

**REGULAR MEETING AGENDA
MAYOR AND COUNCIL
August 18, 2016**

Call to Order.

Statement of Compliance with Open Public Meetings Act: *This meeting complies with the Open Public Meeting Act by notification on January 4, 2016 of this location, date and time to the Asbury Park Press and the LINK News, publication on January 7, 2016 and by the posting of same on the municipal bulletin board and Borough Web Site.*

Flag Salute

Invocation

Roll Call

Engineer's Report:

Administrator's Report:

Clerk's Report:

1. Consent Agenda:

- | | | |
|------------------|------|---|
| #2016-155 | 1.1 | Resolution authorizing the payment of bills. |
| #2016-156 | 1.2 | Resolution supporting Sister City Program with Pénestin, France |
| #2016-157 | 1.3 | Resolution approving Special Events Permit for Twin Lights Ride |
| #2016-158 | 1.4 | Resolution authorizing redemption of Tax Sale Certificate #14-00012 |
| #2016-159 | 1.5 | Resolution authorizing redemption of Tax Sale Certificate #13-00014 |
| #2016-160 | 1.6 | Resolution authorizing redemption of Tax Sale Certificate #14-00022 |
| #2016-161 | 1.7 | Resolution authorizing a temporary easement agreement with NJ American Water |
| #2016-162 | 1.8 | Resolution authorizing the purchase of air packs for Fire Department |
| #2016-163 | 1.9 | Resolution authorizing the purchase of salt spreader |
| #2016-164 | 1.10 | Resolution authorizing the purchase of mower and trailer |
| #2016-165 | 1.11 | Resolution authorizing the purchase of air-ride suspension for First Aid ambulance |
| #2016-166 | 1.12 | Resolution certifying compliance with Local Finance Board requirement of Annual Audit |
| #2016-167 | 1.13 | Resolution awarding contract for E. Main St. Streetscape Phase III Improvements |
- Approval of Fire Department Application for Kyle Evans
Approval of Fire Department Application for Rebekah Crochet
2. Minutes Approval of the Workshop Minutes of July 14, 2016
 Approval of the Regular Minutes of July 14, 2016

3. Police Report, June 2016

ORDINANCES:

- | | |
|----------|---|
| # | Introduction of an Ordinance Amending the Developer's Fee Ordinance |
|----------|---|

COMMITTEE REPORTS:

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

**REGULAR MEETING AGENDA
MAYOR AND COUNCIL
August 18, 2016**

MAYOR COFFEY'S REPORT:

#2016-168 1.1 Resolution filling vacancy on Parks and Recreation Committee

Petitions from the public.

EXECUTIVE SESSION:

Resolution #2016-169 authorizing the Governing Body to enter into Executive Session

Litigation, Negotiations and the Attorney Client Privilege N.J.S.A. 10:4-12(b)(7)
CATEL, Inc.

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

Adjournment.

REGULAR MEETING MINUTES

Oceanport, New Jersey
August 18, 2016

The Regular Meeting of the Oceanport Mayor and Council was called to order on August 18, 2016 at 8:42 PM with the Statement of Compliance with the Open Public Meetings Act given by Mayor Coffey.

Statement of Compliance with Open Public Meetings Act: *This meeting complies with the Open Public Meeting Act by notification on January 4, 2016 of this location, date and time to the Asbury Park Press and the LINK News, publication on January 7, 2016 and by the posting of same on the municipal bulletin board and Borough Web Site.*

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

MEMBERS PRESENT: Councilpersons Briskey, Irace, Cooper, Gallo, Kahle, Patti and Mayor Coffey

OFFICIALS PRESENT: Borough Administrator, Ray Poerio, Borough Clerk, Jeanne Smith, and Borough Attorney, Scott Arnette, Borough Engineer William White

ENGINEER'S REPORT: Mr. White reported that 2016 road program will go out for bid in about 2 weeks. The bulkhead project will go out for bid 2 weeks later. Councilman Briskey asked about the additional costs for the generator project and who would be responsible for payment. Mr. Poerio responded it was funded through the capital budget.

ADMINISTRATOR'S REPORT: Mr. Poerio stated his report was presented during Work Shop.

CLERK'S REPORT:

1. Consent Agenda

- | | | |
|-----------|------|--|
| #2016-155 | 1.1 | Resolution authorizing the payment of bills. |
| #2016-156 | 1.2 | Resolution supporting Sister City Program with Pénestin, France |
| #2016-157 | 1.3 | Resolution approving Special Events Permit for Twin Lights Ride |
| #2016-158 | 1.4 | Resolution authorizing redemption of Tax Sale Certificate #14-00012 |
| #2016-159 | 1.5 | Resolution authorizing redemption of Tax Sale Certificate #13-00014 |
| #2016-160 | 1.6 | Resolution authorizing redemption of Tax Sale Certificate #14-00022 |
| #2016-161 | 1.7 | Resolution authorizing a temporary easement agreement with NJ American Water |
| #2016-162 | 1.8 | Resolution authorizing the purchase of air packs for Fire Department |
| #2016-163 | 1.9 | Resolution authorizing the purchase of salt spreader |
| #2016-164 | 1.10 | Resolution authorizing the purchase of mower and trailer |
| #2016-165 | 1.11 | Resolution authorizing the purchase of air-ride suspension for First Aid ambulance |
| #2016-166 | 1.12 | Resolution certifying compliance with Local Finance Board requirement of Annual Audit |
| #2016-167 | 1.13 | Resolution awarding contract for E. Main St. Streetscape Phase III Improvements
Approval of Fire Department Application for Kyle Evans
Approval of Fire Department Application for Rebekah Crochet |

The Clerk stated there were 15 items on the consent agenda, 13 resolutions and 2 approvals for Fire Department membership applications. Councilman Briskey welcomed Kyle Evans and Rebekah Crochet to the Fire Department. The Clerk asked for a motion to approve, which was made by Council President Irace and seconded by Councilman Patti.

The Clerk called roll:

AYES: Briskey, Irace, Cooper, Gallo, Kahle, Patti
NAYS: None

ABSTAIN: None

ABSENT: None

The Clerk stated the motion carried.

2. Minutes Approval of the Workshop Minutes of July 14, 2016
 Approval of the Regular Minutes of July 14, 2016

The Clerk called for a motion, which was made by Councilman Gallo and seconded by Council President Irace.

The Clerk called roll:

AYES: Briskey, Irace, Cooper, Gallo, Kahle, Patti

NAYS: None

ABSTAIN: None

ABSENT: None

The Clerk stated that the motion carried.

3. Police Report, June 2016

Ms. Smith reported she received the June 2016 police report which has been distributed and will be posted.

Ms. Smith next advised that **Resolution #2016-170** Appointing an Alternate Bond Counsel had been added from the Workshop and asked for a motion. Council President made a motion to appoint Archer & Greiner as alternate bonded counsel, which was seconded by Councilman Briskey. The Clerk read the resolution into the record.

The Clerk called roll:

AYES: Briskey, Irace, Cooper, Gallo, Patti

NAYS: Kahle

ABSTAIN: None

ABSENT: None

The Clerk stated that the motion carried.

ORDINANCES:

#968 Introduction of an Ordinance Amending the Developer's Fee Ordinance.

Councilwoman Cooper called for the introduction of "**AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AMENDING CHAPTER 390 ZONING, ARTICLE X, DEVELOPMENT FEES**" and then asked the Clerk to read the proposed Ordinance by title only, after which Councilwoman Cooper moved to approve the ordinance upon first reading and to hold the public hearing on the proposed ordinance at the Council meeting of September 15, 2016 and to advertise same in accordance with the law which was seconded by Councilwoman Kahle. The Clerk called roll:

AYES: Briskey, Irace, Cooper, Gallo, Kahle, Patti

NAYS: None

ABSTAIN: None

ABSENT: None

The Clerk stated that the motion carried.

COMMITTEE REPORTS:

PUBLIC SAFETY: Councilman Briskey wanted the public to know that the resolution on the audit was only one of acknowledgment and not approval and that the Council had read at minimum the comments as required by statute. He expressed his dissatisfaction with the audit process and the minimal requirements for audits of the public sector which would never fly in the private sector. He thanked Freeholder Arnone for attending. There was a ceremonial ribbon cutting for the First Aid Farmer's Market. He received an email from Conrail to set up a meeting to address the flooding on Main Street and issues with Crescent Place. He stated he joined Congressman Pallone's town hall phone conference, where he asked the Congressman if he had made any progress with the complaint about Conrail, which resulted in the email being sent. The Fire Department will receive new air packs. The First Aid ambulance will receive a new air ride suspension. He discussed the recent power outages and JCP&L's response. Lastly announced that the emergency alert system will be tested in the next 10 days.

FINANCE AND ADMINISTRATION: Council President Irace had nothing further to report.

PLANNING & DEVELOPMENT: Councilwoman Cooper commended Kyle Evans and Rebekah Crochet. She thanked Freeholder Arnone for attending the meeting. The Planning Board received an application from the DEP regarding the Mazza property on Port Au Peck to verify their wetland lines. The Planning Board discussed the chicken ordinance to ensure that it was consistent with its Master Plan. She expressed her pleasure with the progress made on the municipal complex on Fort Monmouth. The Cable and Technology Committee is going forward with a TV channel for the Borough. The Committee is working with the Board of Education to allow the Council to have a unit at Maple Place for meetings.

HEALTH AND HUMAN SERVICES: Councilwoman Kahle stated the Monmouth County Board of Health is offering educational workshops on the Zika virus. The Board of Health will require that all Monmouth County schools will have their water sampled for lead contamination. She stated the Waterwatch and Environmental Committee is monitoring issues occurring in the Navesink River. She reported that the Mid-Atlantic Regional Ocean Action Plan is creating an on-line portal to share information between agencies, industry and community leaders regarding water quality. Clean Ocean Action will be providing pamphlets to educate residents on how to preserve water quality. Clean Ocean Action also introduced a smart phone app to report pollution problems. There was a presentation regarding the clinging jellyfish. The study continues to monitor them. Test results in the Navesink showed found that there is a mix of human waste, wildlife and domestic animal sources. Other municipalities are following Oceanport's Waterwatch Committee's model for monitoring. Residents are advised against swimming or fishing after rainfall because that's when fecal counts are highest.

PUBLIC WORKS: Councilman Gallo stated Public Works continued to repair and maintain the Borough's parks and properties, the recycling yard, turning of the leaf compost site and various other duties.

MAYOR COFFEY'S REPORT:

1. #2016-168 Resolution filling a vacancy on the Parks and Recreation Committee.

Mayor Coffey asked for a motion approving Resolution #2016-168 appointing Spencer Carpenter to fill the vacancy on Parks & Recreation Committee which was made by Councilman Patti and seconded by Council President Irace. The Clerk called roll:

The Clerk called roll:

AYES:	Briskey, Irace, Cooper, Gallo, Kahle, Patti
NAYS:	None
ABSTAIN:	None
ABSENT:	None

The Clerk stated that the motion carried.

Mayor Coffey exited the meeting at 9:12 PM. Council President Irace presided over the remainder of the meeting.

PARKS AND RECREATION: Councilman Patti presented for Council a short video that he created regarding the Borough's twinning with Penestin, France.

PUBLIC:

Council President Irace then opened the meeting to anyone from the public who wished to be heard. As no one from the public wished to be heard, Council President Irace closed the public portion of the meeting.

Mr. Poerio requested permission from the Council to schedule the Special Session on September 1st as requested in the Work Shop Meeting, which was granted.

EXECUTIVE SESSION:

At 9:17 PM the Clerk asked for a motion on **Resolution #2016-169** authorizing the meeting to enter Executive Session for the purposes of Litigation, Negotiations and the Attorney Client Privilege and Personnel Matters which was moved by Councilman Patti and seconded by Councilwoman Cooper.

At 9:27 PM, the Council returned from Executive Session. Borough Attorney advised that Chief Barcus had not received a RICE notice having been away for vacation so there was no discussion regarding his retirement in the executive session. That item will be listed for Executive Session at the next available meeting.

As there was no further business, the meeting was adjourned at 9:27 p.m. on a motion by Councilman Gallo, seconded by Councilwoman Cooper and approved by Council.

Respectfully submitted,

JEANNE SMITH
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING PAYMENT OF BILL LISTS FOR
AUGUST 2, 2016 AND AUGUST 18, 2016**

**RESOLUTION #2016-155
08-18-16**

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill lists dated August 2, 2016 and August 18, 2016; 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 lists at its public meeting of August 18, 2016.

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 August 2, 2016 and August 18, 2016 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:

Second:

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Briskey	()	()	()	()
Cooper	()	()	()	()
Gallo	()	()	()	()
Irace	()	()	()	()
Kahle	()	()	()	()
Patti	()	()	()	()
Coffey	()	()	()	()

I certify this to be a true copy of Resolution #2016-155 approved by the Oceanport Borough Council at the Regular Meeting held August 18, 2016

JEANNE SMITH, RMC
BOROUGH CLERK

**BOROUGH OF OCEANPORT
BILL LIST**

18-Aug-16

PAYEE	AMOUNT	
PAYROLL ACCOUNT	\$	116,444.26 14TH PAY
	\$	100,290.71 15TH PAY
	\$	123,644.36 16TH PAY
2016 EXPENDITURES - MANUAL CHECKS		
NJ DMV - NEW POLICE CAR TITLES	\$	240.00
NJ DMV - NEW PUBLIC WORKS TRUCK TITLE	\$	60.00
NJ DMV - NEW FIRE VEHICLE	\$	60.00
PAYFLEX HEALTH SAVINGS CONTRIBUTION		\$3,000.00
OTHER TRUST - TREASURER STATE OF NJ	\$	2,030.00
OCEANPORT TAX LEVY 07/15/16	\$	738,100.17
CONTRACTUAL/UTILITY PAYMENTS 08/02/16 (LIST ATTACHED)	\$	963,153.20
CAPITAL TRUST TOTAL	\$	254,198.41
ESCROW TRUST TOTAL	\$	6,288.00
SUI TRUST	\$	162.00
OFF DUTY TRUST TOTAL	\$	-
OPEN SPACE TRUST TOTAL	\$	3,392.17
OTHER TRUST TOTAL	\$	14,654.38
2015 VOUCHERS PAID	\$	205,279.76
2015 VOUCHERS PAID THIS MEETING	\$	369.00
TOTAL	\$	205,648.76
2016 VOUCHERS PAID	\$	12,469,924.42
MANUAL CHECKS	\$	741,460.17
2016 VOUCHERS PAID THIS MEETING	\$	299,144.68
TOTAL	\$	13,510,529.27

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



**BOROUGH OF OCEANPORT
COUNTY OF MONMOUTH
STATE OF NEW JERSEY**

Resolution #2016-156

**A RESOLUTION OF THE BOROUGH COUNCIL OF OCEANPORT
SUPPORTING THE ESTABLISHMENT OF A SISTER CITY PROGRAM WITH
PÉNESTIN FRANCE**

WHEREAS, the establishment of a Twinning Program speaks directly to the Borough of Oceanport's overall community vision; and

WHEREAS, the residents of Oceanport have demonstrated a desire to learn more about the people of other communities throughout the world and enhance international communication and understanding; and

WHEREAS, the citizens of Oceanport wish to encourage educational, cultural, athletic, trade, tourism, business, technology, and governmental exchanges to help acquaint themselves with the diverse peoples of the world; and

WHEREAS, the Borough of Oceanport wants to provide its citizens with opportunities that may present themselves in the future regarding services and benefits from community projects of international scope; and

WHEREAS, Oceanport's Twin City, Pénestin, France (Pénestin) was carefully selected by the Ad Hoc Committee for Twinning to assure that these relationships will be educational, long-lasting and of maximum benefit for all; and

WHEREAS, Oceanport's relationship with Pénestin was based upon common interests and characteristics important to both Oceanport and with Pénestin; and

WHEREAS, the Borough of Oceanport pledges its support to its residents for their creation and maintenance of the relationship with Pénestin; and

WHEREAS, the Borough of Oceanport will coordinate the sponsorship of a Twin City with the Town of Pénestin;

WHEREAS, the proposal for a Twinning Program was presented to the City Council on July 21, 2016;

SECTION I : GOALS OF THE OCEANPORT TWINNING CITY PROGRAM

The establishment of the Twinning Program should serve the following goals between the residents of Oceanport and the citizens of Pénestin:

- Build people-to-people relationships;
- Provide educational opportunities;
- Exchange of civic opportunities and relationships;
- Promote business and tourism opportunities, including the exchange of business practices where applicable; and
- Enhance the understanding of cultural awareness and sensitivity.

Establishment of educational communications between the school of Oceanport and the school of Pénestin.

SECTION 2: TWINNING CITY PROGRAM COMMITTEE & RESPONSIBILITIES

The Borough of Oceanport Twinning Program Committee responsible for the Twinning Program will include:

The Mayor;
Executive representatives appointed by the Mayor;
One member of the Oceanport Council;
One member of the Board of Education;
One student member from Shore Regional High School who resides in Oceanport;
One student member from Maple Place Middle School;
Two citizens of the Borough of Oceanport appointed by the Mayor and City Council; and
One member with teaching credentials;

NOW, THEREFORE, THE COUNCIL OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, DOES HEREBY RESOLVE AS FOLLOWS: that the Council of the Borough of Oceanport hereby supports the establishment of a Twinning Program with Pénestin, the objectives of the Oceanport Twinning Program, and the establishment of future objectives consistent with Twinning and the town of Pénestin.

RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY this 18TH day of AUGUST 2016.

Motion:

Second:

I certify this to be a true copy of Resolution #2016-156 approved by the Oceanport Borough Council at the Regular Meeting held August 18, 2016

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Briskey	()	()	()	()
Cooper	()	()	()	()
Gallo	()	()	()	()
Irace	()	()	()	()
Kahle	()	()	()	()
Patti	()	()	()	()
Coffey	()	()	()	()

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 25, 2016 WITHIN THE BOROUGH OF OCEANPORT**

**Resolution #2016-157
08-18-16**

WHEREAS, Bike New York has made application for a Special Events Permit to hold the 2016 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 2016 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:

Second:

I certify this to be a true copy of Resolution #2016-157 approved by the Oceanport Borough Council at the Regular Meeting held August 18, 2016

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Briskey	()	()	()	()
Cooper	()	()	()	()
Gallo	()	()	()	()
Irace	()	()	()	()
Kahle	()	()	()	()
Patti	()	()	()	()
Coffey	()	()	()	()

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #14-00012
FOR BLOCK 71, LOT 1.02 KNOWN AS 161 MONMOUTH BLVD**

**Resolution #2016-158
08-18-16**

WHEREAS, at the Borough Tax Sale held on September 26, 2014, a lien was sold on Block 71 Lot 1.02, otherwise known as 161 Monmouth Blvd; and

WHEREAS, this lien, known as Tax Sale Certificate 14-00012 was sold to Tower as cust for Ebury Fund 2 NJ LLC at an interest rate of 0% and a premium of \$74,000; and

WHEREAS, the owner has redeemed certificate 14-00012 in the amount of \$ 69,330.26.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$69,330.26 payable to Tower as cust for Ebury Fund 2 NJ LLC, PO Box 54908, New Orleans LA 70154 for the redemption of Tax Sale Certificate 14-00012.

BE IT FURTHER RESOLVED, that the CFO be authorized to issue a check in the amount of \$74,000 (Premium) to the aforementioned lienholder.

Motion:

Second:

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Briskey	()	()	()	()
Cooper	()	()	()	()
Gallo	()	()	()	()
Irace	()	()	()	()
Kahle	()	()	()	()
Patti	()	()	()	()
Coffey	()	()	()	()

I certify this to be a true copy of Resolution #2016-158 approved by the Oceanport Borough Council at the Regular Meeting held August 18, 2016

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #13-00014
FOR BLOCK 117, LOT 27.235 CW235 KNOWN AS 119 CARRIAGE WAY**

**Resolution #2016-159
08-18-16**

WHEREAS, at the Borough Tax Sale held on November 15, 2013, a lien was sold on Block 117 Lot 27.235 CW235, otherwise known as 119 Carriage Way; and

WHEREAS, this lien, known as Tax Sale Certificate 13-00014 was sold to US Bank cust for Pro Cap III LLC at an interest rate of 0% and a premium of \$800; and

WHEREAS, a representative for the owner has redeemed certificate 13-00014 in the amount of \$ 10,503.06.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$10,503.06 payable to US Bank cust for Pro Cap III LLC, 50 S 16th St Suite 1950, Philadelphia PA 19102 for the redemption of Tax Sale Certificate 13-00014.

BE IT FURTHER RESOLVED, that the CFO be authorized to issue a check in the amount of \$800 (Premium) to the aforementioned lienholder.

Motion:

Second:

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Briskey	()	()	()	()
Cooper	()	()	()	()
Gallo	()	()	()	()
Irace	()	()	()	()
Kahle	()	()	()	()
Patti	()	()	()	()
Coffey	()	()	()	()

I certify this to be a true copy of Resolution #2016-159 approved by the Oceanport Borough Council at the Regular Meeting held August 18, 2016

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #14-00022
FOR BLOCK 139, LOT 9 KNOWN AS 124 S. PEMBERTON AVE**

**Resolution #2016-160
08-18-16**

WHEREAS, at the Borough Tax Sale held on September 26, 2014, a lien was sold on Block 139 Lot 9, otherwise known as 124 S Pemberton Ave; and

WHEREAS, this lien, known as Tax Sale Certificate 14-00022 was sold to Tower Fund Serv as cust for Ebury Fund 2 at an interest rate of 0% and a premium of \$1,200; and

WHEREAS, a representative for the owner has redeemed certificate 14-00022 in the amount of \$ 4,309.01.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$4,309.01 payable to Tower Fund Serv as cust for Ebury Fund 2, PO Box 54908, New Orleans LA 70154 for the redemption of Tax Sale Certificate 14-00022.

BE IT FURTHER RESOLVED, that the CFO be authorized to issue a check in the amount of \$1,200 (Premium) to the aforementioned lienholder.

Motion:

Second:

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Briskey	()	()	()	()
Cooper	()	()	()	()
Gallo	()	()	()	()
Irace	()	()	()	()
Kahle	()	()	()	()
Patti	()	()	()	()
Coffey	()	()	()	()

I certify this to be a true copy of Resolution #2016-160 approved by the Oceanport Borough Council at the Regular Meeting held August 18, 2016

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT,
COUNTY OF MONMOUTH, STATE OF NEW JERSEY
AUTHORIZING THE MAYOR TO EXECUTE
DEED OF TEMPORARY EASEMENT AND RIGHT OF WAY**

**Resolution #2016-161
08-18-16**

WHEREAS, the Borough of Oceanport has received a request for a Temporary Construction Easement from the New Jersey-American Water Company; and,

WHEREAS, the temporary construction easement and right of way is for the construction installation and maintenance of a new water line at or under Oceanport Creek within the existing right of way; and,

WHEREAS, the Borough of Oceanport has discussed and negotiated the terms and conditions of the temporary construction easement and have placed those terms and conditions into the attached Deed of Temporary Easement and Right of Way made a part hereof; and,

WHEREAS, the Borough Council of the Borough of Oceanport do hereby agree with the terms and conditions set forth in the Deed of Temporary Easement and Right of Way and are desirous of having the water line completed and moving the project forward.

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 Deed of Temporary Easement and Right of Way attached hereto and made a part hereof.

Motion:

Second:

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Briskey	()	()	()	()
Cooper	()	()	()	()
Gallo	()	()	()	()
Irace	()	()	()	()
Kahle	()	()	()	()
Patti	()	()	()	()
Coffey	()	()	()	()

I certify this to be a true copy of Resolution #2016-161 approved by the Oceanport Borough Council at the Regular Meeting held August 18, 2016

JEANNE SMITH, RMC
BOROUGH CLERK

NEW JERSEY-AMERICAN WATER COMPANY, INC.

DEED OF TEMPORARY EASEMENT AND RIGHT OF WAY

THIS INDENTURE, made this _____ day of _____, 201__, by and between The Borough of Oceanport, County of Monmouth, New Jersey, having a principal address at 315 E. Main Street, Oceanport, New Jersey, 07757, hereinafter referred to as "Grantor" and New Jersey-American Water Company, Inc., a corporation organized and existing under the laws of the State of New Jersey, having its principal office and place of business at 1025 Laurel Oak Road, Voorhees, New Jersey, 08043, hereinafter referred to as "Grantee".

W I T N E S S E T H

Grantor, in consideration of the covenants and agreements hereinafter recited and the sum of Two Thousand Dollars (\$2,000.00), the receipt of which is hereby acknowledged, does hereby give, grant and convey unto Grantee, its successors and assigns a temporary construction and access easement (hereinafter referred to as the Temporary Easement") in, across and over property of the Grantor, known as block 103.01, lot 1, situate in the Borough Oceanport, County of Monmouth and State of New Jersey, as more particularly described in Schedule A attached hereto and made a part hereof, as shown on drawing in Schedule B, for the purpose of installing water facilities within the adjacent right-of-way. The term of the Temporary Easement shall be for as long as Grantee is installing its pipeline on the adjacent properties and within the right-of-way of Oceanport Avenue. Upon completion of construction, the Temporary Easement shall automatically terminate and no longer be in effect. However, no recording shall be necessary to effectuate the termination of the Temporary Easement.

Grantee, its successors and assigns, and their duly authorized agents, employees and contractors

shall have the right to (i) enter in and upon the easement area described above with personnel, machinery, vehicles and material at any and all times during the construction period for the purposes stated above, (ii) cut, prune and remove trees, bushes, undergrowth and other obstructions unreasonably interfering with the activities authorized herein, and (iii) do anything necessary, useful or convenient for the enjoyment of the easement herein granted provided Grantor's and other occupants use is not unreasonably interfered with. The Grantee shall replace all trees removed or damaged during the installation of the pipeline with trees of comparable maturity. The Grantee also agrees to replace all sidewalk area within the temporary easement and up to the existing paver sidewalk, with pavers of a mutually agreed upon color and style. In the event that damage is caused to the monument area, a veneer replacement shall be completed to repair the crack or damage caused by the drilling and other activity of the Grantee. The Grantee shall also indemnify and hold harmless the Grantor for any injuries or fatalities which may occur to the Grantee's employees, subcontractors and the public as a result of the Grantee's operations, except where caused by the negligence or misconduct, through action or inaction, of the Grantor. Upon completion of construction, the Grantee or its subcontractors shall restore any areas disturbed within the easement as nearly as possible to its previous condition.

Grantor does hereby covenant with Grantee as follows:

1. Grantor is the owner in fee simple of the real estate hereby subjected to this Deed of Easement and Right of Way and has good title to convey same, having acquired said real estate from The Borough of Oceanport, by deed dated August 17, 2008, and recorded in the office of the Recorder of Deeds of Monmouth County in Deed Book 8745 Page 7617 on the 8th day of September, 2008;
2. Grantee shall quietly enjoy the said easement and right of way;
3. That the premises hereby subjected to said easement and right of way are subject to no mortgages.

IN WITNESS WHEREOF, Grantor and Grantee have duly executed this INDENTURE, all
as of the day and year first above written.

ATTEST:

GRANTOR
BOROUGH OF OCEANPORT

By: _____

By _____
Name:
Title:

GRANTEE

ATTEST:

NEW JERSEY-AMERICAN WATER
COMPANY, INC.

By: _____

By _____
Title

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING PURCHASE OF EQUIPMENT
FOR THE OCEANPORT FIRE DEPARTMENT**

**Resolution #2016-162
08-18-16**

WHEREAS, the Oceanport Fire Department has need to purchase (5) five new air packs and associated equipment and funds have been appropriated in the 2016 Capital Budget for the purchase of said equipment for use by the Fire Department; and

WHEREAS, N.J.S.A. 40A:11-3(a), allows for the award of a contract without the necessity of public advertising for bids where the municipality has a Qualified Purchasing Agent, and when the cost or price does not exceed \$40,000.00; and

WHEREAS, the Borough solicited quotes and received two responses; and

WHEREAS, FF1 Professional Safety Services has submitted a quote for the provision of said equipment at a cost of \$27,868.75

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council that that the purchase of five (5) air pack units and associated equipment for a total price of \$27,868.75 is hereby authorized.

BE IT FURTHER RESOLVED, that the within Resolution shall be subject to the Borough Chief Financial Officer confirming that funds are available for the stated purpose.

CERTIFICATION OF FUNDS

As required by N.J.A.C. 5:34-5.1 et. seq., and any other applicable requirement, I, Catherine D. LaPorta, Chief Financial Officer of the Borough of Oceanport, certify that there are sufficient uncommitted funds available in Account #X-02- -473-008, Air Packs/Capital Improvements, not to exceed \$27,868.75 for the stated purpose.

CATHERINE D. LAPORTA, CFO

Motion:	Second:			
ROLL CALL	YES	NO	ABSTAIN	ABSENT
Briskey	()	()	()	()
Cooper	()	()	()	()
Gallo	()	()	()	()
Irace	()	()	()	()
Kahle	()	()	()	()
Patti	()	()	()	()
Coffey	()	()	()	()

I certify this to be a true copy of Resolution #2016-162 approved by the Oceanport Borough Council at the Regular Meeting held August 18, 2016

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING PURCHASE OF SALT SPREADER
FOR THE DEPARTMENT OF PUBLIC WORKS**

**Resolution #2016-163
08-18-16**

WHEREAS, the Public Works Department has need to purchase a V-box Salt Spreader and funds have been appropriated in the 2016 Capital Budget for the purchase of said equipment for use by the Public Works Department; and

WHEREAS, N.J.S.A. 40A:11-3(a), allows for the award of a contract without the necessity of public advertising for bids where the municipality has a Qualified Purchasing Agent, and when the cost or price does not exceed the local unit's bid threshold \$40,000.00; and

WHEREAS, the Borough solicited quotes and received two responses; and

WHEREAS, TRIUS inc. has submitted a quote for the provision of said equipment at a cost of \$13,124.00 with an option of Trade In for stainless steel tailgate spreader of \$2,179.00 bringing the overall cost to \$10,945.00.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council that that the purchase of the V-box Salt Spreader with trade in of stainless steel tailgate spreader for a total price of \$10,945.00 is hereby authorized.

BE IT FURTHER RESOLVED, that the within Resolution shall be subject to the Borough Chief Financial Officer confirming that funds are available for the stated purpose.

CERTIFICATION OF FUNDS

As required by N.J.A.C. 5:34-5.1 et. seq., and any other applicable requirement, I, Catherine D. LaPorta, Chief Financial Officer of the Borough of Oceanport, certify that there are sufficient funds available in Accounts #X-02- -472-003, #X-02- -472-004, # X-02- -472-005 and # X-02- -472-006, Capital, not to exceed \$10,945.00 for the stated purpose.

CATHERINE D. LAPORTA, CFO

Motion:	YES	NO	ABSTAIN	ABSENT
ROLL CALL				
Briskey	()	()	()	()
Cooper	()	()	()	()
Gallo	()	()	()	()
Irace	()	()	()	()
Kahle	()	()	()	()
Patti	()	()	()	()
Coffey	()	()	()	()

I certify this to be a true copy of Resolution #2016-163 approved by the Oceanport Borough Council at the Regular Meeting held August 18, 2016

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE PURCHASE OF ONE (1) TORO GROUNDMASTER 4010-D MOWER AND
HD-20 UTILITY TRAILER THROUGH THE EDUCATIONAL SERVICES COMMISSION OF
NEW JERSEY COOPERATIVE PRICING SYSTEM**

**Resolution #2016-164
08-18-16**

WHEREAS, the Borough of Oceanport is a party to a cooperative purchasing agreement with the Educational Services Commission of New Jersey, a cooperative purchasing program organized pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-10, and

WHEREAS, the Local Public Contracts Law authorizes a municipality to acquire goods and services through a duly formed cooperative purchasing system without advertising for bids, and

WHEREAS, the Borough has need of acquiring a Toro Groundmaster 4010-D, 30636, Mower and a SG HD-20 Utility Trailer for the Borough of Oceanport Public Works Department, and

WHEREAS, the Educational Services Commission of NJ has awarded a contract to Storr Tractor Company, 3191 Route 22, Somerville, N.J. 08876 (Contract #65MCESCCPS, MRESC 15/16-08) for Toro Groundmaster 4010-D in the amount of \$75,803.20 and an SG HD-20 Utility Trailer in the amount of \$4,150.00.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council that the purchase of Toro Groundmaster 4010-D, 30636, Mower and a SG HD-20 Utility Trailer through the Educational Services Commission of NJ (Contract #65MCESCCPS, MRESC 15/16-08) and one SG HD-20 Utility Trailer for a total amount not to exceed \$79,953.20 is hereby authorized.

BE IT FURTHER RESOLVED, that the within Resolution shall be subject to the Borough Chief Financial Officer confirming that funds are available for the stated purpose.

CERTIFICATION OF FUNDS

As required by N.J.A.C. 5:34-5.1 et. seq., and any other applicable requirement, I, Catherine D. LaPorta, Chief Financial Officer of the Borough of Oceanport, certify that there are sufficient funds available in Accounts #X-02- -472-001 and #X-02- -472-002, Mower, Etc./Capital, not to exceed \$79,953.20 for the stated purpose.

CATHERINE D. LAPORTA, CFO

Motion:		Second:			
ROLL CALL	YES	NO	ABSTAIN	ABSENT	
Briskey	()	()	()	()	
Cooper	()	()	()	()	
Gallo	()	()	()	()	
Irace	()	()	()	()	
Kahle	()	()	()	()	
Patti	()	()	()	()	
Coffey	()	()	()	()	

I certify this to be a true copy of Resolution #2016-164 approved by the Oceanport Borough Council at the Regular Meeting held August 18, 2016

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING PURCHASE OF LIQUID SPRING SUSPENSION
FOR THE OCEANPORT FIRST AID SQUAD AMBULANCE**

**Resolution #2016-165
08-18-16**

WHEREAS, the Oceanport First Aid Squad desires to replace the existing air ride suspension with a liquid spring suspension system and funds have been appropriated in the 2016 Capital Budget for the purchase of said equipment for use by the First Aid Squad; and

WHEREAS, N.J.S.A. 40A:11-3(a), allows for the award of a contract without the necessity of public advertising for bids where the municipality has a Qualified Purchasing Agent, and when the cost or price does not exceed \$40,000.00; and

WHEREAS, the Borough solicited quotes and received two responses; and

WHEREAS, New Jersey Emergency Vehicles (NJEV) has submitted a quote for the installation of new Liquid Spring suspension on one First Aid ambulance at a cost of \$11,890.00

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council that that the purchase and installation of a Liquid Spring suspension for First Aid ambulance for a total price of \$11,890.00 is hereby authorized.

BE IT FURTHER RESOLVED, that the within Resolution shall be subject to the Borough Chief Financial Officer confirming that funds are available for the stated purpose.

CERTIFICATION OF FUNDS

As required by N.J.A.C. 5:34-5.1 et. seq., and any other applicable requirement, I, Catherine D. LaPorta, Chief Financial Officer of the Borough of Oceanport, certify that there are sufficient uncommitted funds available in Account #X-02- -473-012, Air Rides/Capital Improvements, not to exceed \$11,890.00 for the stated purpose.

CATHERINE D. LAPORTA, CFO

Motion:		Second:		
ROLL CALL	YES	NO	ABSTAIN	ABSENT
Briskey	()	()	()	()
Cooper	()	()	()	()
Gallo	()	()	()	()
Irace	()	()	()	()
Kahle	()	()	()	()
Patti	()	()	()	()
Coffey	()	()	()	()

I certify this to be a true copy of Resolution #2016-165 approved by the Oceanport Borough Council at the Regular Meeting held August 18, 2016

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
CERTIFICATION OF THE ANNUAL AUDIT**

**Resolution #2016-166
08-18-16**

WHEREAS, N.J.S.A. 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year CY2015 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the Governing Body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the annual audit entitled "General Comments", "Recommendations", "Auditors' Opinion" and;

WHEREAS, the members of the Governing Body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "General Comments", "Recommendations", "Auditors' Opinion" 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 received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgation 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 provisions of this 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 the resolution and the required affidavit to said Board to show evidence of said compliance.

Motion:

Second:

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Briskey	()	()	()	()
Cooper	()	()	()	()
Gallo	()	()	()	()
Irace	()	()	()	()
Kahle	()	()	()	()
Patti	()	()	()	()
Coffey	()	()	()	()

I certify this to be a true copy of Resolution #2016-166 approved by the Oceanport Borough Council at the Regular Meeting held August 18, 2016.

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AWARDING A CONTRACT FOR THE
E. MAIN STREET STREETScape PHASE III IMPROVEMENTS**

**Resolution #2016-167
08-18-16**

WHEREAS, the Borough of Oceanport advertised for bids for the E. Main Street Streetscape Phase III improvements;
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 three (3) bids; and

WHEREAS, the lowest responsible, responsive bid for the base bid was submitted by S. Batata Construction, 238 Ernston Road, Suite 1R, Parlin, NJ 08859 hereinafter referred to as "Contractor" in the sum of Three Hundred Forty thousand One hundred six dollars and zero cents (\$340,106.00); and

WHEREAS, the lowest responsive and responsible bid submitted by S. Batata Construction of Parlin,, New Jersey hereinafter referred to as "Contractor" was as follows:

Base Bid	\$340,106.0	Add Alternate #1 \$	21,500.00
		Add Alternate #2 \$	21,500.00

WHEREAS, the recommendation is to award for base bid only for a contract total in the sum of Three Hundred Forty thousand One hundred six dollars and zero cents (\$340,106.00); and

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

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 E. Main Street Streetscape Phase III Improvements to S. Batata Construction, 238 Ernston Road, Suite 1R, Parlin, NJ 08859 subject to the conditions set forth herein.
2. That said Contract shall be in the total sum of Three Hundred Forty thousand One hundred six dollars and zero cents (\$340,106.00).
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.

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized to return the bid security to the remaining unsuccessful bidders, within three (3) days of signed Contracts and the approval of the Contractor's Performance Guarantees.

CERTIFICATION OF FUNDS

As required by N.J.A.C. 5:34-5.1 et. seq., and any other applicable requirement, I, Catherine D. LaPorta, Chief Financial Officer of the Borough of Oceanport, certify that there are sufficient uncommitted funds available in Account #X-02- -469-249, Phase 3 East Main Street Streetscape Improvements in the amount of \$328,403.30 and balance available in Account #X-02- -450-249 in the amount of \$11,702.70, not to exceed a total of \$364,457.71 for the stated purpose.

CATHERINE D. LAPORTA, CFO

I certify this to be a true copy of Resolution #2016-167 approved by the
Oceanport Borough Council at the Regular Meeting held August 18, 2016

Motion:		Second:		
ROLL CALL	YES	NO	ABSTAIN	ABSENT
Briskey	()	()	()	()
Cooper	()	()	()	()
Gallo	()	()	()	()
Irace	()	()	()	()
Kahle	()	()	()	()
Patti	()	()	()	()
Coffey	()	()	()	()

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTING SPENCER CARPENTER TO PARKS AND RECREATION COMMITTEE**

**Resolution #2016-168
08-18-16**

WHEREAS, there is a vacancy on the Parks and Recreation Committee; and

WHEREAS, the Parks and Recreation Committee has recommended that Spencer Carpenter be appointed to fill the vacancy; and

WHEREAS, Spencer has met the requirements to be appointed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor of the Borough of Oceanport with the advice and consent of Council that Spencer Carpenter is hereby appointed to fill the vacancy on the Parks and Recreation Committee with an unexpired term ending 12/31/2017.

Motion:

Second:

I certify this to be a true copy of Resolution #2016-168 approved by the Oceanport Borough Council at the Regular Meeting held August 18, 2016

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Briskey	()	()	()	()
Cooper	()	()	()	()
Gallo	()	()	()	()
Irace	()	()	()	()
Kahle	()	()	()	()
Patti	()	()	()	()
Coffey	()	()	()	()

JEANNE SMITH, RMC
BOROUGH CLERK

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

**Resolution #2016-169
08-18-16**

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

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

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

Litigation, Negotiations and the Attorney Client Privilege N.J.S.A. 10:4-12(b)(7)
CATEL, Inc.

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

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

Motion:

Second:

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Briskey	()	()	()	()
Cooper	()	()	()	()
Gallo	()	()	()	()
Irace	()	()	()	()
Kahle	()	()	()	()
Patti	()	()	()	()
Coffey	()	()	()	()

I certify this to be a true copy of Resolution #2016-169 approved by the Oceanport Borough Council at the Regular Meeting held August 18, 2016

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTMENT OF ARCHER & GREINER, P.C. AS ALTERNATE BOND COUNSEL**

**Resolution #2016-170
08-18-16**

WHEREAS, the Borough of Oceanport desires to appoint an Alternate for professional legal services to act as bond counsel; and

WHEREAS, the law firm of **Archer & Greiner, P.C., Riverview Plaza, 10 Highway 35, Red Bank, NJ 07701**, submitted a formal written response to the Borough's Request for Qualifications/Proposals for the aforesaid professional legal services to act as bond counsel; and

WHEREAS, the law firm of **Archer & Greiner, P.C.**, is ready, willing and able to provide said services; and

WHEREAS, funds are certified as available in Account #6-01-20-130-235; and

WHEREAS, the Local Public Contract Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, this professional services contract was determined under the Fair & Open Contracting Requirements pursuant to N.J.S.A. 19:44A:20.4 and .5

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute an agreement with the law firm of **Archer & Greiner, P.C., Riverview Plaza, 10 Highway 35, Red Bank, NJ 07701** to act as Alternate Bond Counsel for the period commencing **August 18, 2016** and ending **December 31, 2016**, in accordance with their Response to the Borough's Request for Qualifications for a maximum contract amount not to exceed \$5,000.00.

2. That the within Resolution shall be subject to the Borough CFO confirming that funds are available for the stated purpose.

3. A notice of this action shall be printed once in a newspaper of general circulation within the boundaries of the Borough of Oceanport.

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 that there will be sufficient uncommitted funds in Account #6-01-20-130-235 not to exceed \$5,000.00 for the above referenced professional services contract.

CATHERINE D. LAPORTA, CFO

Motion:	YES	NO	ABSTAIN	ABSENT
ROLL CALL				
Briskey	()	()	()	()
Cooper	()	()	()	()
Gallo	()	()	()	()
Irace	()	()	()	()
Kahle	()	()	()	()
Patti	()	()	()	()
Coffey	()	()	()	()

I certify this to be a true copy of Resolution #2016-170 approved by the Oceanport Borough Council at the Regular Meeting held August 18, 2016

JEANNE SMITH, RMC
BOROUGH CLERK