

**REGULAR MEETING AGENDA
MAYOR AND COUNCIL
September 4, 2014**

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 9, 2014 and by the posting of same on the municipal bulletin board and Borough Web Site.*

Flag Salute

Roll Call

Administrator's Report:

Clerk's Report:

1. Consent Agenda:

- | | |
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| #2014-165 | 1. Resolution authorizing the payment of bills. |
| #2014-166 | 2. Resolution authorizing tax refunds due to overpayment |
| #2014-167 | 3. Resolution rejecting bids for cabling/wiring of police station |
| #2014-168 | 4. Resolution authorizing application to participate in electronic tax sale pilot program |
| #2014-169 | 5. Resolution authorizing purchase of Ford F450 for DPW through State Contract #A83560 |
| #2014-170 | 6. Resolution authorizing purchase of Ford F350 for DPW through State Contract #A83558 T2101 |
| #2014-171 | 7. Resolution authorizing a Special Events Permit to NJ Ride Against Aids |
| #2014-172 | 8. Resolution authorizing a Special Events Permit to Twin Lights Ride |
| | 9. Approval of the Fire Department membership application of John R. Carroll |
| | 10. Approval of the Workshop Minutes of August 7, 2014 |
| | 11. Approval of the Regular Meeting Minutes of August 7, 2014 |
| | 12. Approval of the Executive Session Minutes of August 7, 2014 |

2. Police Report, July 2014

COMMITTEE REPORTS:

Parks & Recreation, Councilman Bertekap, Chair

Public Works & Engineering, Councilman Gallo, Chair

Public Safety, Councilman Irace, Chair

- | | |
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| #2014-173 | 1. Resolution seeking Legislators' votes to override Governor's veto of Sports Wagering Bill |
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Health & Human Services, Council President Kahle, Chair

Finance & Administration, Councilman Lynch, Chair

- | | |
|------------------|---|
| #935 | 1. Introduction of a Bond Ordinance providing funds in support of an affordable housing project |
| #2014-174 | 2. Resolution authorizing an emergency appropriation for Super Storm Sandy costs |

Planning & Development, Councilman Paglia, Chair

- | | |
|-------------|---|
| #934 | 3. 2 nd Reading and Public Hearing of an Ordinance Amending Chapter 390 – Zoning |
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**REGULAR MEETING AGENDA
MAYOR AND COUNCIL
September 4, 2014**

BOROUGH PLANNER

1. Status of Post Sandy Planning Recovery Grant

MAYOR MAHON'S REPORT:

1. Proclamation – September is Hunger Action Month
2. Fort Monmouth
3. Monmouth Park

Petitions from the public.

Executive Session:

- #2014-175** 1. Resolution authorizing the Governing Body to enter into Executive Session for:

Litigation/Potential Litigation – N.J.S.A. 10:4-12(b)(7)

Fair Share Plan Challenge/COAH – Beth McManus, P.P.
Fort Monmouth

Potential Property Acquisitions or Sales – N.J.S.A. 10:4-12(b)(5)

Block 88, Lot 35, E. Main Street Draft Appraisal
Fort Monmouth

Personnel Matters – N.J.S.A. 10:4-12(b)(8)

DPW retirement and recommendations for reorganization

Adjournment.

REGULAR MEETING MINUTES

Oceanport, New Jersey
September 4, 2014

The Regular Meeting of the Oceanport Mayor and Council was called to order on September 4, 2014 at 7:57 P.M. 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 9, 2014, 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.

MEMBERS PRESENT: Councilpersons Bertekap, Gallo, Irace, Kahle, Lynch, Paglia and Mayor Mahon

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

ADMINISTRATOR'S REPORT: Borough Administrator, John Bennett, had nothing further to add to his workshop discussion at this time. The remainder of his report was to be addressed during executive session.

CLERK'S REPORT

1. CONSENT AGENDA:

- | | | |
|-----------|-----|---|
| #2014-165 | 1. | Resolution authorizing the payment of bills. |
| #2014-166 | 2. | Resolution authorizing tax refunds due to overpayment |
| #2014-167 | 3. | Resolution rejecting bids for cabling/wiring of police station |
| #2014-168 | 4. | Resolution authorizing application to participate in electronic tax sale pilot program |
| #2014-169 | 5. | Resolution authorizing purchase of Ford F450 for DPW through State Contract #A83560 |
| #2014-170 | 6. | Resolution authorizing purchase of Ford F350 for DPW through State Contract #A83558 T2101 |
| #2014-171 | 7. | Resolution authorizing a Special Events Permit to NJ Ride Against Aids |
| #2014-172 | 8. | Resolution authorizing a Special Events Permit to Twin Lights Ride |
| | 9. | Approval of the Fire Department membership application of John R. Carroll |
| Separate | 10. | Approval of the Workshop Minutes of August 7, 2014 |
| Separate | 11. | Approval of the Regular Meeting Minutes of August 7, 2014 |
| Separate | 12. | Approval of the Executive Session Minutes of August 7, 2014 |

The Clerk advised that there were 12 items on the consent agenda and that Items 10, 11 and 12 would be taken separately. The Clerk asked for a motion which was made by Councilman Irace and seconded by Council President Kahle.

The Clerk called roll:

AYES: Bertekap, Gallo, Irace, Kahle, Lynch, Paglia
NAYES: None
ABSTAIN: None
ABSENT: None

The Clerk asked for a motion on Item #10, #11 and #12, Approval of the Workshop, Regular and Executive Session minutes for August 7, 2014, which was moved by Councilman Irace and seconded by Council President Kahle.

The Clerk called roll:

AYES: Gallo, Irace, Kahle, Lynch and Paglia
NAYES: None
ABSTAIN: Bertekap
ABSENT: None

2. Police Report, July 2014 - The Clerk stated that she was in receipt of the July 2014 Police Report which had been distributed and would be posted at Borough Hall.

COMMITTEE REPORTS:

COUNCILMAN BERTEKAP: Councilman Bertekap reported on the Annual Summer's End Festival scheduled for Saturday, September 6th (rain date, September 7th.) Corn Hole and Horseshoe contests will be held from 3-5pm. Additional events run from 5-9pm. Fireworks are scheduled for 8:30pm. He also announced the First Annual Salsa and Chili cook-off.

Council President Kahle added that Salsa and Chili cook-off participants should have their entries at the park by 5:30 as the judging will run from 6-7. Tasters can participate as well. Tasting fee is a dollar each for all salsas and a dollar for all chilis submitted. Money raised will go toward to the Community Garden.

COUNCILMAN GALLO: Councilman Gallo wished Tom Stothart, DPW, good luck on his upcoming retirement from the borough and thanked him for his years of service to Oceanport.

COUNCILMAN IRACE: Councilman Irace discussed the status of sports wagering in the state. Previously, the borough passed a resolution urging the Governor to support the sports wagering bill. This bill was unconditionally vetoed. Senator Lesniak intends to call for an override vote as this bill originally passed overwhelmingly in both the Assembly and Senate. Meanwhile, Senator Beck has meetings scheduled with the Governor's attorney and other representatives in support of this cause. Councilman Irace feels that it is imperative that our legislators support this override if, in fact, the override becomes necessary.

Councilman Irace feels that sports wagering is important for the sustainability of Monmouth Park. Additionally, the Thoroughbred Horsemen Association wants to make sure that some of the profits from sports wagering be ear marked for the horsemen and the infrastructure and maintenance of Monmouth Park. The William Hill Sports Bar has undergone an extensive renovation in preparation for this so Monmouth Park could go live within 2 weeks to a month after approval.

Councilman Irace made a motion to adopt **Resolution #2014-173**, Resolution seeking Legislators' votes to override Governor's veto of Sports Wagering Bill. It was seconded by Council President Kahle.

The Clerk called roll:

AYES: Bertekap, Gallo, Irace, Kahle, Paglia
NAYES: Lynch
ABSTAIN: None
ABSENT: None

The Clerk stated that the motion carried.

The Mayor spoke of another item central to Monmouth Park. There is the possibility of slots or other gambling outside of Atlantic City and where it would potentially be located. Current speculation is that this would occur in North Jersey both on premise at a race track as well as off premise. Oceanport needs to keep an ear to the ground and pursue discussions that may lead to our participation in any outcome or referendum supporting gambling outside Atlantic City.

Councilman Irace stressed that all affected parties should be included in discussions regarding such proposals. It should not just be the gambling facilities and the state who will potentially benefit from these off site gambling but also horsemen, the 4 New Jersey race tracks as well as Atlantic City. Further, New Jersey state participants should work as a whole to compete against other states for the gambling dollar.

Council President Kahle suggested that an October meeting of the Mayor and Council be held at Monmouth Park as a show of support for Monmouth Park and the horse racing industry. Other members of Council agreed.

COUNCIL PRESIDENT KAHLE: Council President Kahle reported that the Environmental Commission and Water Watch Committee tested our waters as they do every month with emphasis on horse racing season. In the past, there have been issues. However, this month, she is happy to report that all our testing was perfect. Fecal coliform counts were negligible. The Sewer Treatment plant at Monmouth Park is working well.

Councilman Lynch asked about the geese at Old Wharf Park. Council President Kahle stated that the fecal count there is 86 which is well under the acceptable rate of 200. The highest count in town was at Oceanport Landing (164.)

Council President Kahle reported on her attendance the FMERA meeting this past month. She spoke with a representative of DEP about the continuation of waterway testing on the Fort Monmouth property when FMERA is no longer there. Oceanport will have to decide how testing will continue in that area going forward. We need to keep an eye on environmental waterways in that area.

COUNCILMAN LYNCH: Councilman Lynch reported that the Finance and Administration Committee has had several telephone meetings and discussions in the last couple of weeks regarding various issues. One discussion item was a Bond Ordinance which will be introduced shortly.

Additionally, they discussed the Borough's Health Insurance. The committee is asking the Borough Administrator to look into the creation of a "Request for Proposal" for health insurance services for next year including both dental and health coverage. They would also like the Borough Administrator to report back about the "State Health Benefit Plan" as a possible option and the pros and cons thereof. The Borough will continue with the existing Dental plan until next year.

With regard to Administration, the committee would like the Borough Administrator to provide Councilmen Paglia and Irace the Policy and Procedure Manual for their review of administrative policies regarding employees (employee manual) to see what recommendations they can make going forward.

With regard to the bill system, Councilman Lynch reminded Council that the Resolution regarding Bill Payment requires the certification of the CFO. All vouchers should be signed or they be removed from the bill list. Councilman Lynch would also like to streamline the voucher process with regard to recurring monthly expenses, draw-down items, and nominal amounts.

Mayor Mahon asked about a potential Request for Qualification for health plan administrator, i.e. a third party administrator. The committee confirmed that this is their intent.

Mayor Mahon also mentioned periodically doing Request for Qualifications regarding Borough Banking including depositories, rates and services as there may be opportunities to save some money and improved services.

Regarding emergency appropriations, we're about to have spent \$250,000 of an emergency appropriation for Sandy related items. We will exceed this amount before the end of the year mainly because of the Police and DPW moves which were not planned. We expect to collect a substantial amount of that money from FEMA. It's just a question of when. Therefore, we will need an emergency appropriation to get us through the rest of this year. Mayor Mahon stated that the amounts expected from FEMA will cover the emergency requests. However, reimbursement will only be 90% of allowable expenditures so we need to keep in mind that we will be responsible for the other 10%.

Councilman Lynch made a motion to adopt **Resolution #2014-176**, Resolution amending the 2014 Capital Budget. It was seconded by Councilman Irace.

The Clerk called roll:

AYES:	Bertekap, Gallo, Irace, Lynch, Kahle, Paglia
NAYES:	None
ABSTAIN:	None
ABSENT:	None

The Clerk stated that the motion carried.

#935 Introduction of a Bond Ordinance proving funds in support of an affordable housing project

Councilman Lynch called for the introduction of a bond ordinance providing funds in support of an affordable housing project and then asked the Clerk to read the proposed ordinance by title only. **"AN ORDINANCE OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF**

MONMOUTH, NEW JERSEY, PROVIDING FOR COMPLETION OF THE BOROUGH'S AFFORDABLE HOUSING PLAN AND RELATED EXPENSES APPROPRIATING \$300,000 THEREFORE AND PROVIDING FOR THE ISSUANCE OF \$285,000 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE BOROUGH OF OCEANPORT TO FINANCE THE SAME" was read. Councilman Lynch moved to approve the Ordinance upon first reading and to hold the public hearing on the proposed ordinance at the Council meeting of September 18, 2014 and to advertise same in accordance with the law. It was seconded by Council President Kahle.

The Clerk called roll:

AYES: Bertekap, Gallo, Irace, Kahle, Lynch, Paglia
NAYES: None
ABSTAIN: None
ABSENT: None

The Clerk stated that the motion carried.

Councilman Lynch made a motion to adopt **Resolution #2014-174**, Resolution authorizing an emergency appropriation for Super Storm Sandy costs. It was seconded by Council President Kahle.

The Clerk called roll:

AYES: Bertekap, Gallo, Irace, Kahle, Lynch, Paglia
NAYES: None
ABSTAIN: None
ABSENT: None

The Clerk stated that the motion carried.

COUNCILMAN PAGLIA: Councilman Paglia reported that he attended a number of meetings this past month with Councilman Gallo and the Borough Administrator regarding Public Works. He also met with Mr. Kiely.

As an update, spatial needs survey forms have been handed out to department heads as we continue to gather information for the site selection committee.

#932 2nd Reading and Public Hearing of an Ordinance Amending Chapter 390 – Zoning

Councilman Paglia called for the 2nd Reading and Public Hearing of an amendment to Zoning Ordinance and asked the Clerk to read the affidavit of publication and proposed Ordinance by title only. **"AN ORDINANCE OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY AMENDING CHAPTER 390 OF CODE OF THE BOROUGH OF OCEANPORT – ENTITLED ZONING"** was published in The Link News on July 17, 2014. The Mayor opened the meeting for any public comments on this ordinance only. There being none, the Mayor closed public hearing for this ordinance on a motion by Council President Kahle and seconded by Councilman Irace.

Councilman Paglia made a motion to adopt this Ordinance and advertise in accordance with the law which was seconded by Councilman Irace.

The Clerk called roll:

AYES: Bertekap, Gallo, Irace, Kahle, Lynch, Paglia
NAYES: None
ABSTAIN: None
ABSENT: None

The Clerk stated that the motion carried.

#936 Introduction of Heliport Ordinance amending the zoning ordinance

Councilman Paglia called for the introduction of a heliport ordinance amending the zoning ordinance and then asked the Clerk to read the proposed ordinance by title only. **"AN ORDINANCE OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY AMENDING CHAPTER 390 OF THE CODE OF THE BOROUGH OF OCEANPORT - ENTITLED ZONING** was read. Councilman Paglia moved to approve the Ordinance upon first reading. It was seconded by Councilman Irace.

Discussion on the motion – This item was discussed during workshop where it was pointed out that the number of potential flights in and out was, in effect, unlimited. The ordinance, as written, limits the number of commuter flights to 4 round trips (4 in and 4 out) per day but does not limit the number of flights for the occupants of the building. The intent is to insert language that would limit the number of flights for building occupants to 1 round trip per day (up to 2 single flights) making the total number of flights permitted per day to 10.

The following language was offered as an amendment to the proposed ordinance "in addition to trips that are incidental to the permitted uses occupying the building on the property which shall be up to two per day" is inserted after "property" in item # 4.

The Mayor asked for a motion on the proposed amendment. Councilman Lynch made the motion. It was seconded by Council President Kahle.

The Clerk called roll:

AYES: Bertekap, Gallo, Irace, Kahle, Lynch, Paglia
NAYES: None
ABSTAIN: None
ABSENT: None

The Clerk stated that the motion carried.

The Mayor then asked for a roll call on the ordinance as amended.

The Clerk called roll:

AYES: Bertekap, Gallo, Irace, Kahle, Lynch, Paglia
NAYES: None
ABSTAIN: None
ABSENT: None

The Clerk stated that the motion carried.

Councilman Paglia moved to approve the Ordinance upon first reading and to hold the public hearing on the proposed ordinance at the Council meeting of October 16, 2014 and to advertise same in accordance with the law. It was seconded by Council President Kahle.

The Clerk called roll:

AYES: Bertekap, Gallo, Irace, Kahle, Lynch, Paglia
NAYES: None
ABSTAIN: None
ABSENT: None

The Clerk stated that the motion carried.

BOROUGH PLANNER - Status of Post Sandy Planning Recovery Grant: Elizabeth K McManus, Clark Caton Hintz, discussed her ongoing work on the Strategic Recovery Planning Report as funded by the DCA through monies available to communities hard hit by Sandy. The report is to be finalized within the next 45 days and will be presented to Oceanport at that time. Included in the report will be resident input for recommendations for the Borough going forward.

Beth will have a booth at the Summers End festival so she can meet residents and discuss their Sandy experiences. Specifically, residents can discuss what happened to them, what their damages were and what they feel the town can do to be more prepared for future storms. This is a requirement of the DCA grant. This input will be included in her report of recommendations for the borough.

Upon completion of the Strategic Recovery Planning Report, the Borough will be eligible for additional funding from the DCA within a host of funding categories. The report will be completed by October 31, 2014.

Mayor Mahon offered to forward the Monmouth University Community Outreach Study to Beth. The latest update was received by the Borough within the last 2 to 3 weeks.

MAYOR MAHON:

Mayor Mahon reported that Oceanport has been asked to join the Monmouth County Freeholders and other neighboring communities in declaring "September to be Hunger Action Month." The Mayor then presented the proclamation.

Mayor Mahon briefly mentioned the previously discussed progress at Fort Monmouth with regard to development.

With regard to Monmouth Park, Mayor Mahon mentioned that we are approaching the end of racing season having enjoyed the many festivals and events such as the Haskell. He reported that one of our own, Enzo's Pizza and Subs has participated in many of these events and has done very well.

Congressman Pallone is hosting his annual US Service Academy Day at the Naval Weapons Station – Earl on September 20th at 10AM for high school students in our district who may wish

to attend the Naval Academy at some point in the future. To RSVP, contact Dawn at 732-571-1140.

On Saturday, September 6th 9:30AM, Shore Regional High School will be dedicating the Varsity Field Hockey Field to recently retired Coach Nancy Williams. Coach Williams was a record setting coach during her tenure at Shore Regional having coached many of our kids. The Mayors of the Shore Regional Community will be presenting a joint Proclamation on behalf of the governing bodies to Coach Williams. This is a well-deserved honor for Coach Williams.

Mayor Mahon reported that he has been contacted by a Professor of Urban Affairs at Virginia Tech who would like to speak to borough officials regarding Sandy Recovery in our town and the benefits of communications via Social Media vs. traditional means (which might have been lost as a result of power outages, etc.) A meeting will be set up for the week of September 8th.

Mayor Mahon reported on the town's efforts on behalf of residents objecting to the proposed crematory at Woodbine Cemetery. We need to make sure our voices are heard in Trenton. Borough Administrator Bennett has been in constant contact with those agencies designated as points of contact on a day to day basis. The Borough Attorney was asked to look into possible legal action regarding what we believe to be "flawed notice." Council was provided with information, today, regarding the full permit and actual site plan.

Additionally, Government Affairs Liaisons, as set up the Governor's office, are available to all mayors in an effort to streamline contact between Mayors and state agencies. The Mayor has been in touch with Cindy Randazzo, is our DEP contact. The DEP is the authority for granting the Air Quality Permit not the siting issues which would be addressed by the Cemetery Board. The DEP is willing to host a public hearing on this issue in Oceanport and gather any/all information regarding this process. Unfortunately, State Statue does not play well in our favor with regard to a crematorium. The town will keep the residents informed going forward as the residents are relying the governing body to be their voice.

PUBLIC:

Mayor Mahon then opened the meeting to anyone from the public who wished to be heard. As no one from the public wished to be heard that portion of the meeting was closed on a motion by Council President Kahle, seconded by Councilman Gallo and approved by Council.

#2014-175 Resolution authorizing the Governing Body to enter into an Executive Session

At 8:52 p.m. the Mayor asked for a motion on **Resolution #2014-175** authorizing the meeting to enter Executive Session for the purposes of matters required by law to be Confidential, Potential Litigation / Potential Litigation (Fair Share Plan Challenge / COAH and Fort Monmouth), Potential Property Acquisitions or Sales (Block 88, Lot 35 E. Main Street Draft Appraisal and Fort Monmouth) and Personnel Matters (DPW retirement and recommendations for reorganization.) Motion was made by Council President Kahle and seconded by Councilman Lynch.

The Clerk called roll:

AYES:	Bertekap, Gallo, Irace, Kahle, Lynch, Paglia
NAYES:	None
ABSTAIN:	None
ABSENT:	None

The Clerk stated that the motion carried.

At 9:49 p.m. Council returned from Executive Session and the regular meeting was reopened.

2014-177 – Resolution authorizing payment of accrued vacation for Tommy Stothart.

Councilman Gallo made a motion on the **Resolution 2014-177** authorizing payment of accrued vacation time to Tommy Stothart, retiring DPW employee. It was seconded by Council President Kahle.

The Clerk called roll:

AYES:	Bertekap, Gallo, Irace, Kahle, Lynch, Paglia
NAYES:	None
ABSTAIN:	None
ABSENT:	None

The Clerk stated that the motion carried

At 9:51 the regular meeting was adjourned on a motion by Councilman Irace which was seconded by Council President Kahle and approved by Council.

Respectfully submitted,



JEANNE SMITH
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING PAYMENT OF BILL LIST FOR SEPTEMBER 4, 2014**

**RESOLUTION #2014-165
09-04-14**

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated September 4, 2014.

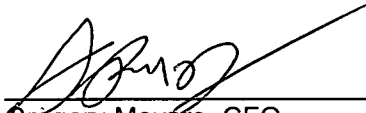
WHEREAS, the Governing Body has determined that the bill list as prepared comports with the vouchers submitted by various vendors; and

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of September 4, 2014

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated September 4, 2014 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

CERTIFICATION OF FUNDS

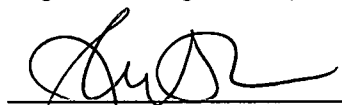
I, Gregory S. Mayers, Chief Financial Officer, of the Borough of Oceanport, do hereby certify that funds are available for the purpose stated herein.



Gregory Mayers, CFO

Motion:	<i>Irace</i>	Second:	<i>Kahle</i>	
ROLL CALL	YES	NO	ABSTAIN	ABSENT
Bertekap	(☒)	()	()	()
Gallo	(☒)	()	()	()
Irace	(☒)	()	()	()
Kahle	(☒)	()	()	()
Lynch	(☒)	()	()	()
Paglia	(☒)	()	()	()
Mahon	()	()	()	()

I certify this to be a true copy of Resolution #2014-165 approved by the Oceanport Borough Council at the Regular Meeting held September 4, 2014



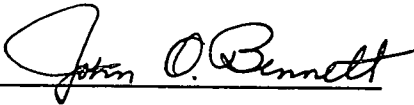
JEANNE SMITH, RMC
BOROUGH CLERK

**BOROUGH OF OCEANPORT
BILL LIST**

SEPTEMBER 4 2014

PAYEE	AMOUNT
PAYROLL ACCOUNT	\$ 112,213.15 17th Pay
	\$ 99,596.27 18th Pay
Home Depot	\$ 20.00
2014 EXPENDITURES	
CAPITAL TRUST TOTAL	\$ 36,913.00
DOG REGISTRY TOTAL	\$ 7.20
ESCROW TRUST TOTAL	\$ 14,002.50
OPEN SPACE TRUST TOTAL	\$ 21,080.47
TRUST OTHER TOTAL	\$ 10,850.51
2013 VOUCHERS PAID	\$ 258,411.14
2013 VOUCHERS PAID THIS MEETING	\$ 59,867.80
TOTAL	\$ 318,278.94
2014 VOUCHERS PAID	\$ 13,342,946.23
2014 VOUCHERS PAID THIS MEETING	\$ 2,529,649.08
TOTAL	\$ 15,872,595.31

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


John O. Bennett

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING TAX REFUNDS DUE FOR OVERPAYMENTS**

**Resolution #2014-166
09-04-2014**

WHEREAS, the following property is due a refund due to an overpayment from the property owner as a result of a successful State Tax Board Judgment; and

WHEREAS, the Tax Collector is recommending that the amount of overpayment due be refunded

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that the Tax Collector is hereby authorized to refund overpayment due to a double payment from the property owner to the following property owner as follows:

Block 37 Lot 2	Joseph & Lynn Thompson 532 Port au Peck Ave	2012 \$1,081.87 2013 623.03
Block 43 Lot 1	Thomas J & Billie Jo Caruso 47 Wardell Cr	2012 \$2,796.89 2013 2,816.00
Block 109 Lot 11	Carol Smith 89 Horseneck Pt Rd	2012 \$ 4,317.24 2013 4,346.74

Motion: *Maer* Second: *Kahle*

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Bertekap	(✓)	()	()	()
Gallo	(✓)	()	()	()
Irace	(✓)	()	()	()
Kahle	(✓)	()	()	()
Lynch	(✓)	()	()	()
Paglia	(✓)	()	()	()
Mahon	()	()	()	()

I certify this to be a true copy of Resolution #2014-166 approved by the Oceanport Borough Council at the Regular Meeting held September 4, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
REJECTING ALL BIDS FOR THE
FURNISH AND INSTALL CABLING/WIRING FOR VOICE AND DATA
AT THE OCEANPORT POLICE STATION**

**Resolution #2014-167
09-04-14**

WHEREAS, the Borough advertised for and received bids for the furnish and install of cabling/wiring for voice and data at the Oceanport Police Station, and

WHEREAS, the Bid package acknowledged that the Borough reserved the right to reject all proposals submitted; and

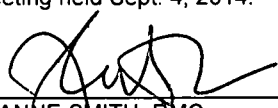
WHEREAS, the Borough was able to secure a proposal through a State Contract providing the necessary services at a lower cost.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport that the bids received on August 7, 2014 for the furnish and install of cabling/wiring for voice and data at the Oceanport Police Station are hereby rejected and bid bonds are to be returned.

Motion: *Maer* Second: *Kahle*

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Bertekap	(✓)	()	()	()
Gallo	(✓)	()	()	()
Irace	(✓)	()	()	()
Kahle	(✓)	()	()	()
Lynch	(✓)	()	()	()
Paglia	(✓)	()	()	()
Mahon	()	()	()	()

I certify this to be a true copy of Resolution #2014-167 approved by the Oceanport Borough Council at the Regular Meeting held Sept. 4, 2014.



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING APPLICATION TO PARTICIPATE IN PILOT PROGRAM
FOR ELECTRONIC TAX SALE**

**Resolution #2014-168
09-04-2014**

WHEREAS, NJSA 54:5-19, authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services; and

WHEREAS, the Director of the Division of Local Government Services has promulgated rules and regulations for pilot programs and has approved NJ Tax Lien Investors/RealAuction.com to conduct pilot programs; and

WHEREAS, the rules and regulations authorize a municipality to submit an application for participation in the pilot program for an electronic tax sale; and

WHEREAS, the participation in an electronic tax sale is an innovative way to provide a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process; and

WHEREAS, it is recommended that Peggy L. Warren, Tax Collector be authorized to complete the necessary application for the Borough of Oceanport to participate in the pilot program for an electronic tax sale; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Oceanport, that Peggy L. Warren, Tax Collector, shall and hereby is authorized to complete an application to participate in the electronic tax sale program and submit same to the Director of the Division of Local Government Services.

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

I certify this to be a true copy of Resolution #2014-168 approved by the Oceanport Borough Council at the Regular Meeting held September 4, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE PURCHASE OF A VEHICLES FOR THE
PUBLIC WORKS DEPARTMENT**

**Resolution #2014-169
09-04-14**

WHEREAS, the Department of Public Works (DPW) has a need for a vehicle suitable for the variety of tasks performed by that department including but not limited to snow removal; and

WHEREAS, funds were appropriated in the 2014 Capital Budget for the purchase of vehicles for use by DPW; and

WHEREAS, a 2014 Ford F-450 4WD REG CAB 141" WB 60" CA XL with options is available through state contract #A83560 with Beyer Ford in accordance with the attached quote.

NOW THEREFORE BE IT RESOLVED that the purchase of the aforementioned vehicle for a total price of \$52,396.00 is hereby authorized.

Motion: *Irace* Second: *Kahle*

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Bertekap	(☒)	()	()	()
Gallo	(☒)	()	()	()
Irace	(☒)	()	()	()
Kahle	(☒)	()	()	()
Lynch	(☒)	()	()	()
Paglia	(☒)	()	()	()
Mahon	()	()	()	()

I certify this to be a true copy of Resolution #2014-169 approved by the Oceanport Borough Council at the Regular Meeting held September 4, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE PURCHASE OF A VEHICLES FOR THE
PUBLIC WORKS DEPARTMENT**

**Resolution #2014-170
09-04-14**

WHEREAS, the Department of Public Works (DPW) has a need for a vehicle suitable for the variety of tasks performed by that department including but not limited to snow removal; and

WHEREAS, funds were appropriated in the 2014 Capital Budget for the purchase of vehicles for use by DPW; and

WHEREAS, a 2014 Ford F-350 Extended Cab 4WD PICKUP TRUCKS is available through state contract #A83558 t2101 with Cherry Hill Winner Ford in accordance with the attached quote.

NOW THEREFORE BE IT RESOLVED that the purchase of the aforementioned vehicle for a total price of \$42,719.00 is hereby authorized.

Motion: *Grace* Second: *Kahle*

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Bertekap	(☒)	()	()	()
Gallo	(☒)	()	()	()
Irace	(☒)	()	()	()
Kahle	(☒)	()	()	()
Lynch	(☒)	()	()	()
Paglia	(☒)	()	()	()
Mahon	()	()	()	()

I certify this to be a true copy of Resolution #2014-170 approved by the Oceanport Borough Council at the Regular Meeting held September 4, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING A SPECIAL EVENTS PERMIT TO BE ISSUED
TO FOSTERING EMPATHY, EASING DESPAIR INC. FOR AN EVENT TO BE HELD
SEPTEMBER 27, 2014 WITHIN THE BOROUGH OF OCEANPORT**

**Resolution #2014-171
09-04-2014**

WHEREAS, Fostering Empathy, Easing Despair Inc. has made application for a Special Events Permit to hold the 2014 New Jersey Ride Against AIDS with a course that includes portions of Borough roadways; and

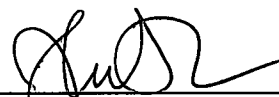
WHEREAS, as required by ordinance the Police Department has reviewed the application and have recommended that the application be approved.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that a Special Events Permit be issued to Fostering Empathy, Easing Despair Inc. for the 2014 New Jersey Ride Against AIDS to be held September 27, 2014 in accordance with the application made and recommendation by the Traffic Safety Unit upon receipt of appropriate permit fee to be paid by Applicant.

Motion: *Ma* Second: *Kahle*

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Bertekap	(✓)	()	()	()
Gallo	(✓)	()	()	()
Irace	(✓)	()	()	()
Kahle	(✓)	()	()	()
Lynch	(✓)	()	()	()
Paglia	(✓)	()	()	()
Mahon	()	()	()	()

I certify this to be a true copy of Resolution #2014-171 approved by the Oceanport Borough Council at the Regular Meeting held September 4, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING A SPECIAL EVENTS PERMIT TO BE ISSUED
TO BIKE NEW YORK FOR AN EVENT TO BE HELD
SEPTEMBER 28, 2014 WITHIN THE BOROUGH OF OCEANPORT**

**Resolution #2014-172
09-04-2014**

WHEREAS, Bike New York has made application for a Special Events Permit to hold the 2014 Twin Lights Bike Ride with a course that includes portions of Borough roadways; and

WHEREAS, as required by ordinance the Police Department has reviewed the application and have recommended that the application be approved.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that a Special Events Permit be issued to Bike New York for the 2014 Twin Lights Bike Ride in accordance with the application made and recommendation by the Traffic Safety Unit upon receipt of appropriate permit fee to be paid by Applicant.

Motion: *Shace* Second: *Kahle*

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Bertekap	(✓)	()	()	()
Gallo	(✓)	()	()	()
Irace	(✓)	()	()	()
Kahle	(✓)	()	()	()
Lynch	(✓)	()	()	()
Paglia	(✓)	()	()	()
Mahon	()	()	()	()

I certify this to be a true copy of Resolution #2014-172 approved by the Oceanport Borough Council at the Regular Meeting held September 4, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
URGING LEGISLATORS TO OVERRIDE
GOVERNOR CHRIS CHRISTIE'S VETO OF THE
SPORTS WAGERING BILL (S2250/A3476)**

**Resolution #2014-173
09-04-14**

WHEREAS, the New Jersey Legislature has passed legislation (**S2250/A3476**) which will authorize Sports Wagering at certain locations within the State of New Jersey:

WHEREAS, the enactment of said legislation could prove to be beneficial to locations such as Monmouth Park Racetrack

WHEREAS, the Governing Body of the Borough of Oceanport previously urged support of said legislation and requested the Governor to sign same; and

WHEREAS, Governor Chris Christie has issued an absolute veto of the Sports Wagering Bill; and

WHEREAS, the Governing Body of the Borough of Oceanport believes that it would be in the best interest of the Borough to have said veto overridden by the Legislature.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council that the Legislators representing the Borough of Oceanport be urged to vote for the override of the Sports Wagering Bill (S2250/A3476) when it is posted for a vote.

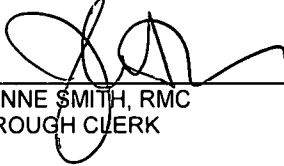
BE IT FURTHER RESOLVED, that a copy of this resolution shall be forwarded to the Senator Joseph Kyrillos, Assemblywoman Amy Handlin and Assemblyman Declan O'Scanlon.

Motion:

Second:

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Bertekap	(✓)	()	()	()
Gallo	(✓)	()	()	()
Irace	(✓)	()	()	()
Kahle	(✓)	()	()	()
Lynch	()	(✓)	()	()
Paglia	(✓)	()	()	()
Mahon	()	()	()	()

I certify this to be a true copy of Resolution #2014-173 approved by the Oceanport Borough Council at the Regular Meeting held September. 4, 2014.



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING AN EMERGENCY APPROPRIATION FOR
ADDITIONAL COSTS RELATED TO SUPER STORM SANDY**

**Resolution #2014-174
09-04-2014**

WHEREAS, an emergency has arisen with respect to additional costs related to Hurricane Sandy, and no adequate provision was made in the 2014 budget for the aforesaid purpose, and N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the purpose above mentioned: and

WHEREAS, the total amount of emergency appropriations created including the appropriation to be created by this resolution is \$ 150,000.00 and three percent (3%) of the total operating appropriations in the budget for 2014 is \$ \$187,643.67; and

WHEREAS, the foregoing appropriation together with the prior appropriations does not exceed the three percent (3%) of the total operating appropriations (including utility operation appropriations) in the budget for 2014.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport, County of Monmouth (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with NJS40A:4-48:

1. An emergency appropriation is hereby made for Hurricane Sandy additional costs in the amount of \$150,000.00.
2. That said emergency appropriation shall be provided for in full in the 2015 budget, and is requested to be excluded from CAPS, pursuant to NJS 40A:4-45.3.c(1).
3. That an "Emergency Note" not in excess of the above amount be authorized pursuant to N.J.S.A. 40A:4-48 and in accordance with the provisions of N.J.S.A. 40A:4-51.
4. That such note shall be executed by Chief Financial Officer Gregory Mayers and by Borough Clerk Jeanne Smith.
5. That said note shall be dated on or before December 31, 2014, may be renewed from time to time, and such note and any renewals thereof shall be payable on or before December 31, 2015.
6. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services.

Motion:

ROLL CALL

Bertekap

Gallo

Irace

Kahle

Lynch

Paglia

Mahon

YES

Second:

NO ABSTAIN ABSENT

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I certify this to be a true copy of Resolution #2014-174 approved by the Oceanport Borough Council at the Regular Meeting held September 4, 2014


JEANNE SMITH, RMC
BOROUGH CLERK

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

**Resolution #2014-175
09-04-2014**

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

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

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

1. Litigation/Potential Litigation – N.J.S.A. 10:4-12(b)(7)
Fair Share Plan Challenge/COAH – Beth McManus, P.P.
Fort Monmouth
2. Potential Property Acquisitions or Sales – N.J.S.A. 10:4-12(b)(5)
Block 88, Lot 35, E. Main Street Draft Appraisal
Fort Monmouth
3. Personnel Matters – N.J.S.A. 10:4-12(b)(8)
DPW retirement and recommendations for reorganization

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

Motion:		Second:		
ROLL CALL	YES	NO	ABSTAIN	ABSENT
Bertekap	(✓)	()	()	()
Gallo	(✓)	()	()	()
Irace	(✓)	()	()	()
Kahle	(✓)	()	()	()
Lynch	(✓)	()	()	()
Paglia	(✓)	()	()	()
Mahon	()	()	()	()

I certify this to be a true copy of Resolution #2014-175 approved by the Oceanport Borough Council at the Regular Meeting held September 4, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AMENDING THE 2014 CAPITAL BUDGET**

Resolution #2014-176
09-04-2014

WHEREAS, the 2014 capital budget of the Borough of Oceanport was adopted on April 3, 2014, and

WHEREAS, it is desired to amend said adopted capital budget,

NOW THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Oceanport, in the County of Monmouth, that the following amendments to the adopted 2014 capital budget be made:

Capital Budget of the Borough of Oceanport
(Current Year Action)
2014

<u>Project Title</u>	<u>Project Number</u>	<u>Estimated Total Cost</u>	<u>Capital Improvement Fund</u>	<u>Grants in Aid and Other Funds</u>	<u>Debt Authorized</u>
Completion of the Borough's Affordable Housing Plan and Related Expenses	G-5	\$300,000.00		\$15,000.00	\$285,000.00
Totals - All Projects		<u>\$1,425,000.00</u>	<u>\$56,250.00</u>	<u>\$15,000.00</u>	<u>\$1,353,750.00</u>

Capital Budget of the Borough of Oceanport
3 Year Capital Program
Anticipated Project Schedule and Funding Requirements
2014 - 2016

<u>Project Title</u>	<u>Project Number</u>	<u>Estimated Total Cost</u>	<u>Estimated Completion Time</u>	<u>Budget Year 2014</u>
Completion of the Borough's Affordable Housing Plan and Related Expenses	G-5	\$300,000.00	2014	\$300,000.00
Totals - All Projects		<u>\$1,425,000.00</u>	-	<u>\$1,425,000.00</u>

Capital Budget of the Borough of Oceanport
3 Year Capital Program
Summary of Anticipated Funding Sources and Amounts
2014 - 2016

<u>Project Title</u>	<u>Project Number</u>	<u>Estimated Total Cost</u>	<u>Capital Improvement Fund</u>	<u>Bonds and Notes General</u>	<u>Grants in Aid and Other Funds</u>
Completion of the Borough's Affordable Housing Plan and Related Expenses	G-5	\$300,000.00		\$285,000.00	\$15,000.00
			2,000.00		
Totals - All Projects		<u>\$1,425,000.00</u>	<u>\$56,250.00</u>	<u>\$1,353,750.00</u>	<u>\$15,000.00</u>

BE IT FURTHER RESOLVED, the Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after adoption of these amendments to the 2014 Capital Budget.

Motion: *dymch* Second: *space*
 ROLL CALL YES NO ABSTAIN ABSENT
 Bertekap (✓) () () ()
 Gallo (✓) () () ()
 Irace (✓) () () ()
 Kahle (✓) () () ()
 Lynch (✓) () () ()
 Paglia (✓) () () ()
 Mahon () () () ()

I certify this to be a true copy of Resolution #2014- approved by the Oceanport Borough Council at the Regular Meeting held September 4, 2014


 JEANNE SMITH, RMC
 BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING PAYMENT OF ACCRUED VACATION**

**RESOLUTION #2014-177
09-04-14**

WHEREAS, Thomas Stothart is an employee in the Public Works Department with a retirement date of October 1, 2014; and

WHEREAS, Mr. Stothart has accrued 20 days of vacation for the calendar year 2014; and

WHEREAS, the staffing demands in the Public Works Department have limited Mr. Stothart's ability to use his vacation time prior to his pending retirement date of October 1, 2014; and

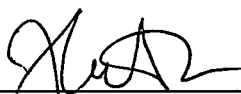
WHEREAS, the Borough's Personnel Policy provides for the payment of accrued vacation for a maximum of two weeks per year at the discretion of the Mayor and Council when an employee's duties have prevented him/her from taking his/her accrued vacation time; and

WHEREAS, it is the Borough Administrator's recommendation that Mr. Stothart be paid for the maximum two weeks of accrued vacation.

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Oceanport hereby authorizes payment equivalent to two weeks (10 days) vacation to Thomas Stothart in accordance with the Borough's Personnel Policy.

Motion: <i>Kahle</i>	Second: <i>Lynch</i>			
ROLL CALL	YES	NO	ABSTAIN	ABSENT
Bertekap	(☒)	()	()	()
Gallo	(☒)	()	()	()
Irace	(☒)	()	()	()
Kahle	(☒)	()	()	()
Lynch	(☒)	()	()	()
Paglia	()	()	()	()
Mahon	()	()	()	()

I certify this to be a true copy of Resolution #2014-177 approved by the Oceanport Borough Council at the Regular Meeting held September 4, 2014



JEANNE SMITH, RMC
BOROUGH CLERK