/2024	17887			02-213-40-700-069	BLDG 5650 & 551 DEMO	14,891.75		
9/24/2024					COLLIERS ENGINEERING & DESIGN		14,891.75	02-160-05-000-001
9/24/2024	17902			02-213-40-700-065	PARK POLES & FIXTURES - RELEASE #1	549,533.90		
9/24/2024					MUSCO SPORTS LIGHTING, LLC		549,533.90	02-160-05-000-001
9/24/2024				06-270-00-500-024		20,779.10		
9/24/2024					MUSCO SPORTS LIGHTING, LLC		20,779.10	06-101-01-100-011
9/24/2024	17912			01-201-31-465-201	DISPOSAL	21,250.01		
9/24/2024				01-201-31-465-201	RECYCLING ENHANCEMENT ACT	727.74		
9/24/2024				01-201-31-465-201	RECYCLING FEE	4,431.60		
9/24/2024				01-201-31-465-201	ROLL-OFF CONAINER	250.00		
9/24/2024				01-201-31-465-201	DISPOSAL FEE	314.72		
9/24/2024					SUBURBAN DISPOSAL		26,974.07	01-101-01-000-011
9/24/2024	17922			01-201-26-305-201	SOLIDE WASTE 09/24	28,500.00		
9/24/2024				01-201-26-306-201	RECYCLING 09/24	7,500.00		
9/24/2024					SUBURBAN DISPOSAL		36,000.00	01-101-01-000-011
9/27/2024	17993			01-201-23-210-202	HEALTH	76,079.38		
9/27/2024				01-201-23-210-203	DENTAL	4,620.94		
9/27/2024					CENTRAL JERSEY HEALTH INSURANC		80,700.32	01-101-01-000-011
9/27/2024	17964			01-206-55-000-046	OCT 2024 TAX REMITTANCE	306,407.49		

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

5.1.c

From 09/01/2024 to 09/30/2024 With a Line Amount > 10000.00

DATE	ENTRY #	PO#	CHECK #	ACCOUNT	VENDOR/EXPLANATION	DEBIT	CREDIT	ACCOUNT
9/27/2024					SHORE REGIONAL HIGH SCHOOL		306,407.49	01-101-01-000-011

SEPTEMBER SUMMARY BY ACCOUNT:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	PENDING CR
01-101-01-000-011	CASH OPERATING				485,386.90
02-160-05-000-001	DUE TO/FROM CURRENT FUND				616,291.61
04-101-01-100-011	CAPITAL CASH - TD				12,657.50
06-101-01-100-011	OPEN SPACE CASH - TD				20,779.10
01-201-23-210-202	HEALTH	76,079.38			
01-201-23-210-203	DENTAL	4,620.94			
01-201-26-305-201	SANITATION-TRASH REMOVAL	28,500.00			
01-201-26-306-201	OTHER EXPENSES	7,500.00			
01-201-31-465-201	SANITATION DUMPING FEES	26,974.07			
01-201-41-717-200	FMERA MOU MAIN POST	11,964.75			
01-201-44-900-910	BOROUGH ROADS	23,340.27			
01-206-55-000-046	REGIONAL SCHOOL TAX			306,407.49	
02-213-40-700-065	SPORTS WAGERING GRANT			549,533.90	
02-213-40-700-069	FMERA MOU-550 & 551			14,891.75	
02-213-40-700-071	FMERA - STORMWATER INFRASTRUCTURE STUDY			51,865.96	
04-215-55-995-A01	2023 ROAD PROGRAM			12,657.50	
06-270-00-500-024	RESERVE FOR MARIA GATTA FIELDS			20,779.10	
SEPTEMBER TOTALS (FOR RANGE):		-----	-----	-----	-----
		=====	=====	=====	=====
		178,979.41		956,135.70	1,135,115.11

SUMMARY BY ACCOUNT FOR RANGE:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	DISBURSED
01-101-01-000-011	CASH OPERATING				485,386.90
02-160-05-000-001	DUE TO/FROM CURRENT FUND				616,291.61
04-101-01-100-011	CAPITAL CASH - TD				12,657.50
06-101-01-100-011	OPEN SPACE CASH - TD				20,779.10
01-201-23-210-202	HEALTH	76,079.38			
01-201-23-210-203	DENTAL	4,620.94			
01-201-26-305-201	SANITATION-TRASH REMOVAL	28,500.00			
01-201-26-306-201	OTHER EXPENSES	7,500.00			
01-201-31-465-201	SANITATION DUMPING FEES	26,974.07			
01-201-41-717-200	FMERA MOU MAIN POST	11,964.75			
01-201-44-900-910	BOROUGH ROADS	23,340.27			
01-206-55-000-046	REGIONAL SCHOOL TAX			306,407.49	
02-213-40-700-065	SPORTS WAGERING GRANT			549,533.90	
02-213-40-700-069	FMERA MOU-550 & 551			14,891.75	
02-213-40-700-071	FMERA - STORMWATER INFRASTRUCTURE STUDY			51,865.96	
04-215-55-995-A01	2023 ROAD PROGRAM			12,657.50	
06-270-00-500-024	RESERVE FOR MARIA GATTA FIELDS			20,779.10	
TOTALS (FOR RANGE):		-----	-----	-----	-----
		=====	=====	=====	=====
		178,979.41		956,135.70	1,135,115.11

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING A WAIVER OF §390-17(F) ACCESSORY STRUCTURES FOR 56 MANITTO PLACE**

Resolution #2024-238

10/3/24

WHEREAS, resident Jeffrey Morris of 56 Manitto Place desires to install lawn sprinklers within the Borough's right of ways along the Manitto Place and Itaska Ave frontages of his property in order to maintain the lawn; and

WHEREAS, Mr. Morris intends to apply for a Zoning approval for the project but for the requirement of §390-17(F) *Improvements shall not be placed or constructed within the Borough's right-of-way, i.e., sprinkler heads, decorative mailbox columns, pillars, fencing and any curbing, specialty or otherwise, such as Belgian block, not part of an approved development plan, a Borough road-improvement program or a right-of-way not having curbing without written permission from the Borough Council. Such items that are placed in the Borough rights-of-way shall not be the responsibility of the Borough should they be damaged, whether it be by snow plowing or otherwise,*

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Oceanport that a waiver of Borough Code §390-17(F) for the proposed lawn sprinklers proposed for 56 Manitto Place is hereby authorized subject to the following conditions:

1. Property Owner(s) accepting full responsibility for the construction maintenance or failure of the proposed improvement and all existing improvements currently placed within the Borough's right of ways.
2. The Property Owner(s) entering into a hold harmless agreement with the Borough of Oceanport agreeing to release, indemnify and hold the Borough harmless from any loss damage or liability, including Attorney Fees and expenses of litigation or otherwise stemming from the performance, installation, maintenance, failure or existence of the work to be performed at that site.
3. Subject to the application and issuance of a Street Opening Permit from the Borough Clerk's Office.

Subject: Approval of zoning request from Oceanport zoning board

Date: 9/20/2024 1:47:24 PM Central Daylight Time

From: [REDACTED]@aol.com

To: jsmith@oceanportboro.com [REDACTED].com, [REDACTED]@aol.com

10/3

To: Oceanport Boro zoning board

21 September 2024

0 Request approval for the installation of irrigation water pipe and sprinkler water heads in the grass area between the property boundary of Block 52 Lot #1, and along the curb line of Itaska Ave and Manitto Place. The installation, as planned, will be totally buried and not visible. The grass area will remain as is and will be totally refurbished after installation.

This approval will benefit both the City and the home owner, Jeff Morris, by reducing the cost for installation an irrigation system an will enhance the appearance of the strip of land that normally not maintained properly

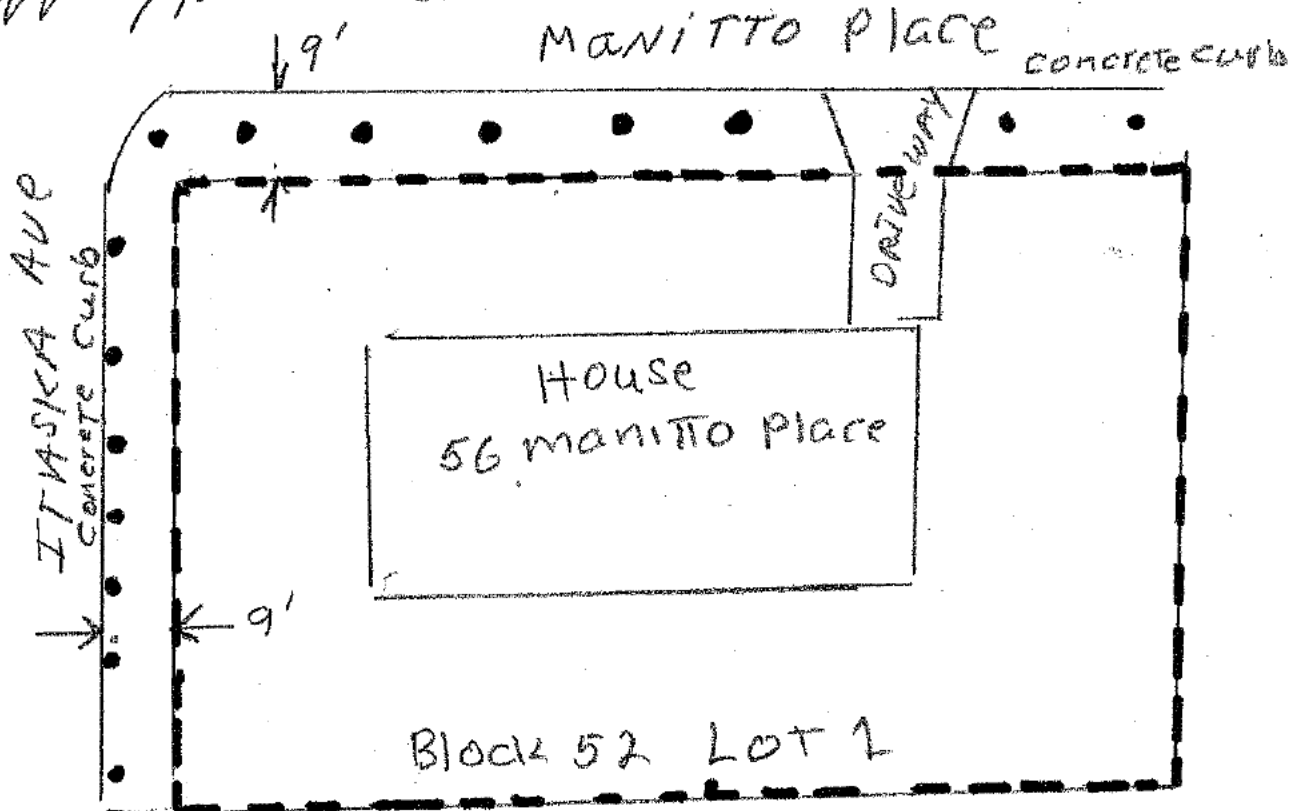
The "simple" hand drawing of the property and request is provided.

Thank you

Jeff Morris, Owner, 56 Manitto Place

[REDACTED]

Jeffrey Morris



- APPROX. LAYOUT OF SPRINKLER HEADS
LOCATED IN CITY RESTRICTED AREA

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AWARDING A CONTRACT FOR THE OLD WHARF PARK PARKING LOT EXPANSION PROJECT
BETWEEN THE BOROUGH OF OCEANPORT AND MECO, INC.**

Resolution #2024-239
10/3/24

WHEREAS, the Borough of Oceanport advertised for bids for the Old Wharf Parking Lot Expansion Project; and

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

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

WHEREAS, the lowest responsible bid submitted by MECO, Inc. of Clarksburg, New Jersey hereinafter referred to as "Contractor" was as follows:

Base	\$300,101.35
Add Alternate	\$ 23,450.00

WHEREAS, the Borough Engineer's recommendation is to award for the Base Bid and Add Alternate Bid a contract total in the sum of Three Hundred Twenty-Three Thousand Five Hundred Fifty-five Dollars and thirty-five cents (\$323,551.35); and

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

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

1. That the Borough of Oceanport is hereby authorized to award the Old Wharf Parking Lot Expansion Project, Base Bid and Add Alternate Bid to MECO, Inc. subject to the conditions set forth herein.
2. That said Contract shall be in the total sum of Three Hundred Twenty-Three Thousand Five Hundred Fifty-five Dollars and thirty-five cents (\$323,551.35).
3. That the within award of Contract shall be contingent upon the Contractor submitting an Appropriate Performance Security, which guarantees shall be approved as to form by the Borough Attorney.
4. Subject to the availability of funds and certification of funds by the CFO.
5. That the Mayor and Clerk are hereby authorized to sign any and all documents necessary to effectuate the intentions of the within Resolution - including but not limited to the Contract subject to the review of said Contract by the Borough Attorney.

CERTIFICATION OF FUNDS

As required by N.J.A.C. 5:34-5.1 et seq., and any other applicable requirement, I, Catherine D. LaPorta, Chief Financial Officer of the Borough of Oceanport, certify that there are sufficient uncommitted funds available in Capital Account #04-215-55-993-A01 in the amount of \$323,551.35 for the stated purpose.


Catherine D. LaPorta, CFO

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



September 25, 2024

VIA EMAIL

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

Recommendation of Award
Old Wharf House Parking Lot Expansion
Borough of Oceanport, Monmouth County, New Jersey
Colliers Engineering & Design, Inc. Project No. OPB-0178

Dear Mayor and Council,

On Tuesday, September 24, 2024, at 11:00 am, three (3) bids were received for the Old Wharf House Parking Lot Expansion. We have reviewed the bids and found them to be in order.

A comparison of the bids is as follows:

BIDDER	BASE BID	ADD ALTERNATE	TOTAL
MECO, INC.	\$300,101.35	\$23,450.00	\$323,551.35
FIORE PAVING CO., INC.	\$316,238.61	\$24,000.00	\$340,238.61
SEACOAST CONSTRUCTION, INC.	\$358,100.00	\$24,000.00	\$382,100.00

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

Subject to approval from the Borough Attorney, approval by Monmouth County CDBG and verification that funds are available for construction, Colliers Engineering & Design, Inc. recommends that the Borough award a contract to Meco, Inc. for the Base Bid and Add Alternate Bid, in the total amount of **\$323,551.35.**

Project No. OPB-0178
September 25, 2024
Page 2 | 2



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

Sincerely,

Colliers Engineering & Design, Inc.

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

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

WHW/hlo
Enclosures

cc: Jeanne Smith, RMC, Borough Clerk (via email w/encls. & original bids)
Andrew Bayer, Esq., Borough Attorney (via email w/encls.)
Donna Phelps, Administrator (via email w/encls.)
Katie LaPorta, CFO (via email w/encls.)

R:\Projects\M-P\Opb\OPB0178\Correspondence\OUT\240924_whw_smith_ROA.docx

BID TABULATION

DATE: THURSDAY, SEPTEMBER 24, 2024 @ 11 A.M.
PROJECT: OLD WHARF HOUSE PARKING LOT EXPANSION

PROJECT NO.: OPB0178
MUNICIPALITY: BOROUGH OF OCEANPORT
COUNTY: MONMOUTH

BASE BID

				BIDDER 1		BIDDER 2		BIDDER 3	
				Meco Paving 37 Prodelin Way Millstone, NJ 08535 609-443-4344 609-443-9304		Fiore Paving Co. Inc. 4 Fiore Court Oceanport, NJ 07757 732-870-3432 732-870-6241		Seacoast Construction Inc. 15 Addington Court East Brunswick, NJ 08816 732-303-0637 732-922-6304	
ITEM	DESCRIPTION	UNIT	QTY.	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
1	CLEARING SITE	LS	1	\$ 9,500.00	\$ 9,500.00	\$ 22,500.00	\$ 22,500.00	\$ 27,500.00	\$ 27,500.00
2	MOBILIZATION	LS	1	\$ 5,000.00	\$ 5,000.00	\$ 8,500.00	\$ 8,500.00	\$ 7,500.00	\$ 7,500.00
3	FUEL PRICE ADJUSTMENT	DOL	750	\$ 1.00	\$ 750.00	\$ 1.00	\$ 750.00	\$ 1.00	\$ 750.00
4	EXCAVATION UNCLASSIFIED, BORROW EXCAVATION, AND GRADING	LS	1	\$ 37,000.00	\$ 37,000.00	\$ 25,000.00	\$ 25,000.00	\$ 22,500.00	\$ 22,500.00
5	EXCAVATION, TEST PIT	CY	10	\$ 150.00	\$ 1,500.00	\$ 200.00	\$ 2,000.00	\$ 50.00	\$ 500.00
6	HMA MILLING, 3" OR LESS	SY	795	\$ 5.00	\$ 3,975.00	\$ 10.00	\$ 7,950.00	\$ 20.00	\$ 15,900.00
7	DENSE GRADED AGGREGATE, 6" THICK	SY	1,655	\$ 15.00	\$ 24,825.00	\$ 14.00	\$ 23,170.00	\$ 14.00	\$ 23,170.00
8	HOT MIX ASPHALT 12M64 BASE COURSE, 4" THICK	TON	385	\$ 110.00	\$ 42,350.00	\$ 124.00	\$ 47,740.00	\$ 165.00	\$ 63,525.00
9	HOT MIX ASPHALT 9.5M64 SURFACE COURSE, 2" THICK	TON	195	\$ 140.00	\$ 27,300.00	\$ 145.00	\$ 28,275.00	\$ 200.00	\$ 39,000.00
10	POLYMERIZED JOINT ADHESIVE	LF	385	\$ 0.01	\$ 3.85	\$ 0.01	\$ 3.85	\$ 4.00	\$ 1,540.00
11	RESET EXISTING CASTING	UN	1	\$ 500.00	\$ 500.00	\$ 0.01	\$ 0.01	\$ 1,500.00	\$ 1,500.00
12	RESET EXISTING PAVERS	SY	35	\$ 155.00	\$ 5,425.00	\$ 200.00	\$ 7,000.00	\$ 270.00	\$ 9,450.00
13	CONCRETE DRIVEWAY, REINFORCED, 6" THICK	SY	25	\$ 155.00	\$ 3,875.00	\$ 175.00	\$ 4,375.00	\$ 150.00	\$ 3,750.00
14	CONCRETE SIDEWALK, 4" THICK	SY	115	\$ 155.00	\$ 17,825.00	\$ 115.00	\$ 13,225.00	\$ 135.00	\$ 15,525.00
15	DETECTABLE WARNING SURFACE	SY	5	\$ 500.00	\$ 2,500.00	\$ 300.00	\$ 1,500.00	\$ 500.00	\$ 2,500.00
16	8" X 18" CONCRETE VERTICAL CURB	LF	510	\$ 55.00	\$ 28,050.00	\$ 50.00	\$ 25,500.00	\$ 40.00	\$ 20,400.00
17	TRAFFIC MARKINGS LINES, 4"	LF	725	\$ 2.25	\$ 1,631.25	\$ 1.15	\$ 833.75	\$ 2.00	\$ 1,450.00
18	TRAFFIC MARKINGS LINES, 24"	LF	15	\$ 13.50	\$ 202.50	\$ 6.90	\$ 103.50	\$ 8.00	\$ 120.00
19	TRAFFIC MARKINGS SYMBOLS	SF	215	\$ 11.25	\$ 2,418.75	\$ 11.50	\$ 2,472.50	\$ 6.00	\$ 1,290.00
20	REGULATORY AND WARNING SIGN	SF	10	\$ 90.00	\$ 900.00	\$ 60.00	\$ 600.00	\$ 45.00	\$ 450.00
21	SITE LIGHT, SINGLE FIXTURE	UN	6	\$ 13,500.00	\$ 81,000.00	\$ 15,300.00	\$ 91,800.00	\$ 16,000.00	\$ 96,000.00
22	TOPSOILING, 4" THICK	SY	210	\$ 15.00	\$ 3,150.00	\$ 10.00	\$ 2,100.00	\$ 8.00	\$ 1,680.00
23	FERTILIZING AND SEEDING	SY	210	\$ 1.00	\$ 210.00	\$ 2.00	\$ 420.00	\$ 8.00	\$ 1,680.00
24	STRAW MULCHING	SY	210	\$ 1.00	\$ 210.00	\$ 2.00	\$ 420.00	\$ 2.00	\$ 420.00
TOTAL BASE BID				\$ 300,101.35		\$ 316,238.61		\$ 358,100.00	

ALTERNATE BID 'A'

ITEM	DESCRIPTION	UNIT	QTY	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
1A	Landscaping	LS	1	\$ 23,450.00	\$ 23,450.00	\$ 24,000.00	\$ 24,000.00	\$ 24,000.00	\$ 24,000.00
TOTAL ALTERNATE BID 'A'				\$ 23,450.00		\$ 24,000.00		\$ 24,000.00	

	BID SCENARIO	TOTAL AMOUNT	TOTAL AMOUNT	TOTAL AMOUNT
	BASE BID	\$ 300,101.35	\$ 316,238.61	\$ 358,100.00
	BASE BID + ALTERNATE BID A	\$ 323,551.35	\$ 340,238.61	\$ 382,100.00

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AWARDING A CONTRACT FOR VARIOUS GOODS & SERVICES BETWEEN AMAZON.COM/AMAZON
BUSINESS SERVICES AND THE BOROUGH OF OCEANPORT**

**Resolution #2024-240
10/3/24**

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

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

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

WHEREAS, **Amazon.com/Amazon Business Services, LLC** has completed and submitted a Business Entity Disclosure Certification, Political Disclosure pursuant with **P.L. 2023, c.20** and Belarus-Russia Certification; and

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

1. **Amazon.com/Amazon Business Services, LLC** is hereby appointed to provide various goods and services for calendar year 2024 for an amount not to exceed Forty-four thousand dollars (\$44,000).
2. The Purchasing Agent is hereby authorized to contract for services on behalf of the Borough of Oceanport subject to the availability of funds encumbered by purchase order on an as needed basis pursuant with N.J.A.C. 5:30-5.4

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

RESOLUTION OF THE BOROUGH OF OCEANPORT
REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT
SERVICES TO ESTABLISH A DEDICATED TRUST RIDER FOR DONATIONS - ACCEPTANCE OF
BEQUESTS AND GIFTS FOR HOLIDAY EXTRAVAGANZA PURSUANT TO N.J.S.A. 40A:5-29

Resolution #2024-241
10/3/24

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, N.J.S.A. 40A:5-29 allows municipalities to receive amounts for costs incurred for Donations - Acceptance of Bequests and Gifts for **Holiday Extravaganza**: and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oceanport, County of Monmouth, State of New Jersey hereby request permission of the Director of Local Government Services to pay expenditures for Donations - Acceptance of Bequests and Gifts for **Holiday Extravaganza** as per N.J.S.A. 40A:4-39.

BE IT FURTHER RESOLVED, the Municipal Clerk of the Borough of Oceanport is hereby directed to forward a copy of this Resolution to the Chief Financial Officer for posting in the State's FAST System.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTING LESLEY K. KIRCHGESSNER AS MUNICIPAL COURT ADMINISTRATOR**

Resolution

WHEREAS, there is an immediate need in the Municipal Court Office to fill a vacancy in the Court Administrator position with the retirement of Carol Smith; and

WHEREAS, the Borough Administrator along with the Municipal Court Judges for Oceanport, Sea Bright, West Long Branch and Superior Court of New Jersey, Monmouth County Vicinage, Municipal Division Management, conducted and concluded a selection process for the hiring of a Municipal Court Administrator; and

WHEREAS, the recommendation has been made that the position be filled by Lesley K. Kirchgessner,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport, County of Monmouth, State of New Jersey, that Lesley K. Kirchgessner is hereby appointed as Municipal Court Administrator beginning August 15, 2024 allowing for eligibility for employee benefits such as health insurance subject to the 60 day waiting period commencing on this same date. Full time employment at an annual salary of \$90,000.00 in accordance with the Salary ordinance is effective on September 9, 2024.

BE IT FURTHER RESOLVED, that the Borough Clerk forward a certified copy of this resolution to the Borough Administrator, the Court Administrator, Chief Financial Officer and the Payroll Department.

BE IT FURTHER RESOLVED, that this appointment is subject to compliance with Borough's Personnel Policies including background investigation.

ORDINANCE #1100

AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING CHAPTER 284 OF THE CODE OF THE BOROUGH OF OCEANPORT ENTITLED "PEACE AND GOOD ORDER"

WHEREAS, the Oceanport Police Department in conjunction with the recommendations of the Prosecutor's Office has requested that additional offenses be incorporated into Chapter 284 of the Borough Code entitled "Peace and Good Order;" for law enforcement purposes; and

WHEREAS, the Borough Council believes it is in the best of the Borough and its residents implement the recommendations of the Police Department to ensure there are law enforcement tools available to protect the public from offensive unruly behavior and to protect public and private property.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Oceanport, County of Monmouth, and State of New Jersey, that Chapter 284, be amended as follows:
[additions are underlined]...

284-1 Definitions.

As used in the chapter, the following terms have the following meanings:

CANNABIS, CANNABIS ITEM

Any usable cannabis, cannabis product, cannabis extract and any other cannabis resin, all parts of the plant *Cannabis sativa* L., whether growing or not, the seeds thereof, and every compound, manufacture, salt, derivative mixture, or preparation of the plant or its seeds, but shall not include any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink, or other product. "Cannabis" does not include hemp or a hemp product cultivated, handled, processed, transported, or sold pursuant to the New Jersey Hemp Farming Act, P.L. 2019, c. 238 (N.J.S.A.4:28-6 et seq.).

ELECTRONIC SMOKING DEVICE

An electronic device that can be used to deliver nicotine, cannabis or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, or pipe.

GRAFFITI

Writings or drawings scribbled, scratched, or sprayed illicitly on a wall or other surface.

INDOOR PUBLIC PLACE

A structurally enclosed place of business, commerce or other service-related activity, whether publicly or privately owned or operated on a for-profit or nonprofit basis, which is generally accessible to the public, including, but not limited to: a theater or concert hall; public library; museum or art gallery; bar; restaurant or other establishment where the principal business is the sale of food for consumption on the premises, including the bar area of the establishment; garage or parking facility; any public conveyance; any facility used for the holding of sporting events; or recreational facility, shopping mall or retail store; hotel, motel or other lodging establishment; apartment building lobby or other public area in an otherwise private building.

MARIJUANA

All parts of the plant *Cannabis sativa* L., whether growing or not; the seeds thereof, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds, except those containing resin extracted from the plant products cultivated, handled, processed, transported, or sold pursuant to the New Jersey Hemp Farming Act, P.L. 2019, c. 238 (N.J.S.A. 4:28-6 et seq.).

OFFENSIVE OR INDECENT LANGUAGE

The use of words, phrases, or expressions that are considered disrespectful, insulting, or vulgar with content that is intended to harm, offend, or belittle individuals or groups based on their race, gender, religion or other characteristics.

OBSTRUCT

Render impassible without unreasonable inconvenience or hazard. No person shall be deemed guilty of recklessly obstructing in violation of this article because of a gathering of persons to hear him or her speak or otherwise communicate or solely because of being a member of such a gathering.

PERSON

Wherever appropriate in connection with the context, includes corporation, partnership, association and individual and shall include the plural.

PUBLIC PLACE

Any place to which the public has access that is not privately owned; or any place to which the public has access where alcohol or cannabis consumption is not allowed, including, but not limited to, a public street, road, thoroughfare, sidewalk, bridge, alley, plaza, park, playground, swimming pool, shopping area, public transportation facility, vehicle used for public transportation, parking lot, public library, or any other public building, structure, or are, including beach area.

SMOKING

The smoking, vaping, aerosolizing, burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe or any other matter or substance which contains tobacco, cannabis or any other matter that can be smoked, or the inhaling or exhaling of smoke or vapor from an electronic smoking device.

284-2 Prohibited Acts.

No person, shall within the Borough of Oceanport:

- A. Deface or place graffiti on any public property or private property of another;
- B. Dump any garbage, refuse, paper, glass or cans upon any public highway or any private property.
- C. Place or throw any glass, bottle, can or other sharp and dangerous substance upon any public highway.
- D. Cause or permit any sound which by its length or volume creates a disturbance or annoyance to adjacent property owners;
- E. Without any legal privilege to do so, purposely or recklessly obstruct any public passage to any place of business or house of worship or residence;
- F. Refuse to obey a reasonable official request or order to move to prevent obstruction of a public passage to a place of business or house of worship or residence;
- G. Appear on any street, road, avenue, park or other parks, including in vehicles parked on the same in a state of nudity;
- H. Remove or interfere with or disturb any lantern, warning signal, obstruction or barricade lawfully placed in or across any public street by a public authority, its contractors, agents, servants or employees;
- I. It shall be unlawful for any person to engage in the smoking of marijuana, cannabis or cannabis item in or on any indoor public place or public place.
- J. Loiter in any public, quasi-public or private place not of their own, who indulges in and utters loud and offensive and/ or indecent language. shall be adjudged a disorderly person.
- K. No person shall engage in, or attempt or offer to engage in, or aid, abet or participate in any fight, assault, quarrel, brawl, battery, altercation, disturbance, riot or unruly, boisterous, noisy conduct. unlawful, or disorderly assemblage, nor shall any person in any way breach or disturb the peace.
- L. To urinate or defecate in public places, including public and private parking lots, or streets, or on the lawns or yards of private homes and residences, or in the public view.
- M. Maliciously destroy, tamper with, damage, or injure any property, public or private.

284-3 Violations and Penalties.

Any person violating any of the provisions of this article shall, upon conviction, be punished by a minimum fine of \$250, but not exceeding \$2,000, or by imprisonment not exceeding 90 days, or any combination thereof in the discretion of the Municipal Court Judge.

BE IT FURTHER ORDAINED a copy of this Ordinance shall be supplied to the Police Chief and Code Enforcement Officer.

BE IT FURTHER ORDAINED that all other Ordinances or parts of Ordinances, which are inconsistent herewith, repealed, only to the extent of such inconsistency. All other parts not inconsistent herewith are ratified and confirmed.

BE IT FURTHER ORDAINED this Ordinance shall become effect immediately upon final passage and publication as required by law.

APPROVED ON FIRST READING

DATED: January 18, 2024

JEANNE SMITH

Clerk of the Borough of Oceanport

ADOPTED ON SECOND READING

DATED: October 3, 2024

JEANNE SMITH

Clerk of the Borough of Oceanport

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____.

THOMAS J. TVRDIK

Mayor

ORDINANCE #1101

AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY REPEALING AUTHORIZING EASEMENT AGREEMENT WITH NETFLIX, INC. FOR THE RELOCATION OF OSPREY NESTS ON BOROUGH PROPERTIES

WHEREAS, under the Local Land and Buildings Law, N.J.S.A. 40A:12-1 et. seq., the Borough of Oceanport (the "Borough") is authorized to convey any interest in real property , including an easement interest, through the adoption of an ordinance; and

WHEREAS, Netflix, Inc. ("Netflix") Netflix is the contract purchaser of certain parcels of real property located in Oceanport and Eatontown from the Fort Monmouth Economic Revitalization Authority ("FMERA") pursuant to a Purchase and Sale Agreement and Redevelopment Agreement dated January 13, 2023, ((the "Mega Parcel") in order to to construct and develop a sustainable and integrated film studio campus (the "Project"); and

WHEREAS, Netflix is obligated to relocate certain osprey nests that are currently located on the Mega Parcel (collectively, the "Existing Osprey Nests") to one or more off-site locations within the Borough or locations outside the Borough which the New Jersey Department of Environmental Protection has approved (the "Avian Mitigation Plan"); and

WHEREAS, the Borough is the fee owner of certain parcels of real property identified on Exhibit A to the Easement Agreement (the "Borough Parcels") that are appropriate alternative sites to which some or all of the Existing Osprey Nests located on the Mega Parcel may be relocated, and it has requested that the Borough enter into an Easement Agreement which would allow for the construction and installation of new osprey nests on the Borough Parcels in furtherance of the NJDEP approved Avian Mitigation Plan.

WHEREAS, the Borough Council believes it is in the best interest of the Borough to authorize the Easement Agreement with Netflix to allow for the implementation of the Avian Mitigation Plan to further the development of the Project on the Mega Parcel.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Oceanport, County of Monmouth and State of New Jersey, that it hereby approves the Easement Agreement with Netflix, Inc. for the Borough Parcels for and Netflix, Inc. is authorized to construct and install osprey nests on the Borough properties identified herein in accordance with the terms and conditions of the Easement Agreement.

BE IT FURTHER ORDAINED the Mayor is authorized to execute the Easement Agreement in a form approved by the Borough Attorney.

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

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

IT IS FURTHER ORDAINED that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

APPROVED ON FIRST READING

DATED: August 15, 2024

JEANNE SMITH
Clerk of the Borough of Oceanport

ADOPTED ON SECOND READING

DATED: October 3, 2024

JEANNE SMITH
Clerk of the Borough of Oceanport

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____.

THOMAS J. TVRDIK
Mayor

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

Resolution

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

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

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

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

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

CERTIFICATION OF FUNDS

As required by N.J.A.C. 5:34-5.1 et. seq., and any other applicable requirement, I, Catherine D. LaPorta, Chief Financial Officer of the Borough of Oceanport certify that funds are available for refund in the FMERA MOU Project Account # _____ in the amount of \$344,170.16 for the purposes described herein.

Catherine D. LaPorta, CFO

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



August 16, 2024

VIA EMAIL

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

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

Dear Mayor and Council,

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

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

Sincerely,

Colliers Engineering & Design, Inc.

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

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

WHW/rb
Enclosure

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

r:\projects\m-p\opb\opb0185\correspondence\out\240816_whw_smith_pp#3 - final.docx

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

ITEM NO.	DESCRIPTION (BASE BID)	QUANTITY		UNIT PRICE	CONTRACT TOTALS	QUANTITY THIS EST.	AMOUNT THIS EST.	QUANTITY PREV EST.	AMOUNT PREV EST.	QUANTITY TO DATE	AMOUNT TO DATE
	BASE BID 1										
1	Water service installation for FMERA Buildings 60-603, as shown on the Plans, including all water service piping, excavation, fittings, valves, bedding, backfill, connection to existing buildings, trench restoration, mobilization, soil erosion and sediment control, demobilization, restoration, and all else necessary thereto; including hot box enclosure, concrete pad, electrical connection panel and meter, backflow preventer and meter, and all else necessary thereto.	1	LS	\$232,000.00	\$232,000.00	0.03	\$6,566.18	0.97	\$ 225,433.82	1.00	\$232,000.00
S1	Removal of Concrete Obstruction	1	LS	\$4,396.44	\$4,396.44	0.00	\$0.00	1.00	\$ 4,396.44	1.00	\$4,396.44
S2	NJAM Required Changes	1	LS	\$2,939.40	\$2,939.40	1.00	\$2,939.40	0.00	\$ -	1.00	\$2,939.40
	TOTALS				\$232,000.00		\$9,505.58				\$239,335.84
	REVISED CONTRACT TOTAL				\$239,335.84						

I hereby certify that all items, units, quantities and prices of work and material shown in this progress estimate are correct; that the work has been performed and materials supplied and completely paid for in full in accordance with the terms of the contract documents involved; that the foregoing is a true and correct statement of the contract amount up to and including the last day of the period covered

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



8/15/24

VAUGHAN CONSTRUCTION & EXCAVATION, INC.

DATE:



8/16/2024

COLLIERS ENGINEERING & DESIGN, INC.

DATE:

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

Resolution

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

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

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

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

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

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

Resolution

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

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

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

§ 29-116 HISTORICAL COMMITTEE

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

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

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

§ 29-116 WATER WATCH COMMITTEE

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

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

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



Mayor & Council
910 Oceanport Way
Oceanport, NJ 07757

SCHEDULED

DISCUSSION ITEM (ID # 3342)

Meeting: 10/03/24 07:00 PM
Department: Mayor & Council
Category: Policy
Prepared By: Jeanne Smith
Initiator: Jeanne Smith
Sponsors:
DOC ID: 3342

7.4

Discussion: Floating Dock, Blackberry Bay Park



Mayor & Council
910 Oceanport Way
Oceanport, NJ 07757

SCHEDULED

DISCUSSION ITEM (ID # 3351)

Meeting: 10/03/24 07:00 PM
Department: Mayor & Council
Category: Policy
Prepared By: Jeanne Smith
Initiator: Jeanne Smith
Sponsors:
DOC ID: 3351

7.5

Discussion: Request from resident to rent parking space at Blackberry Bay Park



Mayor & Council
910 Oceanport Way
Oceanport, NJ 07757

SCHEDULED

DISCUSSION ITEM (ID # 3353)

Meeting: 10/03/24 07:00 PM
Department: Mayor & Council
Category: Policy
Prepared By: Jeanne Smith
Initiator: Jeanne Smith
Sponsors:
DOC ID: 3353

7.6

Discussion: Tree Ordinance and Shade Tree Committee

Chapter 371. Trees

§ 371-1. New plantings.

- A. In all new developments, the construction of which shall have been commenced following the effective date of this chapter, trees shall be planted by the developer on each side of every street therein, providing one tree at least every 50 feet. Such trees shall be at least two inches in diameter.
- B. Such trees shall be first-class nursery stock, planted while in a dormant state and properly staked, with topsoil sufficient to cover all roots. Said trees shall be in good growing condition at the end of one year or shall be replaced by the developer in accordance with this chapter. The Shade Tree Committee^[1] shall direct the placement, planting and selection of trees in all new developments and shall certify its approval thereof to the Planning Board and the Mayor and Council. The location of such new plantings or replacements shall be such that, wherever possible, conflict or interference with existing overhead or underground utilities or other facilities will be avoided. No new plantings shall be made in the area between sidewalks and curbs, nor shall any such existing plantings be replaced.

[1] *Editor's Note: See Ch. 29, Art. II, Shade Tree Committee.*

§ 371-2. Trimming or removal of public trees.

[Amended 3-21-2019 by Ord. No. 997]

Any person, firm or corporation desiring for any lawful purpose to cut, prune, trim or remove any tree in a public highway in the Borough of Oceanport or to replace an existing tree or plant an additional tree within the public highway shall submit a request, in writing, to the Borough Clerk for permission by the Shade Tree Committee, or other official so designated by the governing body, to do the particular act. The applicant shall, in writing, indicate the location and type of work and the species of tree to be planted or destroyed. Upon approval of the application, the Shade Tree Committee, or other official so designated by the governing body, shall issue a permit, and thereafter, the work shall be performed and/or the tree planted in accordance with the instructions issued by and under the supervision of the Shade Tree Committee or other official so designated by the governing body. In the case of the replacement of existing trees or the planting of additional trees, after the maintenance period of one year has expired, the tree or trees, if satisfactory, will be accepted and classed as other trees existing along the public highways.

§ 371-3. Violations and penalties.

Any person, firm or corporation violating any of the provisions of this chapter shall be subject to a penalty as set forth in Chapter 1, § 1-15, General penalty.

Chapter 331. Streets and Sidewalks

Article III. Maintenance of Streets and Rights-of-Way

§ 331-17. Curbs and sidewalks.

For any road maintained by the Borough or any other public entity that is lined with curbing and/or sidewalk, said curbing and/or sidewalk, regardless of the installer and absent of an agreement and resolution to assume responsibility, shall be maintained by the fronting property owner.

§ 331-18. Trees, plantings and other objects.

For any road maintained by the Borough or any other public entity that is lined with trees, plantings or has any other object within its right-of-way, said trees, plantings or any other object, regardless of the installer and absent an agreement and resolution to assume responsibility, shall be maintained by the fronting property owner.

§ 331-19. Notice of violating conditions.

If any condition exists that violates this article, the Borough Code Enforcement Officer shall notify the owner, tenant or other person in possession of the property of such condition or conditions, in writing, by regular mail or personal delivery. The owner, tenant or person in possession of the property shall have 14 days from the date of such written notice to correct the condition or conditions so noticed. The Code Enforcement Officer shall reinspect the lands in question after the fourteen-day period has expired to determine if the condition or conditions have been abated or remedied.

§ 331-20. Failure to abate or remediate conditions.

If the property owner of the lands in question fails to abate or remediate the condition or conditions noticed by the Code Enforcement Officer within 14 days of the notice, the following shall occur:

- A. The Code Enforcement Officer shall have the authority to issue a complaint for the violation or violations of this article, which complaint shall be brought before the Municipal Court of the Borough of Oceanport.
- B. If it is necessary to preserve the public health, safety or general welfare of the Borough, the Zoning Officer shall cause the condition or conditions complained about to be abated or remedied and shall certify the cost of abatement or remediation to the Council of the Borough of Oceanport. The amount of such abatement or remediation shall be paid by the owner, tenant or person in possession within 10 days of the date of the mailing by which the invoice is sent to the aforesaid person.
- C. If the said invoice is not so paid, the amount so charged shall be added to and become a part of the taxes next to be assessed upon the lands in question and shall bear interest at the same rate as municipal real estate taxes and shall be collected and enforced by the same officer and in the same manner as delinquent taxes.

§ 331-21. Violations and penalties.

Any person, firm or corporation violating any of the provisions of this article shall be subject to a penalty as set forth in Chapter 1, § 1-15, General penalty.

Chapter 390. Land Development

Article VII. Design Standards

§ 390-41. Plantings, buffer and tree protection standards.

A. Street trees.

- (1) Street trees shall be planted at a ratio of one tree at least every 50 feet. Such trees shall be at least 2.5 inches' caliper.
- (2) The location of such new plantings or replacements shall be such that, wherever possible, conflict or interference with existing overhead or underground utilities or other facilities will be avoided.
- (3) A shade tree easement shall be granted to the Borough for the purpose of providing adequate room for the planting of shade trees along public streets where such an area does not exist within the dedicated right-of-way.
- (4) Street tree type. Tree type may vary depending on overall effect desired, but as a general rule, all trees shall be large deciduous trees except as needed to achieve special effects.
- (5) Maintenance of all trees and other plantings, including the removal of trees, within a shade tree easement shall be the responsibility of the property owner.
- (6) No property owner shall be permitted to cut down or otherwise remove a shade tree within a shade tree easement without first securing the permission of the Borough in accordance with § **371-2**.

B. General requirements for landscaping. The following general requirements shall apply to the installation and design of landscapes and shall be the minimum necessary to promote aesthetic and pleasing views and the general welfare:

- (1) All land areas not covered with buildings, parking, or other impervious surfaces shall be landscaped with suitable materials. Landscaping shall consist of trees, shrubs, ground cover, perennials, and annuals, singly or in combination, and may include inanimate materials such as rocks, water, sculpture, art, walls, fences, and paving materials.
- (2) A landscape design shall be provided as part of site plan and subdivision submissions in accordance with the provisions of this chapter. Every applicant for subdivision or site plan approval shall comply with the minimum standards as set forth in this section.
- (3) The Board may require additional landscaping beyond the requirements herein in order to create a desirable visual environment and an appropriate landscaping scheme for the site given the existing conditions and the proposed development.
- (4) Where an application for development is for a residential subdivision only, the minimum standards shall apply only to street trees and to common open space, stormwater management facilities and areas proposed to be dedicated to the public; however, additional plantings or landscaping elements shall be required in the subdivision where necessary for climate control, to reduce energy consumption, to create privacy, and to screen ground-mounted utilities.
- (5) All landscape plants shall be typical in size and weight for their species and shall conform to the standards of the American Association of Nurserymen for quality and installation.

- (6) All plants shall be tolerant of specific site conditions. The use of indigenous species is strongly encouraged. No plant may be installed that is listed as an invasive alien species in NJDEP's Overview of Nonindigenous Plant Species in New Jersey (February 2004), as it may be amended or superseded.
- (7) Landscape screening is required to visually buffer all trash enclosures, aboveground propane tanks, utility boxes, ground-mounted HVAC equipment and other similar structures.
- (8) Plants with pervasive root systems shall not be located where they may cause damage to drainage pipes or other underground utilities and stormwater management facilities and should generally be planted no closer than 10 feet, measured horizontally, from such underground utility.

C. Design guidelines. The following guidelines shall be followed in the design of landscaping and streetscape plans.

- (1) In the design of a landscape plan, plantings shall be provided in the varieties, quantities, and site locations necessary to:
 - (a) Reduce glare and reflection;
 - (b) Buffer noise and objectionable views;
 - (c) Complement or improve upon existing landscaping on adjoining properties;
 - (d) Provide moisture retention, soil stabilization, wind breaks and air purification;
 - (e) Moderate ground surface, building and stream water temperatures; and
 - (f) Provide seasonal color variety.
- (2) In the landscape design of sites, areas shall be designated for retaining existing trees and the replacement of trees cleared from the site.
- (3) Landscaping shall be located to provide effective climatic control. The east and west walls of a building should be the most-heavily vegetated to shade for summer sun and the north to northwest area for winter prevailing winds. The southerly facing side of a building should be shaded from summer sun but open for solar gain during the winter.
- (4) Plants' susceptibility to disease, their colors, textures, shapes, blossoms, and foliage characteristics shall be considered in the overall design of a landscape plan.
- (5) Local soil conditions and water availability shall be considered in the choice of landscaping.
- (6) In the design process, the eventual maturity of the plant shall be considered for its effect on circulation patterns, solar access, site lighting, drainage, emergency access and relationship to buildings and the streetscape.

D. Buffers and berms.

- (1) Landscaping buffers are required to minimize and visually screen any adverse impacts or nuisances on a site or from any adjacent area. Berms may be used to achieve buffering effects in accordance with the regulations herein.
- (2) General requirements. Landscape buffers shall consist of a combination of deciduous trees, conifers, shrubs, berms, and, if appropriate, fences or walls, in sufficient quantities and sizes to perform their necessary screening function.
- (3) Buffers may be installed in required yard areas.
- (4) Buffers shall be continuous except for access drives as approved by the board of jurisdiction. Stormwater management facilities, parking, dumpster enclosures, accessory buildings or aboveground structures, and similar encroachments, shall not be permitted in the required buffer area.
- (5) Evergreen trees shall not be less than six feet in height when planted, and the lowest branches shall be not more than one foot above the ground.
- (6) The height of the landscaped screen shall be measured in relation to the elevation of the edge of the parking and loading area. Where the landscaped screen is lower than the elevation of the parking or loading area, either the required height of the screen shall be increased equal to the difference in elevation

or loading area shall be moved to allow the plantings to be located in an area with a similar elevation parking or loading area.

7.6.c

- (7) Plant densities and structure requirements. The density of plantings and the requirements for structures shall vary with the width of the buffer in accordance with the following and Table 2:
- (a) Any buffer 15 feet or less in width shall incorporate a fence or wall into the landscape design. The fence or wall shall be located on the side of the buffer with the most-intensive use.
 - (b) Fences and walls may be used to reduce the required width of and number of plants in the buffer.

Table 2: Minimum Plant Density for Buffers				
Required Buffer Width (feet)	Minimum Number of Required Plant Types per 100 Linear Feet			
	Large or Medium Trees	Small or Ornamental Trees	Evergreens and Conifers	Shrubs
15 ¹	3	4	9	20
20	4	6	10	24
25	5	8	15	30
40	6	9	18	36
50	8	12	24	48
75	10	15	30	60

NOTES:

- ¹ Buffers of this width or less shall incorporate an opaque fence or wall.

- (8) Berm specifications.
- (a) Berms shall be sufficiently high to hinder the view of the lower half of passenger vehicles parked in private parking lots provided for the convenience of customers or employees of a business establishment.
 - (b) Berms shall not exceed a slope of one foot of rise for each three feet of run (1:3).
 - (c) Any berm in excess of two feet in height above the toe of the slope shall be adequately irrigated.
 - (d) Continuous berms shall be avoided. Berms should be overlapped to provide buffering of any sight line perpendicular to the right-of-way. Berm overlapping should also be designed in locations to aid in site drainage.
 - (e) Berms shall have a minimum topsoil cover of six inches in depth.

E. Stormwater facilities. Stormwater management areas including retention and detention basins, drainage ditches and swales shall be landscaped in accordance with the standards in this subsection.

- (1) The screening of outfall structures and emergency spillways from public view is of particular importance in the landscape design. This may involve integration of these areas as aesthetic landscape features, naturalized wetland areas, or active and passive recreation areas, in addition to their stormwater management function.
- (2) Detention and retention facilities should be located in cleared areas where reasonably feasible.
- (3) Basins designed as naturalized wetland areas shall be planted with a fringe of wetlands plants such as sedges, rushes, and forbs. The ground should be seeded with a wildflower or wet meadow grass mix but in certain circumstances may require sod or hydroseeding to stabilize the basin slopes. All plants shall be tolerant of typical floodplain and wetland conditions.
- (4) Planting other than wildflowers and grasses shall not be located within 10 feet of low-flow channels to facilitate drainage.
- (5) Provisions for emergency access as well as general maintenance of the basins shall be reviewed by the board of jurisdiction. Plantings shall be designed to disguise yet not hinder vehicular access.

- (6) All basin structures shall be designed to blend into the landscape in terms of construction materials, grading and planting.

F. Parking and loading area landscaping. The objectives of the landscape architectural treatment of all parking areas shall be to provide for safe and convenient movement of vehicles, to limit pedestrian/vehicular conflicts, to limit paved areas, to provide for screening from public rights-of-way and buildings, to reduce the overall visual impact of parking lots, and to provide shade and reduce heat island effects. All nonresidential parking lots and residential parking lots in excess of five spaces shall conform to the following requirements:

- (1) The minimum width of landscape islands shall be eight feet on the side of parking spaces and 10 feet between parking bays. If sidewalks are incorporated through the long axis of the landscape islands, their width shall be added to these requirements. Where the parking lot design will result in pedestrians cutting perpendicularly through landscape islands, sidewalks shall be installed at regular intervals through their short axis.
- (2) Landscape islands shall be planted with a combination of deciduous trees, evergreen and deciduous shrubs, and ground cover at the rate of six large or medium trees, four small or ornamental trees and 60 shrubs per 100 linear feet along the long axis of the island.
- (3) Parking and loading areas shall be screened by a combination of berms, hedges, fences, or walls. The minimum screening height at planting shall be three feet, and they shall have a height of at least four feet within three years of installation. Loading dock areas shall be screened with shrubs a minimum height of six feet at planting and shall achieve a height of at least 10 feet five years after installation.
- (4) Parking lot lighting should be sited within landscape islands, however, without hindering necessary lighting coverage.
- (5) No more than 20 parking spaces shall be placed in one row of parking without an intervening landscape island.

G. Site protection and general planting requirements.

- (1) Topsoil preservation. Topsoil moved during the course of construction shall be redistributed on all regraded surfaces so as to provide at least four inches of even cover to all disturbed areas of the development and shall be stabilized by seeding or planting.
- (2) Removal of debris. All stumps and other tree parts, litter, brush, weeds, excess or scrap building materials, or other debris shall be removed from the site and disposed of in accordance with New Jersey Department of Environmental Protection regulations. No tree stumps, portions of tree trunks or limbs shall be buried anywhere in the development. All dead or dying trees, standing or fallen, shall be removed from the site. If trees and limbs are reduced to chips, they may, subject to approval of the Borough Engineer, be used as mulch in landscaped areas, provided they have been properly composted.
- (3) Protection of existing plantings. Maximum effort should be made to save specimen plants. No material or temporary soil deposits shall be placed within four feet of shrubs or within the dripline of the trees designated to be retained on the preliminary and/or final plat.
- (4) Slope plantings. Landscaping of the area of all cuts and fills and/or terraces shall be sufficient to prevent erosion, and all roadway slopes steeper than 3:1 shall be planted with ground covers appropriate for the purpose and soil conditions, water availability, and environment.

H. Planting specifications.

- (1) All shade and street trees shall have a minimum caliper of 2.5 inches.
- (2) All ornamental and flowering trees shall have a minimum height of six to eight feet.
- (3) All evergreen trees shall have a minimum height of six feet.
- (4) Shrubs shall have a minimum planting size no less than 15 inches in height. Ground cover shall have a minimum two-inch diameter pot.
- (5) Trees and shrubs shall be of nursery-grown stock and shall be insect- and disease-free. Plants should be well-formed and healthy nursery-grown stock. The root ball should be inspected to ensure that it is undamaged and contains good-quality soil and that it encompasses the entire root system.

- (6) The quality and size of plants, spread of roots, and size of balls shall be measured and determined in accordance with AANI Z60.1-1986 (or current edition) "American Standard for Nursery Stock," as published by the American Association of Nurserymen, Inc.
 - (7) All plant material shall be guaranteed by the contractor to be in a vigorous growing condition. Provisions shall be made for a growth guarantee of at least two years for trees and a minimum of two growing seasons for shrubs. Replacement of dead or diseased material shall be made at the beginning of each planting season. All replacements shall have a guarantee equal to that stated above.
- I. Tree management plan and tree replacement. The purpose of this section is to establish protective regulations for trees within the Borough of Oceanport in order to control problems of flooding, soil erosion, and air and noise pollution; to protect the public health, safety and welfare of the citizenry of the Borough; and to promote quality development in the Borough. The intent of this section is to encourage the protection of the greatest number of trees within the tree protection zone and of large specimen trees throughout the Borough, regardless of location.
- (1) "Disturbance zone" defined: that portion of a lot covered by existing or proposed buildings, structures, or improvements and within a certain distance around same as noted below:
 - (a) House or building: 12 feet from foundation wall.
 - (b) Garage: eight feet from foundation wall.
 - (c) Pool/cabana: 12 feet from foundation wall.
 - (d) Driveway/sidewalk: five feet.
 - (e) Septic fields: 10 feet.
 - (f) Underground utility: five feet.
 - (g) Paved parking/drive aisle: five feet.
 - (h) Shed: five feet.
 - (i) Improvement (other): five feet.
 - (2) Applicability. With the exceptions as set forth in this section, no person shall cut or remove, or cause to be cut or removed, any tree with a diameter of eight inches or greater upon any lands in the Borough unless the cutting or removal is accomplished in accordance with the provisions of this section. At the time of a minor subdivision, preliminary major subdivision or site plan application submitted pursuant to this chapter, a tree protection management plan shall be submitted if there are 10 or more total nonspecimen trees, or one or more total specimen trees, cut or removed or proposed to be cut or removed during development.
 - (a) The provisions of this section shall be applicable to all property owners in the Borough, or their designees, with the following exceptions:
 - [1] When the property in which the tree(s) are located is in excess of one acre and the owner or his designee has submitted an application to the Oceanport Borough Planning Board or Zoning Board, as the case may be, for subdivision or site plan approval. For the purposes of calculating one acre in a subdivision application, the total area of all lots shall be considered.
 - [2] Any cultivated tree growing on property actually being used as a nursery, orchard, or Christmas tree farm.
 - [3] Any tree cut or removed for agricultural use of lands when operated in accordance with a farm conservation plan approved by the local Soil Conservation Service District or tree management plan prepared by a NJDEP-approved forester [see Subsection I(3) herein].
 - [4] Any tree which, in the opinion of the Borough, constitutes an immediate threat to the health or safety of the general public.
 - [5] Any tree that is dead or diseased.
 - [6] Pruning and removal of trees by utility companies to provide for line clearance of underground and overhead utilities.

- [8] Residential properties containing an existing or proposed detached single-family or attached single-family dwelling unit.

(b) The standards contained herein shall be considered the minimum standards to be met and maintained. Standards established by other Borough ordinances, or by state and federal rules and regulations, shall apply where those standards are more restrictive than the standards set forth herein.

(3) Woodland management plan. Plans for the harvesting of timber shall be in accordance with the standards and recommendations of the New Jersey Forest Service.

(4) Requirements of a tree protection management plan.

(a) A tree protection management plan shall include the following information:

[1] Applicant's name, street address, telephone number.

[2] Lot owner's name, street address, telephone number.

[3] Lot owner's consent to the application.

[4] Block and lot number.

[5] Location of all existing or proposed buildings, driveways, septic fields, easements, underground utility lines, and other improvements.

[6] Existing or proposed rights-of-way.

[7] Location of all proposed trees having a diameter of eight inches or greater to be cut, removed, or damaged in such a way as to cause a need for their removal, noting each tree by its species, size and general health condition. If the area involved is greater than one acre, a representative section of the woodland 100 feet by 100 feet shall be surveyed and the results extrapolated to the woodland area. This shall not preclude surveying the entire property for specimen trees.

[8] Reasons for tree removal, including a description of the type of tree removal: thinning, selective cutting, clear cutting, aesthetic improvement cut.

[9] Specifications for the removal of existing trees and for the protection of existing trees to be preserved.

[10] Specific proposals for planting replacement trees, if applicable.

[11] Existing topography within 20 feet of the proposed disturbed area and proposed grading, if any.

[12] Location of existing watercourses, wetlands, and floodplains.

(b) In the review of the application, the following factors shall be considered in deciding whether to recommend approval, approval with conditions, or denial of the tree protection management plan:

[1] Impact on the growth of remaining trees;

[2] Impact on existing drainage patterns;

[3] Impact on soil erosion or increased dust;

[4] Impact on the vegetative screening between adjacent land uses; and

[5] Impact on woodland corridors, stream corridors, greenways, and wildlife habitat.

(c) There is hereby established a presumption that each and every tree of eight inches in diameter or greater located within the tree protection zone or any specimen tree located anywhere on the lot shall be preserved at its location on the site. Each such tree located within the tree protection zone or each specimen tree may be removed only if the board of jurisdiction finds that the applicant has set forth:

[1] That it is necessary to remove trees which pose a safety hazard to pedestrian or vehicular traffic or threaten to cause disruption of public services.

- [2] That it necessary to remove trees which pose a safety hazard to a building.
- [3] That it is necessary to remove diseased trees, trees infested with destructive insects liable to infect healthy trees on the subject or adjacent property, or trees weakened by age, fire, or other injury.
- [4] That it is necessary to observe good forestry practices, i.e., the number of healthy trees that a given parcel of land will support when documented by a report prepared on behalf of the applicant by a professional forester or a certified landscape architect.
- [5] That it is necessary for the reasonable development of the site pursuant to other provisions of this chapter.
- [6] Other conditions which, in the judgment of the Planning Board/Zoning Board, warrant the removal of a tree.

(d) No building permit shall be issued until the applicant has obtained approval, and fulfilled any conditions attached thereto, of its tree protection management plan application. Such approval or approval with conditions may be included in the actions of the Board in approving a site plan or subdivision application.

(5) Planting of new trees and replacement of trees.

- (a) Where the Board determines that it is impossible to retain trees in the tree protection zone, or any specimen tree as defined by this section, due to cutting, filling, or other construction activity, the applicant shall replant one inch of new tree diameter for every four inches of existing tree diameter removed. Replacement trees should be shown on the tree protection management plan for review. New replacement trees should have a minimum diameter of 2.5 inches measured six inches above the ground. Replanting should be done according to the standards specified by the American Nurserymen's Association.
- (b) Criteria for the selection of new trees. When an applicant is required to replace trees as described above, the applicant should replace the trees with the same species that were removed or, with the approval of the board of jurisdiction, choose other tree species, preferably native to the region. In selecting replacement trees, the following positive criteria should be used. These guidelines should also be followed in choosing trees proposed to be retained or cleared.

- [1] Species longevity;
- [2] Native to the area;
- [3] Hardiness (wind firmness, climate requirements, characteristics of soil to hold tree);
- [4] Resistance to insect and disease attack and to pollution;
- [5] Aesthetic values (autumn, coloration, type of flowers or fruit, form characteristics);
- [6] Low maintenance and care (pruning, etc.);
- [7] High wildlife values;
- [8] Climate protection of pedestrians, vehicles, and buildings;
- [9] Size at maturity;
- [10] Effect of soil retention and erosion control; and
- [11] Value as a noise buffer.

Chapter 29. Committees and Commissions

Article II. Shade Tree Committee

[Adopted 10-4-1973 by Ord. No. 338 (Ch. 20, §§ 20-1 to 20-10 and 20-13 to 20-15, of the 1970 Code)]

§ 29-14. Title.

This article shall be known and may be cited as the "Shade Tree Ordinance of the Borough of Oceanport, New Jersey."

§ 29-15. Establishment.

There is hereby established and created a shade tree committee to be known as the "Shade Tree Committee of the Borough of Oceanport."

§ 29-16. Composition.

The Shade Tree Committee of the Borough of Oceanport shall be composed of seven members, to be selected and appointed by the Mayor and Council at their next regular meeting after this article shall go into effect.

§ 29-17. Appointments; terms of office.

The members of the said Shade Tree Committee shall be nominated by the Mayor and confirmed by the vote of the Council. One member shall be appointed for one year, one member for two years, one member for three years, two members for four years and two members for five years. Vacancies in the membership of the Committee, occurring for whatever cause, shall be filled in the same manner in which the original appointments were made, for the unexpired term thereof. Members shall serve for their respective terms and until their successors are appointed and qualified.

§ 29-18. Removal from office.

Any member of the Shade Tree Committee may be removed from his or her office for cause, after an opportunity has been given for a hearing and upon the vote of a majority of the Council.

§ 29-19. Qualifications of members.

Members of the Shade Tree Committee shall be residents of the Borough of Oceanport and shall serve without compensation, except as may be hereinafter provided.

§ 29-20. Oath of office.

Each member of the Committee shall, before assuming office, take and subscribe an oath that he will faithfully and impartially discharge the duties of his office.

§ 29-21. Officers.

7.6.d

The members of the Committee shall choose annually from among its members, a Chairman or President and such other officers as it may deem necessary. One member of the Borough Council, appointed annually by the Council, shall be a liaison member of the Committee without voting privileges.

§ 29-22. Quorum.

A majority of the members shall constitute a quorum of the Committee.

§ 29-23. Purpose; powers and duties.

[Amended 7-18-1991 by Ord. No. 616]

- A. The purpose of this article shall be to create a Shade Tree Committee in the Borough of Oceanport to provide for the preservation, regulation, planting, care and control of the shade and ornamental trees and shrubbery upon and in the streets, highways, public places, parks and parkways under the control of the Borough of Oceanport and to make recommendations regarding the removal of existing trees and the selection, placement and planting of trees upon private property in connection with site plan and major subdivision applications.
- B. To effectuate its purposes, the Committee shall have the power to:
 - (1) Exercise full and exclusive control over the regulation, planting and care of shade and ornamental trees and shrubbery now located or which may hereafter be planted in any public highway, park or parkway, including the planting, trimming, spraying and care and protection thereof.
 - (2) Regulate and control the use of the ground surrounding the same, so far as may be necessary for their proper growth and protection.
 - (3) Care for and control such parks and parkways and encourage arboriculture.
 - (4) Administer treatment to or remove any tree situated upon private property which is believed to harbor a disease or insects readily communicable to neighboring healthy trees in the care of the municipality, provided that such treatment or removal is done with the written consent of the owner thereof, and further provided that the suspected condition is first confirmed by a certificate issued by or on behalf of the New Jersey Department of Agriculture.
 - (5) Review and make recommendations regarding the removal of existing trees and the selection, placement and planting of new trees upon private property in connection with any application for site plan or major subdivision approval pending before any board or agency of the Borough.

§ 29-24. Annual appropriation.

- A. During the month of December in each year, the Shade Tree Committee shall certify to the governing body of the Borough of Oceanport the estimated sum necessary for the proper conduct of its work during the ensuing fiscal year, which shall include the sums estimated to be expended for such of the following items as it is anticipated expenditure will be made for, namely:
 - (1) Expenses of Committee members in discharging official duties, including expenses incident to attendance at professional meetings.
 - (2) Purchase of trees and shrubbery.
 - (3) Purchase of necessary equipment and materials and the cost of services for the prudent promotion of the work.
- B. The governing body of the Borough of Oceanport shall annually appropriate such sum as it may deem necessary for said purposes, which sum may thereafter be administered and disbursed by the Committee.

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§ 29-25. Annual report.

The Committee shall make an annual report to the Borough Council setting forth in detail its operations, transactions and accomplishments for the preceding year.

7.6.d

§ 29-26. Liability.

Nothing in this article shall be construed to make the Committee or any member thereof liable for the death or injury of any person, or for any injury to any property or highway tree or shrub.



Mayor & Council
910 Oceanport Way
Oceanport, NJ 07757

SCHEDULED

DISCUSSION ITEM (ID # 3352)

Meeting: 10/03/24 07:00 PM
Department: Mayor & Council
Category: Personnel
Prepared By: Jeanne Smith
Initiator: Jeanne Smith
Sponsors:
DOC ID: 3352

7.7

Discussion: Public Safety Committee Recommendation to Fill Police Chief Vacancy, Councilman Keeshen



Mayor & Council
910 Oceanport Way
Oceanport, NJ 07757

SCHEDULED

DISCUSSION ITEM (ID # 3356)

Meeting: 10/03/24 07:00 PM
Department: Mayor & Council
Category: Development
Prepared By: Jeanne Smith
Initiator: Jeanne Smith
Sponsors:
DOC ID: 3356

7.8

Discussion: Proposal to Lease Public Building Space

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

I. **Call to Order & Statement of Compliance with Open Public Meetings Act:** Mayor Tvrdik called the meeting to order at 7:00 PM and read the Open Public Meetings Act statement: This meeting complies with the Open Public Meetings Act by adequate and electronic notification on January 5, 2024 of this meeting and its location, date and time to the Asbury Park Press and Two River Times and by the posting of same on the municipal bulletin board and Borough's Web Site.

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

III. **Roll Call:**

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

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

V. **Action Items:**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

VI. Clerk's Report:

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

Old Business:

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

New Business:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK



Mayor & Council
910 Oceanport Way
Oceanport, NJ 07757

SCHEDULED

DISCUSSION ITEM (ID # 3343)

Meeting: 10/03/24 07:00 PM
Department: Mayor & Council
Category: Development
Prepared By: Jeanne Smith
Initiator: Jeanne Smith
Sponsors:
DOC ID: 3343

8.1

Request for Easement_60 Shore Road

From: [ksalnick](#)
To: [ksalnick](#)
Cc: [Donna Phelps](#); [Jeanne Smith](#); [Oceanport Mayor](#)
Subject: Re: Please include for discussion
Date: Tuesday, August 6, 2024 1:05:40 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Sorry.. last thing.. this as well please

7:7-4.5 Permit-by-rule 5 - construction of portion of a recreational dock or pier located landward of mean high water line

(a) This permit-by-rule authorizes the construction of the portion of a recreational dock or pier located landward of the mean high water line at a residential development, provided that a waterfront development permit has been obtained for the construction waterward of the mean high water line.

(b) The structure shall meet the following requirements:

1. The width of the structure landward of the mean high water line shall not exceed the width of the structure waterward of the mean high water line; and
2. Over wetlands, the width of the structure shall not exceed six feet and the height of the structure shall be a minimum of four feet.

(c) The waterfront development permit for the construction waterward of the mean high water line may include additional conditions on the upland construction to ensure compliance with this chapter. For example, the waterfront development permit may have a condition requiring the dock to cross the wetlands at the narrowest point on the property or to allow continued access along the shoreline.





~ 1956

- 60th Anniversary -

2016 ~

Charles C. Widdis, P.E. & L.S. (1924-2009)

Charles M. Widdis, P.L.S., P.P. (1955-2001)

Harry J. Widdis, P.L.S.

MUNICIPAL - PUBLIC - PRIVATE

LICENSED IN NEW JERSEY

August 16, 2018

DESCRIPTION OF PROPOSED EASEMENT FOR PORTION OF WOOD RAMP
ENCROACHING INTO RIGHT OF WAY ON SHORE ROAD IN THE BOROUGH OF
OCEANPORT, MONMOUTH COUNTY, NEW JERSEY

BEGINNING at a point in the southerly line of Shore Road, said point being distant 11.90 feet from a monument in the southerly line of Shore Road, said monument being at the northeast corner of Lot 5 in Block 74 feet, said point also being a point where the easterly line of Lots 7 & 8 in Block 73 if projected in a southerly direction would intersect the southerly line of Shore Road; thence

- 1) Following along the southerly line of Shore Road South 19°26'17" West a distance of 6.56 feet to a point; thence
- 2) North 45°16'39" West a distance of 12.90 feet to a point; thence
- 3) North 42°58'41" East a distance of 6.00 feet to a point ; thence
- 4) South 44°52'12" East a distance of 10.28 feet to the point or place of **BEGINNING**.

Containing 69 Sq. Ft. (0.002 Ac.)

The above description is based on a certain map entitled "Final Asbuilt Block 73 Lot 12 situated in the Borough of Oceanport, Monmouth County, New Jersey" dated August 16, 2018 as prepared by C.C. Widdis Surveying, LLC, James B. Goddard, PLS.

CHARLES C. WIDDIS

Professional Engineers

Land Surveyors

Professional Planners

175 Broadway Long Branch, NJ 07740

(732) 222-8810

FAX #(732) 571-2340

LETTER OF TRANSMITTAL

TO

Keith Salnick

60 Shore Road

Oceanport NJ 07757

DATE	8-17-18	JOB NO.	F9917
ATTENTION			
RE: Borough of Oceanport			
60 Shore Road			
Block 73			
Lot 12			

WE ARE SENDING YOU ☐ Attached ☐ Under separate cover via _____ the following items:

- ☐ Shop drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications
☐ Copy of letter ☐ Change order ☐ _____

COPIES	DATE	NO.	DESCRIPTION
6	8.16.18		Final Asbuilt Plan
6	8.16.18		Meters & Bounds Description

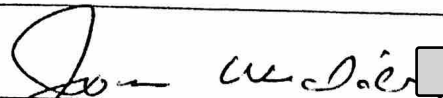
THESE ARE TRANSMITTED as checked below:

- ☒ For approval ☐ Approved as submitted ☐ Resubmit _____ copies for approval
☐ For your use ☐ Approved as noted ☐ Submit _____ copies for distribution
☐ As requested ☐ Returned for corrections ☐ Return _____ corrected prints
☐ For review and comment ☐ _____
☐ FOR BIDS DUE _____ ☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS _____

COPY TO _____

SIGNED: _____



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~ 1956

- 60th Anniversary -

2016 ~

Charles C. Widdis, P.E. & L.S. (1924-2008)
Charles M. Widdis, P.L.S., P.P. (1955-2001)
Harry J. Widdis, P.L.S.

MUNICIPAL - PUBLIC - PRIVATE
LICENSED IN NEW JERSEY

August 16, 2018

**DESCRIPTION OF FIVE FOOT WIDE UTILITY EASEMENT LOCATED ON LOTS 6 & 7 IN
BLOCK 74 IN THE BOROUGH OF OCEANPORT, MONMOUTH COUNTY, NEW JERSEY**

BEGINNING at a monument in the southerly line of Shore Road, said point being the northeast corner of Lot 5 in Block 74 feet, said point also being a point where the easterly line of Lots 7 & 8 in Block 73 if projected in a southerly direction would intersect the southerly line of Shore Road; thence

- 1) Following along the southerly line of Shore Road, on a curve line deflecting to the left with a radius of 121.00 feet and an arc length of 102.08 feet to a point; thence
- 2) North 35°43'00" West a distance of 60.40 feet to a point; thence
- 3) South 54°17'00" West a distance of 46.00 feet to a point in the westerly line of Shore Road; thence
- 4) Along the westerly line of Shore Road North 35°43'00" West a distance of 5.0 feet to a point; thence
- 5) North 54°17'00" East a distance of 41.00 feet to a point in the westerly line of Shore Road; thence
- 6) South 35°43'00" East a distance of 65.40 feet to a point of curvature; thence
- 7) On a curve line deflecting to the right with a radius of 126.00 feet and an arc length of 110.68 feet to a point; thence
- 8) North 35°43'00" West a distance of 6.59 feet to the point or place of **BEGINNING**.

Containing 1064 Sq. Ft. (0.02 Ac.)

The above description is based on a certain map entitled "Final Asbuilt Block 73 Lot 12 situated in the Borough of Oceanport, Monmouth County, New Jersey" dated August 16, 2018 as prepared by C.C. Widdis Surveying, LLC, James B. Goddard, PLS.