

**REGULAR MEETING AGENDA
MAYOR AND COUNCIL
October 1, 2015**

Call to Order.

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

Flag Salute

Invocation

Roll Call

Administrator's Report:

Clerk's Report:

1. Consent Agenda:

- | | | |
|------------------|-----|--|
| #2015-168 | 1.1 | Resolution authorizing the payment of bills. |
| #2015-169 | 1.2 | Resolution authorizing participation in the Monmouth County High Water Mark Initiative |
| #2015-170 | 1.3 | Resolution authorizing use of athletic facilities |
| #2015-171 | 1.4 | Resolution approving the Corrective Action Plan for the 2014 Audit |
| #2015-172 | 1.5 | Resolution authorizing an amendment to the municipal shared services defense agreement |
| #2015-173 | 1.6 | Resolution authorizing redemption of Tax Sale Certificate #06-06 |
| #2015-174 | 1.7 | Resolution authorizing redemption of Tax Sale Certificate #14-00019 |
| #2015-175 | 1.8 | Resolution authorizing redemption of Tax Sale Certificate #11-00002 |

2. Minutes Approval of the Workshop Minutes of September 3, 2015
 Approval of the Regular Meeting Minutes of September 3, 2015
 Approval of the Executive Session Minutes of September 3, 2015

- #2015-176** Resolution approving the Borough Administrator Employment Contract

COMMITTEE REPORTS:

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

MAYOR MAHON'S REPORT:

Petitions from the public.

Adjournment.

REGULAR MEETING MINUTES

Oceanport, New Jersey
October 1, 2015

The Regular Meeting of the Oceanport Mayor and Council was called to order on October 1, 2015 at 8:55 PM with the Statement of Compliance with the Open Public Meetings Act given by Mayor Mahon.

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

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

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

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

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

Mr. Arnette stated for the record that the meeting was being streamed online and for those at home there may be a static screen or a pause and that there may be periods of same so that streaming of meeting was in compliance with Open Public Meetings Act.

ADMINISTRATOR'S REPORT: Mr. Bennett provided the Clerk with a statement given during the Workshop and asked that it be incorporated into the minutes. Mr. Bennett reported that the JIF had advised of additional insurance reimbursement to be made for Sandy damages. Mr. Bennett also gave an update on the capital program and funding being put in place.

CLERK'S REPORT:

1. Consent Agenda:

- | | | |
|-----------|-----|--|
| #2015-168 | 1.1 | Resolution authorizing the payment of bills. |
| #2015-169 | 1.2 | Resolution authorizing participation in the Monmouth County High Water Mark Initiative |
| #2015-170 | 1.3 | Resolution authorizing use of athletic facilities |
| #2015-171 | 1.4 | Resolution approving the Corrective Action Plan for the 2014 Audit |
| #2015-172 | 1.5 | Resolution authorizing an amendment to the municipal shared services defense agreement |
| #2015-173 | 1.6 | Resolution authorizing redemption of Tax Sale Certificate #06-06 |
| #2015-174 | 1.7 | Resolution authorizing redemption of Tax Sale Certificate #14-00019 |
| #2015-175 | 1.8 | Resolution authorizing redemption of Tax Sale Certificate #11-00002 |
| #2015-178 | | Resolution appointing Frederick Corcione acting Construction Official/Zoning Officer |
| #2015-179 | | Resolution extending appointment of Django Wiegers as acting Building Inspector/Subcode Official |

The Clerk advised that there were 8 items on the consent agenda with item #3 being taking separately, and described 2 additional items added from Workshop. The Clerk asked for a motion which was made by Councilman Patti and seconded by Councilman Briskey.

The Clerk called roll:

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

The Clerk presented Resolution #2015-170 with correction which was moved by Council President Kahle and seconded by Councilman Gallo. Councilman Paglia asked what proceeds would the Borough receive for Frozen Ropes use of the Community Center; advised based on number of games and use limited to season applied for.

The Clerk called roll:

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

- 2. Minutes Approval of the Workshop Minutes of September 3, 2015
 Approval of the Regular Meeting Minutes of September 3, 2015
 Approval of the Executive Session Minutes of September 3, 2015

The Clerk stated she had received a request to amend the executive session minutes, however, as there was no executive session, requested that item be pulled to which there were no objections. The Clerk asked for a motion approving the Workshop and Regular Meeting minutes of September 3, 2015 which was moved by Council President Kahle and seconded by Councilman Gallo.

The Clerk called roll:

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

#2015-176 Resolution approving the Borough Administrator Employment Contract

The Clerk asked for a motion on Resolution #2015-176 which was moved by Councilman Gallo and seconded by Councilman Patti.

The Clerk called roll:

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

The Clerk stated it was a tie and asked for Mayor Mahon's vote which was in the affirmative. Ms. Smith stated the motion carried.

#2015-177 Resolution awarding contract to Maser Consulting for engineering services related to demolition of 222 Monmouth Boulevard

The Clerk asked for a motion on Resolution #2015-177 which was moved by Council President Kahle and seconded by Councilman Gallo. Discussion on the motion

The Clerk called roll:

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

The Clerk stated the motion carried.

#2015-180 Resolution awarding contract to Maser Consulting for engineering services related to

2015 Road Program

The Clerk asked for a motion on Resolution #2015-180 which was moved by Councilman Gallo and seconded by Council President Kahle. Councilman Irace asked for discussion on the motion and commented that he was the second on the Council Committee and was disappointed that he was not asked to be part of the discussion whether by mistake or not and asked that it not happen again in the future.

The Clerk called roll:

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

The Clerk stated the motion carried.

COMMITTEE REPORTS:

COUNCILMAN BRISKEY: Councilman Briskey reported on the interviews and recommendation for the Construction Official position, healthcare renewal for 2016, attendance at Board of Education meeting and bond issue question, advertisement for Borough Administrator position, urged residents to pay attention to pending storm and wants to see the Borough's emergency alert system used. Councilman Paglia asked if the salary for the Construction Official had been discussed and was told it was for \$15,000 with no pension, no benefits.

COUNCIL PRESIDENT KAHLE: Council President Kahle thanked the Borough Administrator for getting the homeless shelter issue held until further discussions could be had and for the placement not to be in the middle of what was proposed to be a potential municipal complex. Council President Kahle announced that the library would be celebrating its 50th anniversary and gave details. Also commented on attendance at the Board of Education meeting, the questions concerning the amounts, presentations being prepared for the public to attend, proposed sites and temporary housing.

Council President Kahle concluded her report with a statement on the accomplishments of Borough Administrator John Bennett, her disappointment at the negative tone and use of social media that led up to his announcement and her opinion that to change the BA without any concrete reasons was a mistake but understands Mr. Bennett's reasons and urged the public to think before they enter a comment.

COUNCILMAN GALLO: Councilman Gallo had no report.

COUNCILMAN IRACE: Councilman Irace reported the results of calls by police, first aid and fire for the past month. Councilman Irace also acknowledged 2 staff of OEM present and the volume of work they do on behalf of the town. Councilman Irace gave statistics on the results of Monmouth Park's 2015 season including attendance up and recognition of a Triple Crown Winner in the Haskell and the Borough's commitment to seeing Monmouth Park succeed.

COUNCILMAN PAGLIA: Councilman Paglia reiterated Councilman Irace's comments on the appreciation for the Borough's OEM staff; thanked Mr. Bennett for his hard work; reported on attendance at the FMERA Housing Committee meeting including Request For Offers To Purchase (RFOTP) for the nursing quarters which are located within Oceanport's boundaries, offers received currently under review, upcoming plan amendments being discussed, description of the site and potential reuses; reported on ongoing reviews of the employee handbooks – comments received and plan to discuss further at future workshop meeting; acknowledged and thanked Marc Lower and Wayne Mackenrodt for their participation on the Fort Monmouth Ad Hoc Committee and welcomed their new thoughts and ideas and concluded his report by recognizing and thanking those serving on the Board of Education for their work.

COUNCILMAN PATTI: Councilman Patti reported that there were 2 vacancies left on the Parks and Recreation Committee and invited anyone interested to get involved; reported on the movie in the parks, thanked PTO and 8th graders for refreshments; gave details on upcoming Halloween parade and party. Councilman Patti next reported on his attendance at the Board of Education and his observations on how the Board addresses questions, the critical topic of the referendum and the need for school improvements and the importance of the public being involved and attending meetings. Councilman Patti then offered comments on the Borough Administrator, his fear of Mr. Bennett's absence, the loss of contacts and the issues facing the Borough such as Monmouth Park and Fort Monmouth, his research on the allegations against Mr. Bennett which he found to be untrue, the fact that Council members can disagree on some matters and still work together and was proud of his vote for Mr. Bennett's contract and believes that it was a loss to the Borough.

MAYOR MAHON: Mayor Mahon reported on items including the pending storm, contact information and storm page facing on website. Mayor Mahon then commented on questions asking why he supports Mr. Bennett, his response of why not – who has the same skillset to face the challenges in front of Oceanport both a racetrack and a base closure along with Superstorm Sandy recovery, the importance of day to day everyday leadership, the fact that Mr. Bennett's arrival reduced the amount of hours needed to perform his role as Mayor; the results of a Blue Ribbon panel that a part time administrator was needed at that time and the changes since that have resulted in the need for a full time administrator as he believes the same panel would agree; the successes achieved under Mr. Bennett's leadership including resolution of a builder's remedy lawsuit, the process by which a salary amount was discussed for the administrator and was unsure how to find someone with the necessary skills for that amount, thanked the members of the public that have given their support, thanked Mr. Bennett for his service and hopes that going forward everyone will work together to advance the best interests of Oceanport.

PUBLIC:

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

Roseanne Letson, 37 Morris Place, asked if the contract approved for Mr. Bennett would be the same for his replacement. Mayor Mahon answered he believed it would be a template but was not sure it would include the same dual positions. Councilman Paglia stated that they will look to negotiate. Ms. Letson commented that there are other qualified people and while recognizes what Mr. Bennett has done there were others that might not have the political connections but might have other connections that would be just as beneficial. Ms. Letson further commented that she made up her mind based on the performance at the August 6 Council meeting and that she doesn't hide behind words or Facebook but appeared in person and while Facebook does have drawbacks it has its positives too and she has been posting positive information such as meeting times and was a good tool.

Councilman Patti commented that he didn't believe anyone had said Facebook was a bad thing and Roseanne Letson was absolutely out there on Facebook with neutral information, doesn't attack anyone and feels it valuable that she puts out the information on meetings on there.

As there was no further business, the meeting was adjourned at 9:51 p.m. on a motion by Councilman Patti, seconded by Councilman Irace and approved by Council.

Respectfully submitted,


JEANNE SMITH
BOROUGH CLERK

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JEANNE SMITH
BOROUGH CLERK

ADMINISTRATOR'S REPORT 10-01-2015

BBB BOAT RAMP FACILITY (ongoing) Ramp and floating dock have been completed. The project came in on time and under budget! We have sold 66 permits so far for the use of the ramp. (Seasonal – Residents - 30, Non-residents –42. Daily -9) Total revenues to date - \$2505.00. 9/1/15 - \$2675. 9/17/15 -\$2925. **10/01/15 - \$2,970.00**

BUILDINGS (ongoing)

1. BBB Pavilion:. Price received from, Kelly Builders. Will attempt to get price for sinks and counters. Need to explore getting more handicapped spaces and a railing for the handicapped individuals to have access to the building. Have requested the Borough Engineer to get prices for additional Handicapped parking and a railing going up the ramp. Plumbing inspector has required another sink (total of 5). ***We are getting the prices and hopefully will order the cabinets this week. Sound barriers are being ordered. I have secured the 3 quotes and they are under the threshold so they should be installed by the first of the November. They will be put in by DPW. The railing will have to be a project for next year as it is in excess of \$12,000. The parking spaces are going to try to be incorporated in the 2015 road program.***
2. Port Au Peck Firehouse:

Lobby doors. - Fire Chief reports the work has been completed and looks great. Some additional work will need to be done to finalize the project. The balance of the Capital will be used for this and additional funds may need to be allocated next year if the Fire Company advances the funds to complete the project. ***Continue to work with Chief Sherman in making plans for the completion of this project. Project is to be completed in a cooperative effort with the Fire Department paying a portion of the project.***
3. DPW Facilities. . Overhead door has been installed and the electric motors for both doors are also in. The roof is complete with gutters and drains. Siding has been installed with all walls being repaired. Electric quotes being secured and will proceed to get new service for the building inside and out. The move to the office building is complete and the DPW staff reports to the new building for work daily. Trucks have been moved to the yard at the Fort. Borough electrician will be proceeding to get some preliminary electrical work done including a new panel in Building 900. ***New heaters are being furnished for the building from FMERA. The gas has been ordered and the heaters will be installed next week as the electrical work will also be started next week.***
4. Community Center/Library –

County has approved the change in scope of work for a single handicap accessible restroom in place of the existing storage area used by Recreation. Matter has been referred to Borough Engineer and Borough Architect to move forward with improvements. Agreement with the County accepting the Grant has been returned to the County. Architect will be proceeding to get specs drawn for bidding the work. Architect has submitted proposal for project management and work is proceeding. Bids have been received for the inside work for the ADA bathrooms. They are presently being reviewed by the Borough Attorney and should be on for award at the meeting of September 3rd. This project is paid in full by the CD Grant from the County. ***Contract awarded. Work to commence next month. Recreation to be notified to remove their materials from the supply room. Will coordinate with the library so no hours should be lost.***

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

5. Police Headquarters Request for extension in the lease has been sent to FMERA. The extension has been endorsed by Bruce Steadman and been forwarded to the FMERA Board for action. ***Still awaiting action of FMERA.***
6. Old Boro Hall – all pictures have been removed from the old boro hall and been inventoried by summer help. They will be hung around the Borough in the buildings owned by the boro so they will not be damaged or lost. Additional boxes of files are being removed and we are in the process of emptying everything from the building. Pictures have been hung in BBB Pavilion and the Old Wharf Building. Curtains have been furnished by the Garden Club at their expense. They have also purchased a TV and Stand for the building. ***Additional boxes continue to be emptied from the building. Some are being sorted for destruction and others is going to be put on film with a grant secured by the Borough Clerk.***

COAH – I have been informed by special council, Andrew Bayer, that he has filed a declaratory action in Superior Court New Jersey to determine that Oceanport has satisfied its obligation to provide its fair share of the region's affordable housing, providing Oceanport with immunity from constitutional compliance, exclusionary zoning or builders' remedy litigation (collectively, "Mt. Laurel Litigation"), and authorizing Oceanport to use its affordable housing trust funds for any purposes authorized under law. A conference in this matter has been scheduled with the Judge.

A combined Fairness and Compliance Hearing has been scheduled in the settlement for September 9, 2015. The purpose of the combined Hearing is to determine if a settlement between the Borough and Fair Share Housing Center is fair and reasonable to the region's low and moderate income households. Judge Perri granted the Borough immunity from any Builder's Remedy suits until December 8th. This was the result of the Declaratory Judgment filed by Andrew Bayer. The Judge also approved our prior round fair share plan. This is the case handled by Jeff Surenian. We are now awaiting a schedule from Judge Perri with respect to the timing of submissions on the 3rd round. The Council will be adopting certain resolutions and ordinances which are being prepared by the Borough Planner in accordance with the directions of the Court.

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

FORT MONMOUTH: An update to any of the pending projects will be given at the meeting. The status on the report remains the same as the last meeting.

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

RPM – A purchase and sale agreement has been reached between FMERA and RPM for the sale of the Officer Housing parcel located near the main gate of the fort on Oceanport Avenue. Planning Board approval for the North and South portion of the project has been secured. Ready to close as soon as FMEREA closes with the Army. Should be approximately November 1st. ***Contractor has contacted the Building Department and set up a meeting for Friday to discuss work to be done on South Post.***

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

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

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

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

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

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

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

1. **Allison Hall** – Bid to be going out between now and spring of 2016. Ongoing marketing and evaluation taking place as to appropriate use. Allison Hall is a 36,665 sf, circa 1928 building that served as the Fort's first permanent hospital. It was converted to office use when Patterson Hospital was constructed in 1962. The Reuse Plan proposes that Allison Hall be renovated for office use. Staff believes that Allison Hall should be repurposed for an alternate commercial use. One possible option is to incorporate the structure into the vision for a boutique hotel planned for the Parker's Creek waterfront. Staff further recommends combining Allison Hall with the adjacent land and buildings to the north so that Allison Hall would have frontage on the creek and its future waterfront promenade. Since this will be a use different than in the Reuse Plan the RFOTP will alert prospective purchasers that the change in use will be subject to Board Approval of a Reuse Plan amendment or a variance.
2. **The Lodging Area**- consists of eight buildings located in Oceanport, adjacent to Parker's Creek in the northeast quadrant of the Main Post. Two of the buildings were used by FEMA in 2013 and 2014 to house families displaced by Sandy. Two others are historic properties. One Building is pledged to the Affordable Housing Alliance for supportive housing under one of FMERS's Legally Binding Agreements. The reuse Plan designates these buildings for reuse as housing and the remainder of the Lodging Area to be replaced by a boutique hotel and spa and a waterfront promenade. Two parties have expressed interest in purchasing the Lodging Area for retention and reuse, one for health, wellness and conference uses, and the other for a non-profit use. Neither would utilize the property for permanent housing. Staff believes that it is appropriate to retain some or all of the existing buildings for one or more of these uses, but specifically excluding permanent residences. Any development of the property must include the planned waterfront promenade.
3. **Barkers Circle** - .Bid going out between now and spring of 2016. This is in the reuse Plan for residential. The Reuse Plan calls for the renovation of three of the five Barker Circle buildings into 75 units of housing, with the two remaining buildings (Building 206 and 208) adapted as municipal offices for the Borough of Oceanport. The Borough has advised that it does not need either building for public purposes, so staff is proposing to make Buildings 206 and 208 available for private development, preferably for non-residential use. The Fire House is projected for continued use as a fire house in the Reuse Plan, but is no longer needed for that purpose; the Oceanport Police Department is subleasing the Fire House from FMERA on an interim basis through 2016. Kaplan Hall is designated for civic use in the Reuse Plan. Staff proposes to combine Barker Circle, the Fire House and Kaplan Hall in a Request for Offers to Purchase (RFOTP). A provision will be included to permit the withdrawal of the Fire House if it is needed for continued public use.
4. **The Commissary**- Bid has been received from 1 company. It is a hi-tech company and anticipated to be converted to offices. Proposal being reviewed as to compliance. No recommendation as yet. One of the newer buildings on the Fort, the 53,700sf Commissary was completed in 1998. The reuse Plan envisions the Commissary as a future retail building that could serve the residential and commercial occupants of the Oceanport Education/Mixed Use Neighborhood. The use as an officer/RD use is not consistent with the Reuse Plan, however staff believes it is more suited for Rand D than retail given its location and the change of the area since the inception of the Plan.
5. **Squires Hall** – .Bid should be going out before the end of the year.

The redevelopment for uses other than currently contemplated in the Reuse Plan is subject to separate Board approval of a Reuse Plan amendment or a variance. To approve a Reuse Plan

amendment, the Board would first approve the transmission of the proposed amendment to the three host municipalities for the municipalities to have an opportunity to provide comments and then would approve the responses to any comments and the proposed amendment itself.

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

The first meeting of the ad hoc committee was held Monday the 14th. Bill McVitty, President of the Board of Education and Mark Lower attended together with the Mayor, and Council President Kahle and Administrator Bennett. The meeting went well and a bus tour of the Oceanport section of the Fort has been set for Saturday October 24 at 10 am. Buses will be supplied by FMERA. ***To date 24 persons have signed up for the bus tour. An additional information meeting is being held on October 21st. FMERA representatives will be present to answer questions. The program will be under the direction of Mark Lower, Chair of the ad hoc committee.***

GRANTS

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

We are in receipt of the Dr. Pepper recycling grant which will provide for 36 recycling bins to be located throughout the town. Bins have been received and a media announcement is being prepared in accordance with the grant requirements.

Clean Communities Grant amount awarded for 2015 \$13,892.53.

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

HEALTH BENEFITS: All conversions of health and dental have been completed. The 8 HSA accounts have been funded by the town. ***Meeting with the broker on Wednesday September 30th to discuss the process for the renewal.***

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

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

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

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

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

PORTABLE GENERATOR PROJECT - ongoing

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

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

VEHICLES:

Diesel retro-fit of current vehicles to be scheduled. ***DONE***

Police vehicles and public works vehicles as approved in the budget have been identified and will be funded through the MCIA lease purchase program. Total cost estimated at \$416,000. Closing is scheduled for October 21, 2015.

WOODBINE CEMETERY: To date, no application filed with Cemetery Board as of ***October 1, 2015.***

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

SHARED SERVICES WITH SEA BRIGHT-

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

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

MISC.

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

The Corrective Action Plan for the audit recommendations has been prepared by the new CFO as the former one did not prepare it before he left. It will be presented to Council for action by the next meeting. Under the DCA rules that will be timely. All actions will be completed by the end of the year.

VILLAGE CENTER – There are a total of 36 residential units in the Center. Currently 24 are rented.

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

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

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

A Notice of Sale will be going out to borrow the monies necessary to fund the preparation of the tax maps and the revaluation. Bond Counsel will be pursuing this.

BUDGET –

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

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

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING PAYMENT OF BILL LIST FOR OCTOBER 1, 2015**

**RESOLUTION #2015-168
10-01-15**

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated October 1, 2015; and

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

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of October 1, 2015.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill lists dated October 1, 2015 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

CERTIFICATION OF FUNDS

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

Catherine D. LaPorta, CFO

Motion: *PATTI* Second: *BRISKEY*

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

I certify that the foregoing Resolution #2015-168 was adopted by the Borough Council of the Borough of Oceanport at their meeting held on October 1, 2015



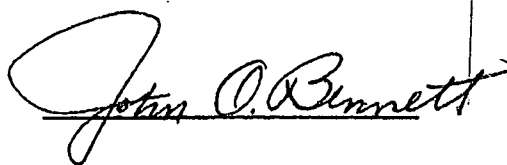
JEANNE SMITH, RMC
BOROUGH CLERK

**BOROUGH OF OCEANPORT
BILL LIST**

OCTOBER 1 2015

PAYEE	AMOUNT
PAYROLL ACCOUNT	\$ 106,061.16 20th Pay
Borough of Oceanport Escrow	\$ 1,310.00
2014 EXPENDITURES	
CAPITAL TRUST TOTAL	\$ 38,226.25
DOG REGISTRY TOTAL	\$ 25.00
ESCROW TRUST TOTAL	\$ 4,848.75
OPEN SPACE TRUST TOTAL	\$ 658.75
TRUST OTHER TOTAL	\$ 450.60
2014 VOUCHERS PAID	\$ 228,774.41
2014 VOUCHERS PAID THIS MEETING TOTAL	\$ - \$ 228,774.41
2015 VOUCHERS PAID	\$ 16,707,181.78
2015 VOUCHERS PAID THIS MEETING TOTAL	\$ 1,314,603.06 \$ 18,021,784.84

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


John O. Bennett

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING PARTICIPATION IN THE MONMOUTH COUNTY
HIGH WATER MARK (HWM) INITIATIVE**

Resolution #2015-169

10-01-2015

WHEREAS, through the Division of Planning and the Office of Emergency Management, the Monmouth County Board of Chosen Freeholders and the Monmouth County Sheriff's Office established the Community Rating System (CRS) Assistance Program to encourage municipal participation and advancement in the National Flood Insurance Program (NFIP) CRS program; and

WHEREAS, FEMA (Federal Emergency Management Agency) offers limited financial assistance to communities that want to raise flood risk awareness and conduct mitigation actions to protect the public from future flood events by posting high water mark signs that acknowledge the location of historic flood events; and

WHEREAS, the County of Monmouth in collaboration with Monmouth University's Urban Cost Institute are coordinating efforts and providing additional assistance to those communities that wish to participate in FEMA's national high water mark program; and

WHEREAS, coordination among municipalities in the County will provide a more cohesive message that improves community flood risk awareness and the need for mitigation both locally and throughout the region; and

WHEREAS, municipal participation in the Monmouth County High Water Mark Initiative is voluntary and is being offered at no cost to every municipality in the County, regardless of Community Rating System status; and

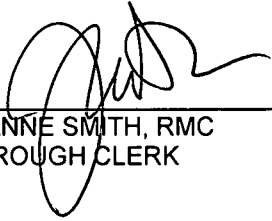
WHEREAS, municipal partners will identify the proper location for high water mark signs in their community as well as support public outreach and program launch events.

NOW, THEREFORE, BE IT RESOLVED, that **The Borough of Oceanport** wishes to participate in the Monmouth County High Water Mark (HWM) Initiative as partner community and agrees to place at least one commemorative sign within the municipality and further agrees to allow Monmouth University's Urban Coast Institute to complete the appropriate surveying to establish the High Water Mark.

Motion: *PATTI* Second: *BRISKEY*

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

I certify that the foregoing Resolution #2015-169 was adopted by the Oceanport Borough Council at the Regular Meeting held October 1, 2015.



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING USE OF ATHLETIC FACILITIES**

**Resolution #2015-170
10-01-15**

WHEREAS, the Parks and Recreation Committee has recommended the following group(s) be approved for use of a Borough athletic facility as follows:

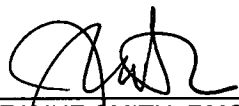
Frozen Ropes – Community Center

WHEREAS, as required by ordinance the Borough Council has considered the recommendations of said committee.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council that field usage by the aforementioned groups is hereby approved on the dates, fields and times so indicated on the applications submitted.

Motion:	<i>Kahle</i>	Second:	<i>Gallo</i>	
ROLL CALL	YES	NO	ABSTAIN	ABSENT
Briskey	(<i>x</i>)	()	()	()
Gallo	(<i>x</i>)	()	()	()
Irace	(<i>x</i>)	()	()	()
Kahle	(<i>x</i>)	()	()	()
Paglia	(<i>x</i>)	()	()	()
Patti	(<i>x</i>)	()	()	()
Mahon	()	()	()	()

I certify that the foregoing Resolution #2015-170 was adopted by the Borough Council of the Borough of Oceanport at their meeting held on October 1, 2015



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPROVING THE CORRECTIVE ACTION PLAN**

**Resolution #2015-171
10-01-2015**

WHEREAS, the Division of Local Government Services has promulgated a regulation that each municipality shall prepare and submit a Corrective Action Plan that "shall cover all findings and recommendations in the audit report, including state, federal, and general findings, as well as the status of all prior year findings and recommendations" and that the governing body shall approve the Corrective Action Plan, and

WHEREAS, the members of the governing body have reviewed the Corrective Action Plan for the 2014 Audit submitted by the Chief Financial Officer, as evidenced by the group affidavit form of the governing body, and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board, and

WHEREAS, all members of the governing body have approved the Corrective Action Plan submitted by the Chief Financial Officer, and

WHEREAS, failure to comply with the promulgation's of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 to wit:

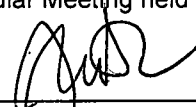
R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provision of the Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oceanport hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Motion: *PATTI* Second: *BRISKEY*

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

I certify that the foregoing Resolution #2015-171 was adopted by the Oceanport Borough Council at the Regular Meeting held October 1, 2015.



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE BOROUGH TO EXECUTE AN AMENDMENT TO THE MUNICIPAL
SHARED SERVICES DEFENSE AGREEMENT TO RETAIN THE SERVICES OF AN EXPERT IN
ORDER TO DETERMINE THE BOROUGH'S AFFORDABLE HOUSING OBLIGATION**

**Resolution #2015-172
10-01-15**

WHEREAS, the Borough Council of the Borough of Oceanport (the "Borough") entered into the Municipal Shared Services Defense Agreement (the "MSSDA") for the purpose as set forth therein, which included retaining a common expert in the Declaratory Judgment action (the "Litigation") that was filed in accordance with In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) (the "Decision"); and

WHEREAS, the MSSDA identified Dr. Robert Burchell, a distinguished professor at Rutgers University, as the expert to be retained; and

WHEREAS, Dr. Burchell became ill and has been unable to complete the obligations under the Research Agreement as set forth in the MSSDA; and

WHEREAS, as a result, Rutgers University has exercised its right to terminate the Research Agreement as permitted under its terms; and

WHEREAS, the MSSDA requires modification to allow the members to retain one or more alternative experts, consultants and/or other professionals for the Litigation; and

WHEREAS, an Amendment to the MSSDA (the "Amendment") has been prepared to effectuate the modification; and

WHEREAS, the Borough recognizes that the Litigation requires immediate action and may require further expedited actions by its COAH Counsel determined to be necessary and appropriate; and

WHEREAS, the Borough has determined that it is in the best interests of its citizens to approve the Amendment, and to authorize the Borough's COAH Counsel to take actions on behalf of the Borough with regard to the multiplicity of issues raised and associated with the continued implementation of the MSSDA.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, that the Borough Council of the Borough of Oceanport, County of Monmouth, State of New Jersey, as follows:

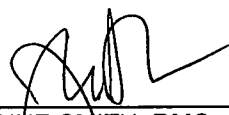
1. The terms and conditions of the Amendment to the MSSDA attached hereto are hereby approved.
2. The Mayor and the Borough Clerk be and are hereby authorized to execute the aforesaid Amendment.
3. The Borough hereby authorizes Jeffrey R. Surenian, Esq., to execute an agreement on behalf of the Borough with Econsult Solutions, Inc. The Borough hereby authorizes Jeffrey R. Surenian, Esq., to execute on behalf of the Borough, with the approval of the Borough's COAH Counsel, such other agreement(s) as are advisable to effectuate the purposes of the MSSDA as amended.

4. The Borough further authorizes its COAH Counsel to approve such other changes to the MSSDA as may be necessary to effectuate its purposes, and to take action on behalf of the Borough with regard to the multiplicity of issues raised and associated with the implementation of the MSSDA provided that the action will not require the Borough to appropriate and commit any additional funding for the MSSDA. In the event such changes and actions require the Borough to appropriate and commit any additional funding for the MSSDA, the Borough shall only be responsible for such funding if it authorizes same.
5. If additional monies are needed to effectuate the intent and purpose of the MSSDA, no such services shall be authorized without further action from the Borough.
6. This Resolution shall take effect immediately.

Motion: *PATTI* Second: *BRISKEY*

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

I certify that the foregoing Resolution #2015-172 was adopted by the Borough Council of the Borough of Oceanport at their meeting held on October 1, 2015



 JEANNE SMITH, RMC
 BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #06-06
FOR BLOCK 131, LOT 6 KNOWN AS 44 BURNT MILL CIRCLE**

**Resolution #2015-173
10-01-15**

WHEREAS, at the Borough Tax Sale held on October 11, 2007, a lien was sold on Block 131 Lot 6, otherwise known as 44 Burnt Mill Cr; and

WHEREAS, this lien, known as Tax Sale Certificate 06-06 was sold Crusader Lien Services at an interest rate of 18%; and

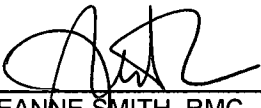
WHEREAS, the owner has sold the property and redeemed certificate 06-06 in the amount of \$162,722.82.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$162,722.82 payable to Crusader Lien Services, 732 Montgomery Ave, Narberth, PA 19072 for the redemption of Tax Sale Certificate 06-06.

Motion: *PATTI* Second: *BRISKEY*

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

I certify that the foregoing Resolution #2015-173 was adopted by the Borough Council of the Borough of Oceanport at their meeting held on October 1, 2015



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #06-06
FOR BLOCK 131, LOT 6 KNOWN AS 44 BURNT MILL CIRCLE**

**Resolution #2015-173
10-01-15**

WHEREAS, at the Borough Tax Sale held on October 11, 2007, a lien was sold on Block 131 Lot 6, otherwise known as 44 Burnt Mill Cr; and

WHEREAS, this lien, known as Tax Sale Certificate 06-06 was sold Crusader Lien Services at an interest rate of 18%; and

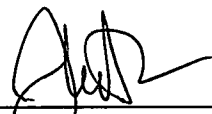
WHEREAS, the owner has sold the property and redeemed certificate 06-06 in the amount of \$162,722.82.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$162,722.82 payable to Crusader Lien Services, 732 Montgomery Ave, Narberth, PA 19072 for the redemption of Tax Sale Certificate 06-06.

Motion: *Patti*
Second: *Briskey*

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

I certify that the foregoing Resolution #2015-173 was adopted by the Borough Council of the Borough of Oceanport at their meeting held on October 1, 2015



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #14-00019
FOR BLOCK 131, LOT 6 KNOWN AS 44 BURNT MILL CIRCLE**

**Resolution #2015-174
10-01-15**

WHEREAS, at the Borough Tax Sale held on September 26, 2014, a lien was sold on Block 131 Lot 6, otherwise known as 44 Burnt Mill Cr; and

WHEREAS, this lien, known as Tax Sale Certificate 14-00019 was sold US Bank cust for BV001 Trust at an interest rate of 0% and a premium of \$ 45,600; and

WHEREAS, the owner has sold the property and redeemed certificate 14-00019 in the amount of \$29,241.74.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$29,241.74 payable to US Bank cust for BV001 Trust, 50 S 16th St Suite 2050, Philadelphia PA 19102-2513 for the redemption of Tax Sale Certificate 06-06.

BE IT FURTHER RESOLVED, that the CFO be authorized to issue a check in the amount of \$45,600 (Premium) to the aforementioned lienholder.

Motion: *Patti* Second: *Briskey*

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

I certify that the foregoing Resolution #2015-174 was adopted by the Borough Council of the Borough of Oceanport at their meeting held on October 1, 2015



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #11-00002
FOR BLOCK 2, LOT 26 KNOWN AS 6 MAPLE PLACE**

**Resolution #2015-175
10-01-15**

WHEREAS, at the Borough Tax Sale held on October 5, 2012, a lien was sold on Block 2 Lot 26, otherwise known as 6 Maple Pl; and

WHEREAS, this lien, known as Tax Sale Certificate 11-00002 was sold to Culmac Investors Inc at an interest rate of 0% and a premium of \$7,600; and

WHEREAS, the owner has redeemed certificate 11-00002 in the amount of \$ 26,417.54.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$26,417.54 payable to Culmac Investors Inc, Box 251, Monmouth Beach, NJ 07750 for the redemption of Tax Sale Certificate 11-00002.

BE IT FURTHER RESOLVED, that the CFO be authorized to issue a check in the amount of \$7,600 (Premium) to the aforementioned lienholder.

Motion: *Patti* Second: *Briskey*

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

I certify that the foregoing Resolution #2015-175 was adopted by the Borough Council of the Borough of Oceanport at their meeting held on October 1, 2015



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
COUNTY OF MONMOUTH, STATE OF NEW JERSEY
AUTHORIZING ENTERING INTO THE ATTACHED EMPLOYMENT AGREEMENT WITH
JOHN BENNETT FOR THE POSITIONS OF BOROUGH ADMINISTRATOR AND
SUPERINTENDENT OF PUBLIC WORKS**

**Resolution #2015-176
10-01-15**

WHEREAS, John Bennett was appointed Borough Administrator for the Borough of Oceanport on January 1, 2014; and

WHEREAS, John Bennett was appointed Superintendent of Public Works for the Borough of Oceanport on January 1, 2014; and

WHEREAS, John Bennett has been performing the duties and responsibilities of Borough Administrator and Superintendent of Public Works for the Borough of Oceanport since his appointment on January 1, 2014; and

WHEREAS, John Bennett will be retiring from the positions of Borough Administrator and Superintendent of Public Works for the Borough of Oceanport on December 31, 2015; and

WHEREAS, the Governing Body of the Borough of Oceanport has discussed terms and conditions for John Bennett's employment in the positions of Borough Administrator and Superintendent of Public Works; and

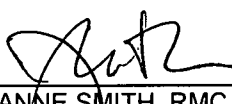
WHEREAS, those terms and conditions have been memorialized in a written Employment Agreement, which is attached hereto and made a part hereof:

NOW, THEREFORE BE IT RESOLVED, that the Governing Body of the Borough of Oceanport hereby authorizes the Mayor of the Borough of Oceanport to sign and execute the aforementioned Employment Agreement with John Bennett, attached hereto and made a part hereof, employing him in the position of Borough Administrator and in the position of Superintendent of Public Works for a period of time ending on December 31, 2015; and

BE IT FURTHER RESOLVED, that the term of said Agreement, and all duties responsibilities and conditions therein, is retroactive to January 1, 2014, the date of his appointment to those positions.

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

I certify that the foregoing Resolution #2015-176 was adopted by the Borough Council of the Borough of Oceanport at their meeting held on October 1, 2015



JEANNE SMITH, RMC
BOROUGH CLERK

EMPLOYMENT AGREEMENT BETWEEN

THE BOROUGH OF OCEANPORT

AND

JOHN O. BENNETT, EMPLOYEE

PREAMBLE

THIS AGREEMENT, entered into this 1st day of Oct, 2015, by and between the Borough of Oceanport in the County of Monmouth, New Jersey (hereinafter referred to as the "Borough"), and John O. Bennett (hereinafter referred to as "Employee") hereby establishes certain terms and conditions of the employment of Employee that are different than those set forth in the Employee Hand Book. This Agreement, combined with the terms and conditions contained within the Employee Hand Book, represents the understanding between the Borough and the Employee for his employment as the Administrator and Public Works Superintendent.

ARTICLE I

MANAGEMENT RIGHTS

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

ARTICLE II

RESPONSIBILITIES OF THE ADMINISTRATOR

Employee, as the Borough Administrator, shall conduct all necessary duties of the Administrator as provided by state law, the Ordinances of the Borough and the regulations and policies established by the Borough. He shall be responsible for the day to day operation of the Borough; and, shall report to the Mayor and Council on the needs and functioning of the Borough. All costs of courses and training necessary to the functions of the job of the Administrator shall be paid by the Borough.

ARTICLE III

RESPONSIBILITIES OF THE PUBLIC WORKS SUPERINTENDENT

Employee, as the Department of Public Works Superintendent shall be the Head of the Department of Public Works. He shall be responsible for overseeing the Department and report to the Mayor and Council on the needs and functioning of the Department. The Superintendent shall attend all classes necessary for the certification required by the State for a Certified Public Works Manager at the expense of the Borough.

ARTICLE IV

SALARY

Employee shall receive an annual salary as follows:

Borough Administrator	\$ 90,000
Public Works Superintendent	\$ 35,000

Employee's salary is subject to the pay raise provided to all Statutory Borough Employees, annually.

ARTICLE V

HOURS OF WORK

The Employee shall spend sufficient time at his job to insure the smooth and responsible operation of the Borough Administration, and the Department of Public Works, over which he has supervisory control. The Employee shall work a minimum of thirty five (35) hours per week. The Employee shall not be entitled to any compensatory time as a consequence of time spent to fulfill his duties and obligations as Administrator and Superintendent of the Department of Public Works. In extraordinary circumstances, such as snow emergencies, the Employee will be allowed commensurate personal flex time off with the permission of the Borough. No such flex time will be allowed for any time required to fulfill the duties and obligations of the Borough Administrator position, such as Borough meeting attendance and other such tasks.

ARTICLE VI

HOLIDAYS

The following days shall be considered legal holidays during the term of this Agreement and compensation and time off shall be in accordance with the Borough Employee Handbook and Policy from year to year:

New Year's Day

Martin Luther King's Birthday (observed)

President's Day

Memorial Day

Independence Day

Labor Day

Columbus Day

Thanksgiving

Day after Thanksgiving

Christmas

ARTICLE VII

VACATION

The Employee shall receive twenty five (25) paid vacation days annually.

Vacation time is to be taken within the Calendar year it is received. If an official holiday falls during the Employee's vacation period, an additional day of vacation will be granted in lieu of the holiday. Vacation time may neither be accumulated nor taken consecutively with other vacation time, except by special approval of the Borough Council. No vacation time shall be carried from one calendar year to the next calendar year.

ARTICLE VIII

PERSONAL DAYS

The Employee shall be entitled to five (5) Paid personal days.

ARTICLE IX

SICK LEAVE

Sick leave is defined as any authorized absence from duty with full pay because of illness or accident to an employee or an immediate family member (spouse, child, stepchild or foster child) not arising out of an employee's course of employment. The Employee must promptly notify the Clerk of his intended absence from work under this article. Notification shall be made before the Employee's starting time, except in such case where, because of the emergent nature of the illness, notification cannot be made as herein set forth.

The Employee shall be granted FIFTEEN (15) paid sick days annually. Sick leave shall accrue for the Employee at the rate of FIFTEEN (15) working days per calendar year of employment, and shall accumulate from year to year, to be used as set forth herein and within the Employee Handbook. A certification from a licensed physician as proof of illness shall be required in any case wherein the time off requested exceeds three (3) working days. Unused sick leave shall have no cash value to the Employee and shall be surrendered without payment when his employment terminates.

ARTICLE X

INSURANCE BENEFITS

The Employee shall not be entitled to coverage and/or benefits for Dental, Hospital or Medical Insurance as provided to the majority of Borough employees now, or as modified in the future. This shall continue in full force and effect for the duration of this Agreement.

ARTICLE XI

RETIREMENT BENEFITS

The Parties recognize and acknowledge the Employee is a retired State employee and is not eligible for any such benefits.

ARTICLE XII

DURATION AND TERMINATION

This agreement shall be in effect as of January 1, 2014 and runs through December 31, 2015.

In event the Employee desires to terminate this contract, he shall give the Borough Sixty (60) days notice.

Employee recognizes that he is an at will employee of the Borough. In the event the Borough desires to terminate this contract without cause, the Borough shall notify the Employee in writing and the termination shall be immediate. The employee will receive the statutory three (3) month severance at the time of termination. If the Employee is terminated for cause, no such payment shall be made.

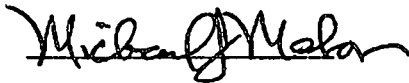
ARTICLE XIII

SEVERABILITY AND SAVINGS CLAUSE

In the event that any provisions of this Agreement between the parties shall be held by operation of law or by Court or Administrative Agency of competent and final jurisdiction to be invalid or enforceable, the

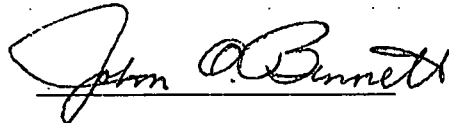
remainder of provisions of such agreement shall not be affected thereby but shall be continued in full force and effect.

BOROUGH OF OCEANPORT



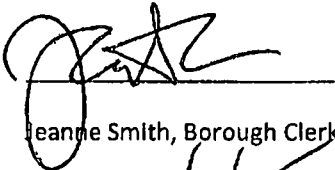
Michael Mahon, Mayor

DATED: 10-1-2015



John O. Bennett

DATED: 10/1/15



Jeanne Smith, Borough Clerk

DATED: 10/1/15

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AWARDING CONTRACT FOR PROFESSIONAL SERVICES TO MASER CONSULTING FOR
ENGINEERING SERVICES FOR THE DEMOLITION OF THE FORMER MUNICIPAL BUILDING, POLICE
TRAILERS AND DPW GARAGE**

**Resolution #2015-177
10-01-2015**

WHEREAS, there is a need for the Borough to obtain engineering services for the demolition of the former municipal building, police trailers and DPW garage located on the property known as 222 Monmouth Boulevard, Block 65, Lot 1; and

WHEREAS, the services to be provided are deemed to be "professional services" pursuant to the Local Public Contracts Law (N.J.S.A. 40:A 11-1, et seq.) and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a Contract for "professional services" without public advertising for bids, provided that the Resolution authorizing the Contract and the Contract itself, are available for public inspection in the Office of the Borough Clerk and that notice of the awarding of the Contract is published in a newspaper of general circulation in the Municipality; and

WHEREAS; the Borough solicited three (3) proposals for performance of said work from each of the Borough's Special Project Engineers; and

WHEREAS, the Borough has received a proposal from CME Associates in the amount of Fifty one thousand dollars (\$51,000.00), a proposal from Maser Consulting in the amount of Forty one thousand seven hundred fifty dollars (\$41,750.00) and a proposal from T&M Associates in the amount of Fifty five thousand four hundred thirty dollars (\$55,430.00); and

WHEREAS, having considered the matter, the Borough now wishes to authorize the Borough Engineer, Maser Consulting, PA to perform the engineering services for the demolition of the former municipal building, police trailers and DPW garage located on the property known as 222 Monmouth Boulevard, Block 65, Lot 1.

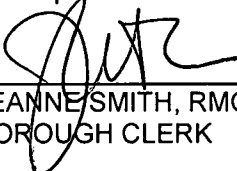
NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport as follows:

1. That the Borough of Oceanport has awarded a Professional Service Contract to Maser Consulting for the purpose of Borough Engineer for 2015 and the work performed will be consistent with their existing contract and a proposal for engineering services for the demolition of the former municipal building, police trailers and DPW garage located on the property known as 222 Monmouth Boulevard, Block 65, Lot 1 dated July 31, 2015.
2. That the compensation associated with the proposal shall not exceed \$41,750.00
3. That the within Resolution shall be subject to the Borough CFO confirming that funds are available for the stated purpose.

Motion: Kahle Second: Gallo

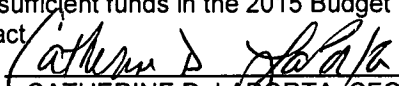
ROLL CALL	YES	NO	ABSTAIN	ABSENT
Briskey	()	(x)	()	()
Gallo	(x)	()	()	()
Irace	()	(x)	()	()
Kahle	(x)	()	()	()
Paglia	(x)	()	()	()
Patti	(x)	()	()	()
Mahon	()	()	()	()

I certify that the foregoing Resolution #2015-177 was adopted by the Borough Council of the Borough of Oceanport at their meeting held on October 1, 2015


JEANNE SMITH, RMC
BOROUGH CLERK

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, have ascertained that there are sufficient funds in the 2015 Budget not to exceed \$41,750.00 for the above referenced professional services contract


CATHERINE D. LAPORTA, CFO

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTING AN ACTING CONSTRUCTION OFFICIAL/ZONING OFFICER**

**RESOLUTION #2015-178
10-01-15**

WHEREAS, there is a need to appoint a Construction Official as required by State Statute; and

WHEREAS, N.J.A.C. 5:23-4.4(a)6 permits an Acting Construction Official for a period not to exceed 60 days; and

WHEREAS, the Borough had appointed John Palmer as Acting Construction Official effective through October 4, 2015 in order to provide adequate time to consider various options to fill the position long term including shared services with another municipality; and

WHEREAS, the Borough has completed the interview process and desires to appoint Frederick C. Corcione as Acting Construction Official/Zoning Officer for a period not to exceed 60 days; and

WHEREAS, Frederick C. Corcione has the required certifications from the State of New Jersey to hold the position of Construction Official.

WHEREAS, the Finance & Administration Committee has recommended that Frederick C. Corcione be appointed as Acting Construction Official/Zoning Officer; and

NOW, THEREFORE, BE IT RESOLVED by the Oceanport Governing Body that Frederick C. Corcione be appointed as Acting Construction Official/Zoning Officer for a period not to exceed 60 days in accordance with N.J.A.C. 5:23-4.4(a)6.

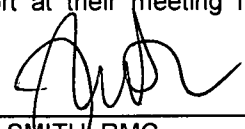
BE IT FURTHER RESOLVED that compensation for Acting Construction Official/Zoning Officer be based on an annual salary of \$15,000.00.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Chief Financial Officer and the Department of Community Affairs.

Motion: *PATTI* Second: *BRISKEY*

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

I certify that the foregoing Resolution #2015-178 was adopted by the Borough Council of the Borough of Oceanport at their meeting held on October 1, 2015



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
EXTENDING THE APPOINTMENT PERIOD OF THE
ACTING BUILDING INSPECTOR AND ACTING BUILDING SUBCODE OFFICIAL**

RESOLUTION #2015-179

10-01-15

WHEREAS, Django Wiegers has been serving as the Borough's Acting Building Inspector and Acting Building Sub-code Official through a period that expires October 4, 2015; and

WHEREAS, the Borough Administrator has recommended that the appointment period be extended an additional 60 days.

NOW, THEREFORE, BE IT RESOLVED by the Oceanport Governing Body that the appointment for Django Wiegers as Acting Building Inspector and Acting Building Subcode Official expiring October 4, 2015 be extended 60 days expiring December 3, 2015.

BE IT FURTHER RESOLVED that compensation for Acting Building Inspector/Building Sub-code Official be in accordance with the Salary Ordinance.

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

Motion:

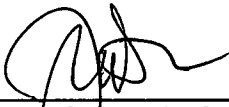
PATTI

Second:

BRISKEY

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

I certify that the foregoing Resolution #2015-179 was adopted by the Borough Council of the Borough of Oceanport at their meeting held on October 1, 2015



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AWARDING A CONTRACT FOR THE 2015 ROAD PROGRAM**

**Resolution #2015-180
10-01-15**

WHEREAS, the Borough of Oceanport advertised for bids for the 2015 Road Program; and

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

WHEREAS, the response to the subject bid solicitations process the Borough of Oceanport received one (1) bid; and

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

Proposal A	\$135,592.56
Proposal B	\$506,746.68
Add Alternate #1	\$ 27,601.10
Add Alternate #2	\$ 64,651.30
Add Alternate #3	\$ 16,401.65

WHEREAS, the recommendation is to pursue 4 of the 5 items (Alternate #1 being removed) for a contract total in the sum of Seven Hundred Twenty Three thousand Three Hundred Ninety Two dollars and nineteen cents (\$723,392.19); and

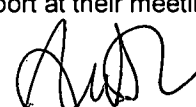
WHEREAS, the Contractor has complied with the mandatory requirements of the N.J.S.A. 40A:11-23.2; and

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

1. That the Borough of Oceanport is hereby authorized to award the 2015 Road Program To Fiore Paving Co., Inc. subject to the conditions set forth herein.
2. That said Contract shall be in the total sum of Seven Hundred Twenty Three thousand Three Hundred Ninety Two dollars and nineteen cents (\$723,392.19).
3. That the within award of contract shall be subject to the Borough's Chief Financial Officer certifying in writing that funds are available for the stated purposes
4. That the within award of Contract shall be contingent upon the Contractor submitting Appropriate Performance Security, which guarantees shall be approved as to form by the Borough Attorney.
5. That the Mayor and Clerk are hereby authorized to sign any and all documents necessary to effectuate the intentions of the within Resolution – including but not limited, to the Contract subject to the review of said Contract by the Borough Attorney.

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

I certify that the foregoing Resolution #2015-180 was adopted by the Borough Council of the Borough of Oceanport at their meeting held on October 1, 2015



JEANNE SMITH, RMC
BOROUGH CLERK

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, have ascertained that there are sufficient funds in the 2015 Budget not to exceed \$723,392.19 for the above referenced professional services contract.

CATHERINE D. LAPORTA, CFO