



BOROUGH OF OCEANPORT

MAYOR & COUNCIL

AGENDA • JULY 26, 2022

Workshop

Clement V. Sommers Municipal Building

7:00 PM

910 Oceanport Way, Oceanport, NJ 07757

I. Meeting Called to Order

II. Statement of Compliance with Open Public Meetings Act:

This meeting complies with the Open Public Meetings Act by adequate and electronic notification on January 5, 2022 of this meeting and its location, date and time to the Asbury Park Press and Two River Times and by the posting of same on the municipal bulletin board and Borough's Web Site.

III. Flag Salute

IV. Roll Call

V. Administrator's Report

VI. Clerk's Report

Regular Meeting Items

1. Resolution promoting Gary Grimes to Sergeant in the Oceanport Police Department
2. Resolution confirming appointments of SLEO II to the Police Department
3. Resolution accepting resignation of John Johnson
4. Resolution confirming Mayor's appointment of Acting Construction Official
5. Resolution confirming Mayor's appointment of Zoning Officer
6. Resolution confirming Mayor's appointment of an Administrative Assistant to the Zoning Officer
7. Resolution amending 2022 Salary Resolution
8. Resolution supporting proposed increase in Veteran's property tax deduction
9. Resolution opposing legislation that preempts local land use & zoning on certain development types
10. Resolution authorizing Request for Proposals process for Assessment Demonstration Program services
11. Resolution authorizing payment of BILL LIST 06-16-2022
12. Resolution rescinding estimated 3rd quarter tax bills
13. Resolution approving Tax Exemption for Edward Shirey
14. Resolution approving Tax Exemption for Robert McCorry
15. Resolution authorizing a fireworks display at 2022 Summer's End
16. Resolution authorizing the purchase of flooring for the Old Wharf House
17. Resolution authorizing an Interlocal Agreement with OPBOE for ground maintenance and snow plowing
18. Resolution declaring August 31st is Overdose Awareness Day
19. Resolution approving Special Event Permit for Hook & Ladder Fire Co for Memorial Service
20. Resolution authorizing grant application for Firefighter Equipment
21. Resolution awarding contract for CR29A(Myrtle Ave) Improvements
22. Receipt & Acceptance of Minutes, Historical Committee, 05/10/22
23. Approval of Fire Membership Application, Briskey, Daniel S.
24. Approval of First Aid Membership Application: Donohoe, John A.

- 25. Approval of First Aid Membership Application: Kokolus, Caroline
- 26. Minutes of June 2, 2022 7:00 PM - *To Be Provided*
- 27. Regular Meeting Minutes, June 16, 2022

VII. Discussion Items

- 1. Resolution supporting budget cap relief
- 2. ***Grant Award for Old Wharf House Parking Lot Improvements***
 - 1. Resolution authorizing Old Wharf House Project Agreement with Monmouth County
 - 2. Resolution prohibiting the use of excessive force or use of federal funds for lobbying
- 3. ***Area in Need of Redevelopment- "Warehouse" and District "A" Parcels***
 - 1. Resolution designating the Warehouse and District A Parcels as Areas in Need of Redevelopment
 - 2. Ordinance Adopting a Redevelopment Plan for "Warehouse" and "District A" Parcels
- 4. ***Maria Gatta Park Improvements Phase II - Turf Fields***
 - 1. An Ordinance Amending Ord. 1054 to increase the authorization of bonds or notes
 - 2. Review of Facility Use Fees Ordinance: Maria Gatta Park Turf Fields
- 5. ***Comcast Franchise Agreement***
 - 1. An Ordinance Renewing Municipal Consent and Franchise Agreement with Comcast - *To Be Provided*
- 6. ***Land Development Ordinance Waiver Requests***
 - 1. Resolution authorizing a limited temporary waiver of Chapter 390 for the Marina at Oceanport
 - 2. Resolution requesting waiver of 390-17(F) - 39 Wardell Circle

VIII. Mayor's Report

IX. Petitions from the Public

X. Adjournment

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE PROMOTION OF GARY GRIMES TO RANK OF SERGEANT IN THE
OCEANPORT POLICE DEPARTMENT**

Resolution

WHEREAS, there is a vacancy for the position of Sergeant in the Oceanport Police Department due to a retirement;
and

WHEREAS, after the completion of the agreed upon process and protocol for promoting within the Police Department, Chief Michael Kelly has recommended the promotion of Gary Grimes to the rank of Sergeant; and

WHEREAS, the Governing Body of the Borough of Oceanport has determined that it is in the best interest of the Borough to promote the following individual in the Oceanport Police Department, which shall be effective as of July 21, 2022,

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

Gary Grimes is hereby promoted to the rank of SERGEANT at an annual salary in accordance with the current P.B.A. contract.

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are authorized to sign any and all documents necessary to effectuate the intentions of this Resolution.

BE IT FURTHER RESOLVED, that a certified true copy of the within Resolution be furnished to the Chief of Police, the Borough Administrator, the Chief Financial Officer, the Borough Attorney, and the Oceanport PBA Representative.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
CONFIRMING MAYOR'S APPOINTMENTS OF SPECIAL LAW ENFORCEMENT OFFICER II
VACANCIES IN THE OCEANPORT POLICE DEPARTMENT**

Resolution

WHEREAS, Police Chief Michael Kelly has recommended the filling of two vacancies for the Class II Special Law Enforcement Officer position by correspondence dated June 23, 2022; and

WHEREAS, Mayor Coffey, having considered the Chief's recommendation, believes it to be in the best interest of the Borough recommends the appointments of Connor J. Rogers and George N. Peacock IV as Class II Special Law Enforcement Officers to the Oceanport Police Department; and

WHEREAS, the Borough Council having considered same, believe it in the best interest of the Borough to confirm the appointments,

NOW, THEREFORE, BE IT RESOLVED, that Mayor Coffey's appointments of Connor J. Rogers and George N. Peacock IV as Class II Special Law Enforcement Officer are hereby confirmed at an hourly rate in accordance with the salary ordinance effective July 8, 2022.

BE IT FURTHER RESOLVED, that a certified true copy of the within Resolution be furnished to the Chief of Police of the Borough of Oceanport, the Borough Administrator, the Chief Financial Officer, the Borough Attorney, and the Oceanport PBA Representative.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
ACCEPTING RESIGNATION OF JOHN JOHNSON**

Resolution

WHEREAS, the Mayor and Council of the Borough of Oceanport, received notice that John Johnson has resigned his positions with the Borough of Oceanport effective July 13, 2022 .

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that the resignation of John Johnson from the positions of Construction Official and Zoning Officer and associated duties is hereby accepted.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the following: Borough Administrator, Borough Clerk and Borough Attorney.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
CONFIRMING THE MAYOR'S APPOINTMENT OF ACTING CONSTRUCTION OFFICIAL**

Resolution

WHEREAS, due to a resignation, there is a need to appoint a Construction Official as required by N.J.S.A. 52:27D-126 et. seq.; and

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

WHEREAS, Django Wiegers has the required certification from the State of New Jersey to hold the position of Acting Construction Official and has served in such a capacity for the Borough previously; and

WHEREAS, Mayor Coffey appointed Django Wiegers to serve as Acting Construction Official effective July 14, 2022 through September 11, 2022 and directed the Clerk to advertise that the Borough is seeking applications for the position; and

WHEREAS, the Borough Council having considered same, believes it to be in the best interest of the Borough to confirm the appointment,

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council that Mayor Coffey's appointment of Django Wiegers as Acting Construction Official for a period not to exceed 60 days in accordance with N.J.A.C. 5:23-4.4(a)6 is hereby confirmed effective July 14, 2022.

BE IT FURTHER RESOLVED that compensation for Acting Construction Official shall be in accordance with the Borough's salary ordinance.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be forwarded to the Department of Community Affairs, Django Wiegers, the Borough Administrator, the Chief Financial Officer and the Payroll Clerk.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
CONFIRMING THE MAYOR'S APPOINTMENT OF ZONING OFFICER**

Resolution

WHEREAS, the Borough of Oceanport has need for a Zoning Officer due to a vacancy in the position effective July 14, 2022; and

WHEREAS, pursuant to N.J.S.A. 40:55D-3, the Municipal Land Use Law defines the Administrative Officer as the clerk of the municipality, unless a different municipal official or officials are designated by ordinance or statute; and

WHEREAS, the Mayor has appointed Jeanne Smith, Borough Clerk and Planning/Zoning Board Secretary to serve as acting Zoning Officer; and

WHEREAS, the Borough Council having considered same, believe it to be in the best interest of the Borough to confirm the appointment,

NOW, THEREFORE, BE IT RESOLVED, that Mayor Coffey's appointment of Jeanne Smith as acting Zoning Officer is hereby confirmed effective July 14, 2022 with compensation in accordance with the salary ordinance.

BE IT FURTHER RESOLVED, that a certified true copy of the within Resolution be furnished to the Borough Administrator, the Chief Financial Officer, and the payroll clerk.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING AND RATIFYING THE APPOINTMENT OF CAROLYN ECKART AS
ADMINISTRATIVE ASSISTANT ASSIGNED TO THE ZONING OFFICER**

Resolution

WHEREAS, there is a need for an administrative assistant to assist the Zoning Officer with the processing of zoning applications and to handle the day to day demands; and

WHEREAS, the Zoning Officer has recommended that the position be filled by Carolyn Eckart who has experience in zoning, construction, the Borough's SDL software system and has expressed an interest in the position; and

WHEREAS, the Mayor has appointed Carolyn Eckart as an Administrative Assistant assigned to the Zoning Officer in addition to her current duties; and

WHEREAS, the Borough Council having considered same, believe it to be in the best interest of the Borough to confirm the appointment,

NOW, THEREFORE, BE IT RESOLVED, that Mayor Coffey's appointment of Carolyn Eckart as Administrative Assistant assigned to the Zoning Officer is hereby confirmed effective July 14, 2022 with compensation in accordance with the salary ordinance.

BE IT FURTHER RESOLVED, that a certified true copy of the within Resolution be furnished to the Borough Administrator, the Chief Financial Officer, and the payroll clerk.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
FIXING THE COMPENSATION OF CERTAIN OFFICIALS AND EMPLOYEES OF THE
BOROUGH OF OCEANPORT FOR 2022**

Resolution

WHEREAS, pursuant to N.J.S.A. 40A:9-165, the Borough must set salaries for non-contractual officers and employees, statutory employees and elected officials not directly subject to duly adopted collective bargaining agreements by separate ordinance; and

WHEREAS, the Mayor and Council of the Borough of Oceanport adopted an Ordinance entitled "An Ordinance to Fix and Determine the Salaries of Certain Borough Officials" passed and approved on March 16, 1939, and as subsequently amended; and

WHEREAS, said Ordinance provides certain salary ranges for the positions set forth; and

WHEREAS, the Finance and Administration Committee has made recommendations for the specific salaries for current employees for the calendar year 2022; and

WHEREAS, adjustments were needed to address minimum wage requirements for the Library Aide position, salary for elected official(s) serving prior to 2006, and new appointments based on position vacancies,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oceanport hereby authorizes the Borough Administrator to implement the following position and salary amendments as noted by cross-outs and underlines for the calendar year 2022 as appropriate.

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Oceanport, County of Monmouth, State of New Jersey that the Borough Clerk is hereby directed to forward a copy of this Resolution to the Chief Financial Officer, Borough Administrator and Payroll Clerk.

SECTION 1. Administration & Finance		2022
Borough Administrator	Donna Phelps	\$ 86,806.94

SECTION 2. Statutory Employees (N.J.S.A. 40A:9-165)		
Chief Financial Officer	Catherine LaPorta	\$ 82,600.00
Tax Assessor	John Butow	\$ 31,600.00
Tax Collector	Jason Sutton	\$ 44,935.00
Borough Clerk	Jeanne Smith	\$ 82,600.00

SECTION 3. Department of Public Works		
Superintendent	Steven Briskey	\$ 52,000.00
Assistant Foreman	Richard Arlt	\$ 52,500.00
Assistant Foreman	Jorge Segura	\$ 52,500.00
Laborer 1	Michael Natale	\$ 42,500.00
Laborer 1	Juan Merino	\$ 42,500.00
Laborer 1	Brian Trivett	\$ 35,000.00
Labor – Hourly	Milton Zarate	\$ 25.00/hr
Labor – Hourly	Wes Sherman	\$ 25.00/hr
Labor – Hourly	John Carroll	\$ 25.00/hr
Labor – Seasonal	Kyle Crochet	\$ 20.00/hr

Labor – Seasonal	Tyler Poyner	\$ 19.00/hr
Labor – Seasonal	Demetrio Zarate	\$ 25.00/hr
SECTION 4. Municipal Court		
Municipal Court Judge	John Patti	\$ 20,074.11
Municipal Prosecutor	James Butler	\$ 13,021.04
Court Administrator	Carol Smith	\$ 78,521.11
Deputy Court Administrator	Patricia White	\$ 75.00/call out
Administrative Assistant	Aiden Smallize	\$ 18.00/hr
Public Defender	David Gardener	\$200.00/Defendant
Public Defender	Robert Holden	\$200.00/Defendant
SECTION 5. Recreation and Education.		
Recreation Coordinator	Joanne Hunt	\$ 14,343.86
Library Aide	Arlene Welch	\$ 12.00/hr <u>\$ 13.00/hr</u>
SECTION 6. Planning & Development		
Planning Board Secretary	Jeanne Smith	\$ 17,464.48
Construction Official	<u>Django Wiegers</u>	\$ 15,000.00
Building Sub Code Official	Django Wiegers	\$ 20,425.00
Electrical Sub Code Official	James McCormick	\$ 14,843.87
Fire Sub Code	Django Wiegers	\$ 7,659.38
Plumbing Sub Code Official	John Palmer	\$ 14,843.87
Technical Assistant to Construction Official	Peggy Herchakowski	\$ 50,000.00
Technical Assistant to Construction Official	Carolyn Eckart	\$ 68,423.75
Fire Official	Timothy Griffin	\$ 25,000.00
Housing Inspector	Timothy Griffin	\$ 8,000.00
Code Enforcement Officer	Timothy Griffin	\$ 10,000.00
Zoning Officer	<u>Jeanne Smith</u>	\$ 13,457.21 <u>6,725.00</u>
SECTION 7. Board of Health		
Registrar	Jason Sutton	\$ 1,898.90
Deputy Registrar	Catherine LaPorta	\$ 542.33
Secretary	Jason Sutton	\$ 580.52
SECTION 8. Emergency Management		
Emergency Management Coordinator	Mauro Baldanza	\$ 6,000.00
SECTION 9. Clerical		
Administrative Assistant, Clerk's office	Kim Parent	\$ 20.92/hr
Administrative Assistant, Clerk's office	Kelle Burrough	\$ 18.38/hr
Administrative Assistant, Construction	Jessica Fornarotto	\$ 37,188.09
Administrative Assistant, Finance	Renee Dalton	\$ 18.38/hr
<u>Administrative Assistant, Zoning</u>	<u>Carolyn Eckart</u>	<u>\$ 6,725.00</u>
SECTION 10. Public Safety		
Chief of Police, Contractual	Michael Kelly	\$151,534.04
Administrative Assistant, PD Records Clerk	Cristi Mazzaella-Malone	\$ 51,970.36
Class II Special Law Enforcement Officer	George N. Peacock	\$ 17.50/hr
Class II Special Law Enforcement Officer	Connor J. Rogers	\$ 17.50/hr
Class I Special Law Enforcement Officer	Thomas Pullaro	\$ 15.00/hr

School Crossing Guards, each (8)	\$ 9,700.00
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SECTION 12. Fire Prevention Bureau
Fire Official

Timothy Griffin	\$ 25,000.00
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SECTION 13. Elected Officials

Mayor	\$ 0.00
Councilpersons Elected Post 2006 (5)	\$ 0.00
Councilpersons Elected Pre-2006 (1)	\$ 0.00 <u>\$1,500.00</u>

**RESOLUTION OF THE BOROUGH OF OCEANPORT
COUNTY OF MONMOUTH, STATE OF NEW JERSEY
SUPPORTING ASSEMBLY CONCURRENT RESOLUTION NO. 31 INCREASING THE
PROPERTY TAX DEDUCTION FOR VETERANS TO \$1,000.00 AND BASE FUTURE
DEDUCTIONS ON ANNUAL CONSUMER PRICE INDEX INCREASES**

Resolution

WHEREAS, Monmouth County is home to a veteran population in the State of New Jersey with over 40,000 Veterans; and

WHEREAS, New Jersey residents suffer from the highest property taxes in the Country; and

WHEREAS, the Constitution of the State of New Jersey, adopted in 1947, provides a property tax deduction to Veterans who were honorably discharged or released under honorable circumstances from active service in time of war; and

WHEREAS, the Constitution was amended in 1999 to provide eligible honorably discharged United State Armed Forces Veterans with a fixed \$250.00 property tax deduction; and

WHEREAS, the Veterans property tax deduction has not increased since 2003; and

WHEREAS, Assemblyman Ronald S. Dancer has introduced Assembly Concurrent Resolution No. 31 proposing a constitutional amendment to increase the Veterans property tax deduction; and

WHEREAS, the proposed constitutional amendment would increase the fixed annual property tax deduction for New Jersey Veterans from \$250.00 to \$1,000.00 with future deductions to be based on the annual Consumer Price Index increase, and rounded to the next highest multiple of \$1.00; and

WHEREAS, the Borough of Oceanport supports the efforts of Assemblyman Dancer and urges the New Jersey Legislature to increase the annual property tax deduction for New Jersey veterans.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Oceanport, County of Monmouth, State of New Jersey, that we hereby support Assembly Concurrent Resolution No. 31, which would increase the property tax deduction for Veterans to \$1,000.00 and base future deductions on annual Consumer Price Index increases.

BE IT FURTHER RESOLVED that the Borough Clerk shall forward a certified true copy of this resolution to the Governor of the State of New Jersey; Lieutenant Governor of the State of New Jersey; the President of the New Jersey State Senate; the Speaker of General Assembly; the New Jersey State Legislature; the members of the Monmouth County Legislative Delegation; New Jersey League of Municipalities and the Monmouth County Board of Commissioners.

Agenda Item# 13

Monmouth County Board of County Commissioners

Meeting Venue:

Date: Jun 21, 2022 - 2:00 PM

Location: Hall of Records
 Commissioner's Meeting Room
 1 East Main Street
 Freehold, NJ 07728

Agenda: Resolution supporting assembly concurrent resolution no. 31 increasing the property tax deduction for veterans to \$1,000.00 and base future deductions on annual consumer price index increases

Official Document #	Res# 2022-0440						
Meeting Date	06/21/2022						
Introduced Date	06/21/2022						
Adopted Date	06/21/2022						
Agenda Item	13						
COUNTY COMMISSIONER	PRES.	ABS.	MOVE	SEC	AYE	NAY	ABST.
Licitra	<				<		
DiRocco	<			<	<		
Burry		<					
Kiley	<		<		<		
Arnone	<				<		

CERTIFICATION
 I HEREBY CERTIFY THE ABOVE TO BE A TRUE
 COPY OF A RESOLUTION ADOPTED BY THE
 BOARD OF COUNTY COMMISSIONERS OF THE
 COUNTY OF MONMOUTH AT A MEETING HELD

June 21, 2022

Jawara Brown
 CLERK OF THE BOARD

Agenda Item# 13

Administrator

RESOLUTION SUPPORTING ASSEMBLY CONCURRENT RESOLUTION NO. 31
INCREASING THE PROPERTY TAX DEDUCTION FOR VETERANS TO
\$1,000.00 AND BASE FUTURE DEDUCTIONS ON ANNUAL CONSUMER PRICE
INDEX INCREASES

WHEREAS, Monmouth County is home to a veteran population in
the State of New Jersey with over 40,000 Veterans; and

WHEREAS, New Jersey residents suffer from the highest
property taxes in the Country; and

WHEREAS, the Constitution of the State of New Jersey,
adopted in 1947, provides a property tax deduction to Veterans
who were honorably discharged or released under honorable
circumstances from active service in time of war; and

WHEREAS, the Constitution was amended in 1999 to provide
eligible honorably discharged United State Armed Forces Veterans
with a fixed \$250.00 property tax deduction; and

WHEREAS, the Veterans property tax deduction has not
increased since 2003; and

WHEREAS, Assemblyman Ronald S. Dancer has introduced
Assembly Concurrent Resolution No. 31 proposing a constitutional
amendment to increase the Veterans property tax deduction; and

Introduced on: June 21, 2022
Adopted on: June 21, 2022
Official Resolution#: 2022-0440

Agenda Item# 13

WHEREAS, the proposed constitutional amendment would increase the fixed annual property tax deduction for New Jersey Veterans from \$250.00 to \$1,000.00 with future deductions to be based on the annual Consumer Price Index increase, and rounded to the next highest multiple of \$1.00; and

WHEREAS, the Monmouth County Board of County Commissioners supports the efforts of Assemblyman Dancer and urges the New Jersey Legislature to increase the annual property tax deduction for New Jersey veterans.

NOW, THEREFORE, BE IT RESOLVED by the Monmouth County Board of County Commissioners, State of New Jersey, that we hereby support Assembly Concurrent Resolution No. 31, which would increase the property tax deduction for Veterans to \$1,000.00 and base future deductions on annual Consumer Price Index increases.

BE IT FURTHER RESOLVED that the Clerk of the Board shall forward a certified true copy of this resolution to the Governor of the State of New Jersey; Lieutenant Governor of the State of New Jersey; the President of the New Jersey State Senate; the Speaker of General Assembly; the New Jersey State Legislature; the members of the Monmouth County Legislative Delegation; New Jersey League of Municipalities; all County Boards of County Commissioners and the Mayor and Council of all towns within the County of Monmouth.

Introduced on: June 21, 2022
Adopted on: June 21, 2022
Official Resolution#: 2022-0440

**RESOLUTION OF THE BOROUGH OF OCEANPORT
COUNTY OF MONMOUTH, STATE OF NEW JERSEY
OPPOSING A-1294 / S-2103 AND URGING THAT SUCH LEGISLATION NOT ADVANCE
FURTHER**

Resolution

WHEREAS, local officials, because of their peculiar knowledge of local conditions, are in the best position to determine land use and zoning regulations; and

WHEREAS, this peculiar knowledge is used to develop a Municipal Master Plan, which is adopted with the goal of promoting the health, safety, and welfare of the public, and only after careful and thoughtful consideration by local officials for its compatibility and consistency with other state, county and regional plans, such as the State Development and Redevelopment Plan, the Coastal Area Facility Review Act, the Highlands Water Protection and Planning Act, the Pinelands Protection Act, the County Solid Waste Management Plan and Water Quality Management Plan; and

WHEREAS, the Municipal Master Plan guides the determination to designate land use and zoning districts, which help effectuate the careful development plans and goals outlined within the Master Plan; and

WHEREAS, the Municipal Land Use Law lays out a comprehensive system allowing for and detailing the process in which applicants for development may seek to deviate from these careful and deliberate land use and zoning regulations through the municipal planning board's review of a variance; and

WHEREAS, consideration of a land use variance is done by local officials, taking into account the variety of circumstances including the proposed deviation's impacts on the goals of the Master Plan; and

WHEREAS, the Local Redevelopment and Housing Law provides municipalities with substantial tools to support the redevelopment of blighted sites, including the creation of site-specific redevelopment plans and numerous financial incentives; and

WHEREAS, legislation, A-1294/S-2103, has been introduced that would preempt local control over land use and zoning regulations, allowing certain qualifying office park and retail center properties to be permitted, as of right, to redevelop as a mixed-use development, not requiring a use variance; and

WHEREAS, A-1294/S-2103 requires a planning board approve an application for development to convert an eligible property to a mixed-used development unless the application causes "substantial detriment to the public good" and "substantially impair[s] the intent and purposes of the zone plan and zoning ordinance", a vague standard that may be difficult if not impossible to overcome; and

WHEREAS, A-1294/S-2103 may interfere with municipalities implementing alternative visions for the redevelopment of office park and retail center properties, including as industrial sites, parkland, or sites for needed infrastructure; and

WHEREAS, A-1294/S-2103 would interfere with existing and potential Redevelopment Plans that were specifically developed to address office park and retail center properties; and

WHEREAS, A-1294/S-2103 does not take into account conditions such as flooding and future climate risk that may impact the suitability of a site for mixed-use development; and

WHEREAS, this top-down approach, eliminating local land use planning regulations undermines the recognized benefits of municipal land use regulation, without providing the appropriate review for deviation as outlined within the Municipal Land Use Law.

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Oceanport in the County of Monmouth opposes this legislation, and urges our representatives to not advance further A-1294/S-2103; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to Senator Declan J. O'Scanlon Jr., Assemblywoman Flynn, Assemblyman Scharfenberger, Senate President Scutari, Assembly Speaker Coughlin, Governor Murphy, and the League of Municipalities.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE PURCHASING AGENT TO USE COMPETITIVE CONTRACTING
(REQUEST FOR PROPOSALS) FOR REAL PROPERTY DATA COLLECTION AND
VERIFICATION SERVICES IN ACCORDANCE WITH THE ASSESSMENT DEMONSTRATION
PROGRAM**

Resolution

WHEREAS, the Borough of Oceanport is required pursuant with P.L. 2013, c.15 and P.L. 2017, c.306, to perform real property data collection and verification in accordance with the Assessment Demonstration Program; and,

WHEREAS, the Borough requires licensed appraisal services to conduct the real property data collection and verification services and estimates that the cost to perform said services will have an anticipated aggregate value in excess of the required bid threshold; and,

WHEREAS, the proposed contract is for "Professional Services", a service performed by a person in a recognized profession that is regulated by law, and may be awarded without competitive bidding in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11 et seq.; and,

WHEREAS, the Borough desires to pursue such services through a fair and open process;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Oceanport, County of Monmouth, and State of New Jersey that the use of competitive contracting (Requests for Proposals) for a professional service to perform real property data collection and verification in accordance with the Assessment Demonstration Program is authorized.

BE IT FURTHER RESOLVED, that the Borough Clerk is directed to advertise for RFPs in accordance with Borough Code Chapter 35-8(E) and pursuant to N.J.S.A. 19:44A-20.4, et. seq.

**RESOLUTION OF THE BOROUGH OF OCEANPORT AUTHORIZING PAYMENT OF BILL LIST
FOR JULY 21, 2022**

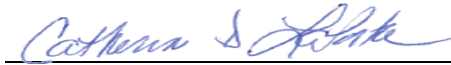
Resolution

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of July 21, 2022.

BE IT RESOLVED, by the Mayor and Council that the bills be paid as on the attached bill \$2,705,823.82.

CERTIFICATION OF FUNDS

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



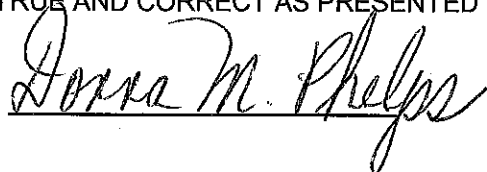
Catherine D. LaPorta, CFO

BOROUGH OF OCEANPORT BILL LIST

17-Jul-22

PAYEE	AMOUNT
PAYROLL ACCOUNT	\$137,809.92 13TH PAY
PAYROLL ACCOUNT	\$180,371.86 14TH PAY
PAYROLL ACCOUNT	\$320.76 DCRP
MANUAL CHECKS	
 GRANT FUND	 \$422.01
CAPITAL	\$150,000.75
DOG REGISTRY TOTAL	\$0.00
OPEN SPACE TRUST TOTAL	\$62,149.59
SUI	\$0.00
UCC TRUST	\$4,018.86
TRUST OTHER TOTAL	\$885.20
ESCROW TRUST TOTAL	\$15,267.63
NON BUDGETARY	\$836,144.80
2021 VOUCHERS PAID THIS MEETING	\$3,832.25
2022 VOUCHERS PAID THIS MEETING	\$1,314,600.19
TOTAL	\$2,705,823.82

I CERTIFY THAT THE ABOVE ITEMS ARE TRUE AND CORRECT AS PRESENTED



List of Bills - (All Funds)

6.11.b

Vendor	Description	Payment	Check Total
Current Fund			
1009 - ADP, INC	PO 11371 PAYROLL SERVICES - PERIOD ENDING -05/11	322.50	
	PO 11456 PAYROLL SERVICES - PERIOD ENDING 06/22/	74.20	396.70
1767 - ADT SECURITY CORPORATION	PO 11385 FIRE MONITORING - 06/30-07/29/22	62.50	62.50
1658 - AMAZON CAPITAL SERVICES, INC	PO 11277 PRINTER SUPPLIES	73.50	
	PO 11361 PD SUPPLIES	321.73	395.23
1016 - AMERICAN UNIFORM & SUPPLY	PO 11341 Uniforms for Chris Henry	242.97	242.97
1023 - ATLANTIC PRINTING&GRAPHICS LLC	PO 11332 2022 OCEANPORT NEWSLETTER - BULLETIN -	1,670.00	1,670.00
1029 - BEATRIZ C CRANEY	PO 11355 INTERPRETING - JUN 2022	100.00	100.00
1469 - BLAZE EMERGENCY, LLC	PO 11009 Annual Pump PMS	2,577.50	
	PO 11220 LADDER REPAIR	2,036.91	
	PO 11288 LADDER 3890 - TURNTABLE CONTROL WIRING R	386.25	5,000.66
1743 - BOB BARKER COMPANY, INC	PO 10631 disposable clothing for priosner process	445.30	445.30
1472 - BOROUGH OF EATONTOWN	PO 11200 BRUSH DISPOSAL - MAY 2022	57.00	57.00
1516 - CANON FINANCIAL SERVICES, INC	PO 11392 06/01-30/22 - PD COPIER SERVICE	57.00	57.00
1047 - CENTRAL JERSEY HEALTH INSURANC	PO 11511 HEALTH / DENTAL INSURANCE - JULY 22	74,906.00	74,906.00
1807 - COLLIERS ENGINEERING & DESIGN	PO 11380 GENERAL ENGINEERING - MAY 22	5,400.00	5,400.00
1446 - DIRECT ENERGY BUSINES	PO 11473 900 MURPHY - 05/18-06/16/22	0.99	
	PO 11491 433 MYRTLE AVE - 05/17-06/15/22	19.06	
	PO 11492 FAS UTILITIES - 05/17-06/15/22	24.91	
	PO 11493 21 MAIN STREET - 05/17-06/15/22	4.41	49.37
1453 - DONNA PHELPS	PO 11354 MEETINGS DUE TO COVID - 06/20-07/19/22	89.24	89.24
1827 - ERSI, INC	PO 11363 SPECIAL EVENTS SOLUTIONS SOFTWARE	2,884.00	2,884.00
1099 - EUROFINS QC INC	PO 11147 WATER TESTING - MAY 2022	487.50	487.50
1109 - FMERA	PO 11467 RT 537 - JUNE 2022	273.26	
	PO 11468 BUILDING 977 - JUNE 2022	2,290.68	
	PO 11469 BLDG 900 - JUNE 2022	458.06	
	PO 11470 BLDG 901 - JUNE 2022	2,097.90	5,119.90
1121 - GARY GRIMES	PO 11463 Uniform Reimbursement Grimes	156.80	156.80
1457 - GFOA	PO 11465 July 15 - meeting	25.00	25.00
1792 - GLENN MANNINO	PO 11507 Uniform reimbursement Mannino	121.14	121.14
1128 - GOODYEAR AUTO SERVICE CENTER	PO 11395 Replace damaged front passenger tire 389	153.00	153.00
1941 - GOTO TECHNOLOGIES USA, INC	PO 11372 Go-To-Webinar Services 6/21-7/20/22	199.00	199.00
1131 - GRAINGER (ACCT #831466131	PO 11134 AIR FILTERS	693.40	
	PO 11239 16x20x2 FILTERS	50.08	743.48
1506 - GRANICUS, LLC	PO 11474 AGENDA & MINUTE SOFTWARE - JULY 2022	415.00	415.00
1889 - GREAT AMERICA FINANCIAL SERVICES	PO 11390 JUNE 2022 - MONTHLY RENTAL	159.00	159.00
1136 - GROFF TRACTOR MID ATLANTIC	PO 11096 VEHICLE MAINTENANCE SUPPLIES	317.86	317.86
1143 - I.D.M. MEDICAL SUPPLY INC	PO 11388 FAS OXYGEN - JUNE 2022	251.39	251.39
1649 - INTRON TECHNOLOGY, LLC	PO 11370 IT MANAGED SERVICES; JUNE 2022	3,552.25	
	PO 11509 MANAGED PHONE SERVICE - JUNE 22	1,105.08	4,657.33
1144 - IPD	PO 11320 TAX APPEALS	50.00	
	PO 11356 PREVENTING FRAUD AND EMBEZZLEMENT	50.00	100.00
1153 - JERSEY CENTRAL POWER & LIGHT	PO 11378 05/03-06/01/22 - 200-000-957-015	608.62	
	PO 11379 05/04-06/02/22 - 200-000-956-009	892.96	
	PO 11478 MAIN & INTERSECTION - JULY 2022	43.34	1,544.92
1965 - JESSICA GRUSKOS	PO 11461 MARRIAGE LICENSE FEE REFUND	28.00	28.00
1529 - JOHN GUIRE SUPPLY LLC	PO 11137 LAND SCAPING SUPPLIES	303.52	
	PO 11359 DPW SUPPLIES	146.98	450.50
1499 - KEVIN E KENNEDY, ESQ	PO 11500 PB Legal - General Services	345.00	
	PO 11501 PB - 2022 MEETINGS	500.00	845.00
1814 - LEAF	PO 11475 OEM COPIER	82.32	
	PO 11508 COPIERS - JULY 22	223.01	305.33
1206 - MICHAEL KELLY	PO 11278 HOTEL - CHIEFS' CONFERENCE	425.00	
	PO 11279 CHIEF'S CONFERENCE	385.00	810.00
1220 - MONMOUTH COUNTY PUBLIC WORKS	PO 10902 Preventative maintenance performed on En	415.37	
	PO 11153 FD GASOLINE - APR 2022	377.15	
	PO 11159 PD GASOLINE - APR 2022	2,424.35	
	PO 11160 FA GASOLINE- APR 2022	214.68	
	PO 11161 OEM GASOLINE - APR 2022	77.73	
	PO 11162 DPW- GASOLINE - APR 2022	3,001.85	

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List of Bills - (All Funds)

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Vendor	Description	Payment	Check Total
1220 - MONMOUTH COUNTY PUBLIC WORKS	PO 11265 FD GASOLINE - MAY 2022	593.35	7,104.48
	PO 11266 OEM GASOLINE - MAY 2022	176.84	
	PO 11267 DPW- GASOLINE - MAY 2022	2,815.71	
	PO 11268 PD GASOLINE - MAY 2022	2,919.29	
	PO 11269 FA GASOLINE - MAY 2022	405.73	6,317.57
1538 - MONMOUTH COUNTY TREASURER	PO 11246 BULK PICK UP - MAY	422.01	
	PO 11246 BULK PICK UP - MAY	1,300.29	1,722.30
	PO 11331 SHREWSBURY FLOOD WARNING SYS SERV 2022 -	1,500.00	1,500.00
1238 - MUNICIPAL CLERKS ASSOCIATION OF NEW JERS	PO 11482 2022-2023 Membership - Catherine LaPorta	75.00	
	PO 11487 2022-2023 Membership - Jeanne Smith	100.00	175.00
1245 - NJ AMERICAN WATER CO	PO 11321 CHARLES PARK - 05/12-06/09/22	28.29	
	PO 11322 BLACKBERRY BAY - 05/12-06/09/22	59.72	
	PO 11323 FIRE - 05/12-06/09/22	185.70	
	PO 11324 MUNICIPAL COMPLEX #1 - 05/12-06/09/22	182.24	
	PO 11325 MUNICIPAL COMPLEX #2 - 05/12-06/09/22	189.59	
	PO 11326 OLD WHARF- 05/12-06/09/22	52.37	
	PO 11327 PORT AU PECK FIRE HOUSE - 05/12-06/09/22	182.24	
	PO 11328 LIBRARY - 05/12-06/09/22	94.43	974.58
	PO 11329 OLD WHARF #2 - 05/12-07/09/22	20.94	
	PO 11349 OLD WHARF #1 - 05/12-06/09/22	557.04	577.98
	PO 11479 HYDRANT SERVICE - 05/24-06/22/22	7,453.44	7,453.44
	PO 11520 315 E. MAIN - 05/16-06/15/22	51.97	
1245 - NJ AMERICAN WATER CO	PO 11521 21 MAIN STREET - 05/16-06/15/22	49.41	
	PO 11522 433 MYRTLE AVE - 05/16-06/15/22	74.11	
	PO 11523 930 OCEANPORT WAY / PD - 05/17-06/16/22	484.72	
	PO 11524 920 OCEANPORT WAY / DPW - 05/17-06/16/22	43.65	
	PO 11525 910 OCEANPORT WAY / BORO HALL - 05/17-06	280.18	
	PO 11526 LIBRARY - 05/13-06/14/22	45.74	
	PO 11528 FAS UTILITIES - 05/16-06/15/22	83.99	1,113.77
	PO 11318 NJIB LOAN PAYMENT	1,096,773.71	1,096,773.71
	PO 11457 AFFORDABLE HOUSING - MAY 2022	247.00	247.00
	PO 11216 RECREATION SIGNS	270.00	270.00
	PO 11377 PAYROLL SERVICES - JUNE 22	1,231.60	1,231.60
	PO 11481 CLEANING SERVICES - JUNE 2022	2,450.00	2,450.00
1288 - PUBLIC EMPLOYEES RETIREMENT	PO 11516 RETRO PENSION PAYMENT	2,583.99	2,583.99
	PO 11458 WATER DELIVERY SERVICE - JUNE 2022	69.94	69.94
1452 - SCHWAAB	PO 10663 COURT SUPPLIES	39.75	39.75
1315 - SEABOARD WELDING SUPPLY, INC.	PO 11229 DPW OXYGEN - MAR, APR, MAY 2022	62.25	62.25
1323 - SHORE REGIONAL HIGH SCHOOL	PO 11460 JULY 2022 TAX REMITTANCE	836,116.80	836,116.80
1325 - SHREWSBURY AUTO PARTS	PO 11281 SHOP SUPPLIES	167.76	167.76
1326 - SIPS PAINT & HARDWARE	PO 11280 OLD WHARF HOUSE PROJECT	779.84	779.84
1331 - STATE OF NJ - DEPT OF LABOR	PO 11466 Drug Test Chris Henry	45.00	45.00
1334 - STAVOLA ASPHALT COMPANY, INC	PO 10968 HOT MIX	866.11	866.11
1335 - STORR TRACTOR COMPANY, INC	PO 11111 LAWN EQUIPMENT SUPPLIES	369.69	
	PO 11287 PARTS FOR TORO 4010 GROUNDSMASTER	2,491.73	2,861.42
	PO 11450 COLLECTION - JULY 2022	33,000.00	
1337 - SUBURBAN DISPOSAL	PO 11451 DISPOSAL FEE - JUNE 2022	21,981.52	54,981.52
	PO 11531 BACKGROUND CHECK - NEW EMPLOYEES	56.00	56.00
1345 - TEAM LIFE, INC	PO 10524 BUILDING SUPPLIES	280.00	280.00
1346 - THE ARNETTE LAW FIRM LLC	PO 11542 BOROUGH ATTORNEY - JUNE 2022	3,952.50	3,952.50
1348 - THE HOME DEPOT	PO 11527 DPW SUPPLIES	246.62	
	PO 11537 ASBURY AVE	15.74	
	PO 11550 DPW SUPPLIES	129.70	
	PO 11558 COMMUNITY CENTER	569.96	962.02
1580 - THE TWO RIVER TIMES	PO 11228 LEGAL NOTICES - Ordinances	9.61	
	PO 11391 Legal Notice - PB	62.00	71.61
1447 - TREASURER STATE OF NJ	PO 11462 MARRIAGE LICENSE FEES - 2ND QUARTER 2022	275.00	275.00
1358 - TREASURER: COUNTY OF MONMOUTH	PO 11477 SCAT 2ND QUARTER BILLING - 2022	2,015.00	2,015.00
1365 - TREASURER: STATE OF NJ/727GSPT	PO 11319 NJDEP, TRUST FUND MANAGEMENT	7,688.94	7,688.94
1387 - VERIZON	PO 11330 06/12-07/11/22 - 910 OCEANPORT WAY FIRE	106.82	
	PO 11337 LIBRARY PHONE - 06/07-07/06/22	258.55	
	PO 11338 OLD WHARF HOUSE FIRE MONITORING - 06/08-	88.29	
	PO 11389 06/13-07/12/22 - 910 OCEANPORT WAY INTER	139.00	

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List of Bills - (All Funds)

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Vendor	Description	Payment	Check Total
1388 - VERIZON WIRELESS	PO 11480 PD 732- 542-1410 - JULY 2022	286.40	879.06
	PO 11476 POLICE WIRELESS - 005/24-06/23/22	621.18	
	PO 11519 FIRE BUREAU - 07/02-08/01/22	28.66	649.84
1392 - W.B. MASON CO, INC	PO 11198 SUPPLIES FOR BLDG & TAX & ADM	98.68	
	PO 11258 RECREATION SUPPLIES	101.20	
	PO 11342 ACTION CAMP SUPPLIES	1,012.74	
	PO 11394 PD SUPPLIES	576.47	1,789.09
1397 - WITMER PUBLIC SAFETY GROUP INC	PO 10119 GLOVES	1,248.26	1,248.26
Capital Fund			
1807 - COLLIERS ENGINEERING & DESIGN	PO 11567 ENGINEERING 2021 ROAD PROGRAM	22,743.75	22,743.75
1852 - FOLEY, INC	PO 9196 BOROUGH HALL GENERATOR RESOLUTION #2021-	121,612.00	121,612.00
1943 - JOHNSON AND URBAN, LLC	PO 10789 HVAC - MUNICIPAL BUILDING	2,500.00	2,500.00
1195 - MASER CONSULTING, INC	PO 11566 MYRTLE AVE ENGINEERING	3,145.00	3,145.00
OPEN SPACE TRUST			
1658 - AMAZON CAPITAL SERVICES, INC	PO 11182 OLD WHARF HOUSE RENOVATION	1,621.60	1,621.60
1958 - DECKS & DOCKS LUMBER COMPANY, INC	PO 11248 BLACKBERRY BAY RAMP	239.15	239.15
1882 - FRENCH & PARRELLO ASSOCIATES	PO 11485 MARIA GATTA PARK - PHASE II	54,266.75	54,266.75
1129 - GOOSE CONTROL TECHNOLOGY	PO 11247 2022 SERVICES	1,250.00	1,250.00
1456 - JCW, Inc d/b/a Natural Green Lawn C	PO 11362 OCEANPORT PARKS - TURF MANAGEMENT	3,001.62	3,001.62
1310 - RYSER'S LANDSCAPE SUPPLY INC	PO 11238 MULCH	99.00	99.00
1326 - SIPS PAINT & HARDWARE	PO 10744 DPW SUPPLIES	45.87	45.87
1348 - THE HOME DEPOT	PO 11527 DPW SUPPLIES	1,245.09	1,245.09
1617 - UNITED SITE SERVICES	PO 11386 MARIA GATTA PARK - 06/08-07/05/22	342.50	342.50
1388 - VERIZON WIRELESS	PO 11518 BBB SECURITY MONITORING - 07/02-08/01/22	38.01	38.01
UCC Trust			
1814 - LEAF	PO 11508 COPIERS - JULY 22	223.00	223.00
1361 - TREASURER: STATE OF NJ	PO 11459 STATE TRAINING FEE - 2ND QUARTER 2022	3,713.31	3,713.31
1392 - W.B. MASON CO, INC	PO 11198 SUPPLIES FOR BLDG & TAX & ADM	82.55	82.55
OTHER TRUST			
1167 - KIRK, RENITA M	PO 11140 ACTION CAMP - TSHIRTS	569.00	569.00
1589 - LERTCH RECYCLING COMPANY, INC	PO 10983 CONCRETE RECYCLING	96.20	96.20
1284 - POWERHOUSE SIGNWORKS	PO 11216 RECREATION SIGNS	100.00	
	PO 11233 BANNERS	120.00	220.00
DEVELOPERS ESCROW TRUST			
1807 - COLLIERS ENGINEERING & DESIGN	PO 10937 PLOT PLAN - CATALOG #7764520001	125.00	
	PO 10954 PB Engineering - Galvao Investments	170.00	
	PO 11033 PB Engineering - Veltri	510.00	
	PO 11122 CO INSPECTION - CATALOG #7764520001	125.00	
	PO 11348 PB Engineering - MPCCII	85.00	
	PO 11352 PB Engineering - Dalton	340.00	
	PO 11353 PB Engineering - DeLuca	198.75	
	PO 11368 PB Engineering - Molino	170.00	1,723.75
1807 - COLLIERS ENGINEERING & DESIGN	PO 11369 PB Engineering - Verdi	170.00	
	PO 11381 PLOT PLAN REVIEW - CATALOG #7764520001	125.00	295.00
1807 - COLLIERS ENGINEERING & DESIGN	PO 11382 PLOT PLAN REVIEW - CATALOG #7764520001	125.00	
	PO 11384 PLOT PLAN REVIEW - CATALOG #7764520001	125.00	
	PO 11393 PB Engineering - FMBC	85.00	
	PO 11484 PB Engineering - NJCU	185.00	
	PO 11486 PB Engineering - 552 Caren Franzini Way	710.00	
	PO 11489 PB Engineering - MARTELLI	510.00	
	PO 11494 PB Engineering - Somerset-Pulte Lodging	4,802.50	
	PO 11495 Engineering - Oport Partners LLC - Phase	1,006.25	7,548.75
1807 - COLLIERS ENGINEERING & DESIGN	PO 11496 Engineering - West End-KB	595.00	
	PO 11502 PB Engineering - Galvao Investments	127.50	722.50
1807 - COLLIERS ENGINEERING & DESIGN	PO 11503 PB Engineering - FMBC	765.00	
	PO 11504 PB Engineering - Barker's Circle	212.50	
	PO 11505 PB Engineering - Oport Partners LLC - PH	1,237.50	2,215.00
1907 - KENT TENNENBAUM	PO 11536 RELEASE OF ESCROW	730.00	730.00

List of Bills - (All Funds)

6.11.b

Vendor	Description	Payment	Check Total
1499 - KEVIN E KENNEDY, ESQ	PO 11036 PB Legal - Galvao Investments	720.00	
	PO 11037 PB Legal - Veltri	270.00	
	PO 11042 PB Legal - DeLuca	375.00	
	PO 11483 PB Legal - Molino	75.00	
	PO 11497 PB Legal - Tennenbaum	105.00	
	PO 11498 PB Legal - Ranieri	345.00	
	PO 11499 PB Legal - 199 Comanche LLC	120.00	2,010.00
1580 - THE TWO RIVER TIMES	PO 10181 Legal Notices - PB	15.81	
	PO 11535 Legal Notice - PB	6.82	22.63
TOTAL			2,387,321.28

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-101-01-000-011	CASH OPERATING			0.00	2,154,577.24
01-192-08-100-003	FEES & PERMITS-OTHER			3.00	
01-201-20-100-200	ADMINISTRATIVE & EXECUTIVE OE	2,687.71			
01-201-20-120-200	MUNICIPAL CLERK OE	6,020.86			
01-201-20-130-200	FINANCIAL ADMINISTRATION OE	2,101.80			
01-201-20-145-200	COLLECTION OF TAXES OE	23.16			
01-201-20-155-200	LEGAL SERVICES OE	4,199.50			
01-201-20-165-200	BOROUGH ENGINEER OE	5,400.00			
01-201-21-180-200	PLANNING BOARD OE	907.00			
01-201-23-210-202	HEALTH	70,551.00			
01-201-23-210-203	DENTAL	4,355.00			
01-201-25-240-200	POLICE OE	3,397.59			
01-201-25-252-200	EMERGENCY MANAGEMENT OE	4,466.32			
01-201-25-255-200	FIRE HYDRANT SERVICE OE	7,453.44			
01-201-25-260-200	FIRST AID ORGANIZATION OE	360.29			
01-201-25-265-200	FIRE DEPARTMENT OE	20.00			
01-201-25-265-209	REPAIRS & MAINTENANCE	5,569.03			
01-201-25-265-400	FIRE BUREAU OE	28.66			
01-201-26-300-200	STREETS & ROADS OTHER EXPENSES	62.25			
01-201-26-300-271	REPAIRS	1,595.84			
01-201-26-300-272	TIRES	1,583.44			
01-201-26-300-273	SUPPLIES	618.26			
01-201-26-300-277	BITUMINOUS CONCRETE	995.81			
01-201-26-300-284	STREET SWEEPING	15.74			
01-201-26-305-200	SANITATION-TRASH REMOVAL OE	26,166.67			
01-201-26-306-200	RECYCLING OE	6,833.33			
01-201-26-310-200	PUBLIC BUILDINGS & GROUNDS OE	4,880.28			
01-201-26-310-252	REPAIRS & EQUIPMENT	309.12			
01-201-27-335-300	WATER WATCH COMMITTEE-OTHER	487.50			
01-201-28-371-200	PARKS AND PLAYGROUNDS OE	1,383.94			
01-201-30-410-200	NJEIT ADMIN FEES	9,397.50			
01-201-31-430-201	ELECTRICITY	5,755.64			
01-201-31-430-203	TELEPHONE/INTERNET	1,984.14			
01-201-31-430-204	WATER/SEWER	1,552.56			
01-201-31-430-205	NATURAL GAS	1,054.24			
01-201-31-430-207	STREET LIGHTING	909.18			
01-201-31-430-208	GASOLINE & OIL	12,986.68			
01-201-31-465-200	SANITATION DUMPING FEES	23,281.81			
01-201-43-490-200	MUNICIPAL COURT OE	139.75			
01-201-45-920-200	DEBT SERVICE OE	1,095,065.15			
01-203-25-265-200	(2021) FIRE DEPARTMENT OE		1,248.26		
01-203-36-471-200	(2021) P.E.R.S. OE		2,583.99		
01-206-55-000-046	REGIONAL SCHOOL TAX			836,116.80	
01-218-55-000-028	DUE STATE-MARRIAGE LICENSES			25.00	
TOTALS FOR	Current Fund	1,314,600.19	3,832.25	836,144.80	2,154,577.24

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ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
=====					
02-160-05-000-001	DUE TO/FROM CURRENT FUND			0.00	422.01
02-213-40-700-025	CLEAN COMMUNITIES			422.01	

TOTALS FOR	FEDERAL AND STATE GRANTS	0.00	0.00	422.01	422.01
=====					
04-101-01-100-011	CAPITAL CASH - TD			0.00	150,000.75
04-215-55-474-000	MUNICIPAL COMPLEX ORD #970			2,500.00	
04-215-55-988-A00	ROADS, DRAINAGE, TRAFFIC SIGNAL, BULKHEA			3,145.00	
04-215-55-992-A00	2021 ROAD PROGRAM - ORD #1038			22,743.75	
04-215-55-992-C00	2021 BUILDING EQUIPMENT			121,612.00	

TOTALS FOR	Capital Fund	0.00	0.00	150,000.75	150,000.75
=====					
06-101-01-100-011	OPEN SPACE CASH - TD			0.00	62,149.59
06-270-00-500-020	RESERVE FOR OPEN SPACE			62,149.59	

TOTALS FOR	OPEN SPACE TRUST	0.00	0.00	62,149.59	62,149.59
=====					
18-101-01-100-101	CASH UCC TRUST			0.00	4,018.86
18-270-55-600	RESERVE FOR UCC TRUST			4,018.86	

TOTALS FOR	UCC Trust	0.00	0.00	4,018.86	4,018.86
=====					
60-101-01-100-101	CASH-OTHER TRUST - TD			0.00	885.20
60-270-55-600-105	RES.FOR RECREATION			669.00	
60-270-55-600-136	RES FOR CENTENNIAL CELEBRATION			120.00	
60-270-55-600-206	RES FOR RECYCLING			96.20	

TOTALS FOR	OTHER TRUST	0.00	0.00	885.20	885.20
=====					
61-101-01-100-101	CASH-DEV.ESCROW/TD			0.00	15,267.63
61-270-55-600-205	RES.FOR DEV.ESCROW			15,267.63	

TOTALS FOR	DEVELOPERS ESCROW TRUST	0.00	0.00	15,267.63	15,267.63
=====					

Total to be paid from Fund 01 Current Fund	2,154,577.24
Total to be paid from Fund 02 FEDERAL AND STATE GRANTS	422.01
Total to be paid from Fund 04 Capital Fund	150,000.75
Total to be paid from Fund 06 OPEN SPACE TRUST	62,149.59
Total to be paid from Fund 18 UCC Trust	4,018.86
Total to be paid from Fund 60 OTHER TRUST	885.20
Total to be paid from Fund 61 DEVELOPERS ESCROW TRUST	15,267.63

	2,387,321.28

6.11.b

6.11.c

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

From 06/01/2022 to 07/31/2022 With a Line Amount > 10000.00

DATE	ENTRY #	PO#	CHECK #	ACCOUNT	VENDOR/EXPLANATION	DEBIT	CREDIT	ACCOUNT
6/23/2022	11318			01-201-45-930-213	BOND INTEREST	66,228.00		
				01-201-45-920-212	BOND PRINCIPAL	662,148.21		
				01-201-30-410-201	ADMINISTRATIVE FEE	9,397.50		
				01-201-45-920-212	BOND PRINCIPAL	359,000.00		
					NJIB ATTN: MICHELLE DEYO		1,096,773.71	01-101-01-000-011

JUNE SUMMARY BY ACCOUNT:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	PENDING CR
01-101-01-000-011	CASH OPERATING				1,096,773.71
01-201-30-410-201	NJEIT ADMIN FEES		9,397.50		
01-201-45-920-212	PAYMENT OF NJSEA PRINCIPAL		1,021,148.21		
01-201-45-930-213	INTEREST ON BONDS		66,228.00		
JUNE TOTALS (FOR RANGE):			1,096,773.71		1,096,773.71
			=====	=====	=====

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

6.11.c

From 06/01/2022 to 07/31/2022 With a Line Amount > 10000.00

DATE	ENTRY #	PO#	CHECK #	ACCOUNT	VENDOR/EXPLANATION	DEBIT	CREDIT	ACCOUNT
7/13/2022		11460		01-206-55-000-046	JULY 2022 TAX REMITTANCE SHORE REGIONAL HIGH SCHOOL	836,116.80	836,116.80	01-101-01-000-011
7/13/2022		11450		01-201-26-305-201 01-201-26-306-201	SOLID WASTE 07/22 RECYCLING 07/22 SUBURBAN DISPOSAL	26,166.67 6,833.33	33,000.00	01-101-01-000-011
7/13/2022		11451		01-201-31-465-201 01-201-31-465-201 01-201-31-465-201	DISPOSAL RECYCLING ENHANCEMENT ACT RECYCLING FEE SUBURBAN DISPOSAL	21,202.59 770.07 8.86	21,981.52	01-101-01-000-011
7/13/2022		11511		01-201-23-210-202 01-201-23-210-203	HEALTH DENTAL CENTRAL JERSEY HEALTH INSURANC	70,551.00 4,355.00	74,906.00	01-101-01-000-011
7/13/2022		11485		06-270-00-500-020	IMPROVEMENTS TO MARIA GATTA PARK FRENCH & PARRELLO ASSOCIATES	54,266.75	54,266.75	06-101-01-100-011
7/14/2022		9196		04-215-55-992-C01	CATERPILLAR EMERGENCY GENERATOR FOLEY, INC	121,612.00	121,612.00	04-101-01-100-011
7/14/2022		11567		04-215-55-992-A01	2021 ROAD PROGRAM COLLIERS ENGINEERING & DESIGN	22,743.75	22,743.75	04-101-01-100-011

JULY SUMMARY BY ACCOUNT:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	PENDING CR
01-101-01-000-011	CASH OPERATING				966,004.32
04-101-01-100-011	CAPITAL CASH - TD				144,355.75
06-101-01-100-011	OPEN SPACE CASH - TD				54,266.75
01-201-23-210-202	HEALTH		70,551.00		
01-201-23-210-203	DENTAL		4,355.00		
01-201-26-305-201	SANITATION-TRASH REMOVAL		26,166.67		
01-201-26-306-201	OTHER EXPENSES		6,833.33		
01-201-31-465-201	SANITATION DUMPING FEES		21,981.52		
01-206-55-000-046	REGIONAL SCHOOL TAX			836,116.80	
04-215-55-992-A01	2021 ROAD PROGRAM - ORD #1038			22,743.75	
04-215-55-992-C01	GENERATOR - MUNICIPAL COMPLEX			121,612.00	
06-270-00-500-020	RESERVE FOR OPEN SPACE			54,266.75	
JULY TOTALS (FOR RANGE):			129,887.52	1,034,739.30	1,164,626.82

SUMMARY BY ACCOUNT FOR RANGE:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	DISBURSED
01-101-01-000-011	CASH OPERATING				2,062,778.03
04-101-01-100-011	CAPITAL CASH - TD				144,355.75
06-101-01-100-011	OPEN SPACE CASH - TD				54,266.75
01-201-23-210-202	HEALTH		70,551.00		
01-201-23-210-203	DENTAL		4,355.00		
01-201-26-305-201	SANITATION-TRASH REMOVAL		26,166.67		
01-201-26-306-201	OTHER EXPENSES		6,833.33		
01-201-30-410-201	NJEIT ADMIN FEES		9,397.50		
01-201-31-465-201	SANITATION DUMPING FEES		21,981.52		
01-201-45-920-212	PAYMENT OF NJSEA PRINCIPAL		1,021,148.21		
01-201-45-930-213	INTEREST ON BONDS		66,228.00		
01-206-55-000-046	REGIONAL SCHOOL TAX			836,116.80	
04-215-55-992-A01	2021 ROAD PROGRAM - ORD #1038			22,743.75	
04-215-55-992-C01	GENERATOR - MUNICIPAL COMPLEX			121,612.00	
06-270-00-500-020	RESERVE FOR OPEN SPACE			54,266.75	
TOTALS (FOR RANGE):			1,226,661.23	1,034,739.30	2,261,400.53

**RESOLUTION OF THE BOROUGH OF OCEANPORT RESCINDING RESOLUTION #2022-122
AUTHORIZING THE MAILING OF ESTIMATED 3RD QUARTER 2021 TAX BILLS**

Resolution

WHEREAS, Resolution #2022-122 provided for an estimated 3rd quarter 2022 tax billing that is no longer needed and is requested by the Tax Collector to be rescinded.

NOW, THEREFORE, BE IT RESOLVED that Resolution #2022-122 to authorize mailing of estimated 3rd quarter 2022 tax bills is hereby rescinded.

**RESOLUTION OF THE BOROUGH OF OCEANPORT APPROVING TAX EXEMPTION FOR
EDWARD A. SHIREY**

Resolution

WHEREAS, the owner for Block 110.02 Lot 23 has filed an application for exemption on taxes due to a total and permanent veteran disability, and

WHEREAS, the owner is entitled to the exemption as a result of the total and permanent veteran disability per NJSA 54:4-3.30, and

WHEREAS, the Tax Assessor has approved said application for the property where the applicant lives effective June 1, 2022 and every year the applicant is qualified,

NOW, THEREFORE, BE IT RESOLVED, the Tax Collector for the Borough of Oceanport recommends that the taxes on Block 110.02 Lot 23, otherwise known as 2 Russel Avenue, effective June 1, 2022, currently owned by Edward A. Shirey be canceled and therefore exempt for the duration of ownership and as long as the applicant meets all qualifications for said exemption.

Dated: July 2022

Interpretative Statement:

The above property owner has requested and received an exemption from taxes due to a total and permanent disability of a war veteran. Since the request was granted during the tax year and after taxes were levied on their property, I need to obtain an approved resolution dismissing a portion of the taxes for June 1, 2022 through to the end of 2022. Starting in 2023, the taxes will be exempt from the levy.

**RESOLUTION OF THE BOROUGH OF OCEANPORT APPROVING TAX EXEMPTION FOR
ROBERT G. MCCORY**

Resolution

WHEREAS, the owner for Block 117 Lot 27.173 has filed an application for exemption on taxes due to a total and permanent veteran disability, and

WHEREAS, the owner is entitled to the exemption as a result of the total and permanent veteran disability per NJSA 54:4-3.30, and

WHEREAS, the Tax Assessor has approved said application for the property where the applicant lives effective June 1, 2022 and every year the applicant is qualified,

NOW, THEREFORE, BE IT RESOLVED, the Tax Collector for the Borough of Oceanport recommends that the taxes on Block 117 Lot 27.173, otherwise known as 84 Paddock Court, effective June 1, 2022, currently owned by Robert G. McCory be canceled and therefore exempt for the duration of ownership and as long as the applicant meets all qualifications for said exemption.

Dated: July 2022

Interpretative Statement:

The above property owner has requested and received an exemption from taxes due to a total and permanent disability of a war veteran. Since the request was granted during the tax year and after taxes were levied on their property, I need to obtain an approved resolution dismissing a portion of the taxes for June 1, 2022 through to the end of 2022. Starting in 2023, the taxes will be exempt from the levy.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING A FIREWORKS DISPLAY TO BE HELD AT THE 2022 SUMMER'S END
FESTIVAL**

Resolution

WHEREAS, the Mayor and Council of the Borough of Oceanport hereby authorize a fireworks display to be held at the Summer's End Festival sponsored by the Oceanport Parks and Recreation Committee scheduled to be held on September 10, 2022 or on September 11, 2022, if a rain date is needed; and

WHEREAS, Starfire Corporation is the company responsible for the fireworks and in accordance with Borough regulations, must secure a Fire Permit from the Oceanport Fire Marshal prior to said event.

NOW, THEREFORE, BE IT RESOLVED that the Oceanport Governing Body hereby authorizes the fireworks to be held on the above mentioned date subject to the following:

1. Starfire Corporation securing the necessary permits
2. Starfire Corporation complying with the MEL JIF requirements for insurance coverage and completion of hold harmless agreement.
3. A copy of this resolution be forwarded to the Fire Marshal and the Parks and Recreation Committee.



Technical & Creative Proposal

CONCEPT



DESIGN



PRODUCTION





PRESENTS

BOROUGH OF OCEANPORT

Fireworks Spectacular

SEPTEMBER 10, 2022

Featuring

- * The Most Creative Pyrotechnical Staff in the Business.
- * A Huge Variety of World Class Quality Aerial Pyrotechnics.
- * Comprehensive Insurance Coverage on an Occurrence Form Basis, with a World-Known, Top Rated Carrier.
- * Our Professional Media and Public Relations Department to Assist you in Event Promotion.
- * A Logistical Team and Office Staff who are Totally Dedicated to the Success of Your Fireworks Program.
- * Our State-of-the-Art, Multi Media Production Services, featuring program media on the latest digital format.
- * Spectacular computer designed, digitally fired fireworks performances, featuring the Fire One[®] computer system.



BOROUGH OF OCEANPORT AERIAL SHELL SEGMENT

FIREWORKS INVENTORY PG 1

OPENING SEGMENT	QTY
<i>Special Barrages</i>	300
2.5" -Inch Shells	50

BODY OF PROGRAM	QTY
2" - 2.5" -Inch Shells	120
2.5" - Inch Fancy Shells	72
2.5"- Inch Designer Shells	72

GRAND FINALE	QTY
<i>Special Barrages</i>	600
2.5" - Inch Designer Shells	125
2.5" - Inch Multi-Break Shells	125
2.5" - Inch STARBLASTER SALUTES	50

**Proposed Inventory
Aerial Shell Segment
SEPTEMBER 10, 2022
Program Value: \$10,000**





THE BOROUGH OF OCEANPORT

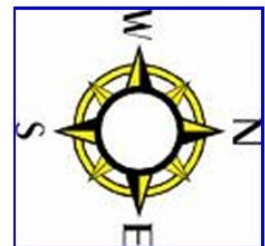
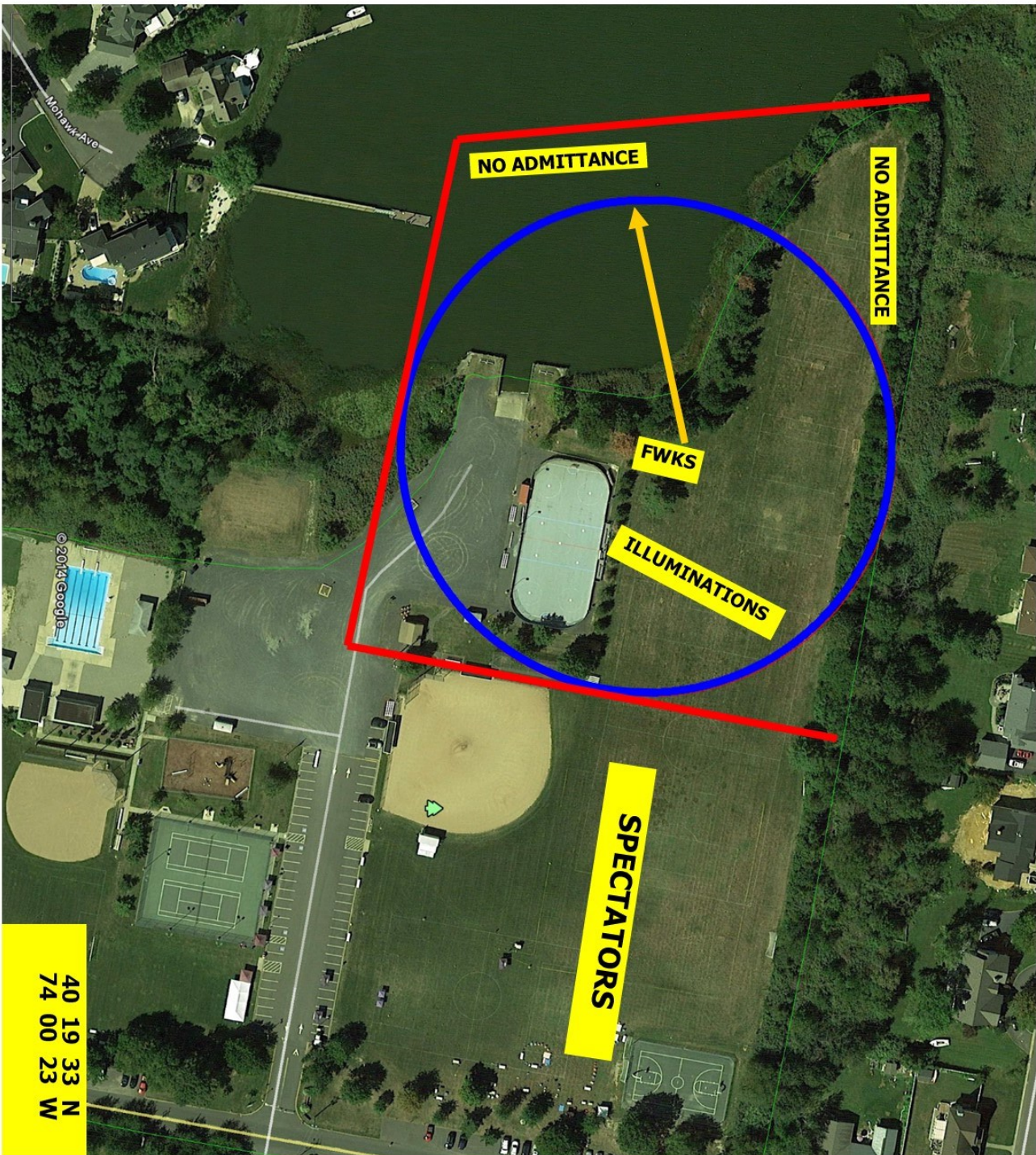
GRAND ILLUMINATIONS

"Multi-Theater Performances"

(any combination of effects below may be utilized)

FIREWORKS INVENTORY PG 2

SPECIAL EFFECT BARRAGE ILLUMINATIONS	Formation	Quantity
600 S RWB W/CRACKLE TO REPORT Z	\\	1 / 600
500 S YELL/PURP/GOLD GLIT WATERFALL Z SHAPE	\\\\\\ ////	1 / 500
372 S "W" GOLD WILLOW COMET W/ BLUE PISTOL	\\	1 / 372
200 S "V" RAPID FIRE BLUE STARS	V	0 / 200
210 S "Z" Shape RAPID FIRE RED STARTS	\\V//	1 / 210
200 S PALM TREE & FALLING LEAVES W/ WHITE TAIL		1 / 200
210 S "Z" Shape ALTERNATING RWB PATTERN	\\V//	1 / 210
100 S FAN BLUE PIS & COLORFUL FALLING LEAVES		0 / 100
165 S 8 SHAPE WHITE STROBE WITH COLOR PISTIL	\\	0 / 165
100 S GREEN DAHLIA W/CHRY (fan)		0 / 100
100S RED-GRN TLS SPIT SIL FISH BLUE PEARL-CHRY-REPORT	\\\\\\ ////	1 / 200
280 S FAN HEPTAGON FIRE TREE TL & PINK TL	\\\\\\ ////	0 / 280
200 S RWB W/SALUTE FAN	\\V//	1 / 200
100 S PENTAGON FAN BROCCROWN MINE & BLUE MINE		0 / 100
480 S CHANGING DRAGON	\\\\\\ ////	1 / 480
1000 S FEELING IN SNOW Z SHAPE		0 / 1,000
1000 S WHISTLING DRAGON	\\\\\\ ////	1 / 1,000
1000 S BUMPER HARVEST	\\V//	1 / 1,000
ALL SELECTED ABOVE EFFECTS	TOTAL PIECES	4,972



OCEANPORT
BLACKBERRY
BAY PARK
2.5" MAX SIZE
SHELLS
250' RADIUS



OUTDOOR HIGH ALTITUDE AERIAL EFFECTS AND DESCRIPTIONS



Outdoor Aerial Fireworks

Heights from 210' to 1,200'

Three-Inch Through Ten-Inch Shells

Shell sizes are available according to site dimensions

CHRYSANTHEMUM SHELLS - Brilliant colors in a perfectly round burst. Most shells feature rising effects such as rising comet tails or rising whistles. Inventory includes:

- *Strobing Two Color Changing "Ghost" Shells*
- *Glittering Silver and Wave series*
- *Crackling Chrysanthemums*
- *Gold Spider*

SPECIAL EFFECT SHELLS

- *Screaming Whistle Shells*
- *Electric Storm Shells (dragon eggs)*
- *Gold Flitter*
- *Spider (Gold, Silver)*
- *Two Break Color and Report*
- *Magnesium Combo*

SALUTE AND THUNDER SHELLS - A variety of effects that incorporate powerful reports into their display. Featuring:

- *Artillery Titanium, Thunder Blossom, Battle Clouds*

STROBE, TWINKLING AND SPARKLING STAR SHELLS - A variety of beautiful twinkling star shells, featuring:

- *Strobe Shells (Red, White, Silver, Green)*
- *Flashing Light Shells (Pink, Gold, Silver, Red, Green)*
- *Sparkling Light Shells (Gold, Red, Green, Silver)*
- *Twinkling Stars (Spangle, Silver, Gold)*

MULTI-COLORED JAPANESE STYLE PEONIES - Variegated colors in a spherical burst resembling a peony flower, many with rising effects (tails, flowers, whistles, etc).

- *Color Changing Peony (Two, Three or Four Color Changes)*
- *Peony With Pistil*

SPECIAL AND MULTI-PATTERN SHELLS *- Forming fantastic, unusual patterns.

- *Olympic Ring Pattern, Happy Face Pattern, Five-Pointed Star (White, Red, Blue) Red*
- *Snail Pattern with Drifting Purple Small Flowers, Saturn Planet, Bow Tie Pattern, Hourglass with Color Ring Diamond, Shamrock, Club Pattern with Strobing Center, Gold Hour Glass with Red or Blue Ring, Red—White—Blue Shell of Shell Rings, Umbrella Pattern, Kiddy Fishes in Crowds with Crackling Stars, Stained Glass, Poinsettia Pattern—Variegated Colors, Sunflower Pattern, Butterfly in Circle Pattern, 3-D Tetrahedron Pattern*

Outdoor Aerial Fireworks

PALM TREE SHELLS - A huge palm tree with rising comet tails.

- *Blue Palm Tree with Yellow Trunk, Green Palm Tree Shell of Shells, Glitter Palm with Glittering Comet Tail, Crackling Palm Tree with Rising Crackling Tail, Red Coconut Leaves*

MULTI-BREAK SHELL OF SHELLS - A variety of effects that incorporate hundreds of components into their display.

- *Thousands of Colorful Strobes, Thousands of Brocade Waterfall, Thousands of Glittering Kamuro*
- *Artillery Titanium, Thundering Blossom, Battle in the Clouds*

JAPANESE BROCADE WATERFALL - It looks just like a shimmering golden waterfall high in the sky. (Also in shell-of-shells variety)

SHATTERING GLASS - Looks like glass shattering - Very Different! Yellow to Red color changing stars with Glitter Strobe effects.

WAGON WHEEL COMET - A Huge break of a Glitter Ring pattern with comets protruding from center to form the pattern of a wheel. Very Unique.

MAG ILLUMINATORS - Super flights that are intensely bright.

GO-GETTERS - Rich, vibrant colors featuring Violet, Bright Red and Rich Emerald Green. Shell breaks soft - then waves of corkscrew erratic propulsion in every direction.

COMET SHELLS - A variety of special effects.

- *Split Comets—Gold Flitter, White Flitter, Crossette—Red, Green, Silver, Glitter, Scattering - Criss Crossing comets, Magic Scatter—Yellow Comet Flower, Snowball Crossette—Long Tailed, Fluffy White Glitter*

ADVANCED EFFECT AND DESIGNER JAPANESE SHELLS

- *Gold Flitter Split Comets, Super Crown, Designer Three and Four Color Change Effects, Eddy In Chrysanthemum*
- *Crackling Dahlia with Crackling Mag Stars Pistil, Farfalle, Diadem with Scrambling Red & Green Comets, Comet Mine Shell of Shells*
- *Brocade Diadem Kamuro Shell of Shells, Floral Shell of Shells with Popping Brocade Small Flowers Pistil, Lightning Bugs (Strobing stars)*
- *Blue Comets to Floral Salute Shell of Shells, Floral Fancy (Chrysanthemum with Ring of Diadem Stars)*
- *Silver Waterfall with Red and Blue Scrambling Comets, Palm Flowers (Palm Tree without trunk)*
- *Japanese Kaleidoscope with Color Pistil, Circle of Bouquets—Assorted Colors, Magic Peony, Spangle Peony with Coconut Core*

Outdoor Aerial Fireworks

Opening Scene & Grand Finale

Level 1: Multi-Shot Fanned Crossette Barrage

Level 2: Aerial Shells in Three-Inch Color & Titanium Salute Shells

Level 3: Huge Aerial Shells blossom over the top

Starfire is known for MANUFACTURING and producing the most exciting Openings and Grand Finales in the business. We use special effect, and multi-break shells, rising flowers and tails, along with large support shells, all timed to allow for a continuous barrage.

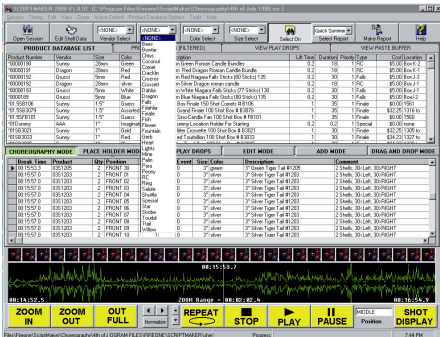
Most finales are **TWIN—THEATER** presentations, designed to be displayed from **two locations** simultaneously:

- 
2.5"- 3" Special Color Shell "Fan" - Hundreds of spectacular Japanese-style shells volley into the sky into a widely "fanned" overlay of multi-colored floral patterns. Our 2.5" diameter shells have rising effects.
- 
2.5" - 3" Titanium Salute Shells w/ Silver Tails - The color shells are joined by a bombardment of electric flash salutes, again exploding into a wide fan pattern for maximum coverage. All salutes are followed by brilliant magnesium comets. Our 2.5" diameter shells have rising effects.
- 
Multi Break Shells - The sky now turns into a multi-level barrage of color, and booming reports. High over the top of the finale, huge oriental chrysanthemum bursts soar up to 1,000 feet above the barges.
- 
Japanese Special Effect Shells The heavens ignite with the sights and sounds of a full-scale aerial barrage above pounding flash salutes that are heard for miles around. This scene includes a full multi-level compliment of the most spectacular aerial effects available.
- 
Brilliant Brocade Chrysanthemums
- 
Nishiki Kamuro Shells with Spangle Pistil
- 
Popping Brocade Flowers
- 
Color Changing Mums w/ Changing Pistils
- 
Artillery Titanium (Shell of Shells)
- 
Half Blue & Half Red Chrysanthemum w/ Pistil
- 
Brocade Diadem to Twinkle with Strobing Pistil



Show Design / Choreography

The magic that pulls together all the elements in a pyrotechnic program into one spectacular medium is the choreography - *"the musical marriage of fire and sound."* Using precision "Fire One" choreography software, and pinpoint editing of the musical score, the final result is a dramatic state-of-the-art fireworks performance, precisely fired by dozens of computer modules networked throughout the fireworks staging area. The final theme and mood of the fireworks musical program will be a collaboration of your requirements, the event theme, and our expertise. We will work closely with your production and creative staff to exactly match your specifications. Included with our media production is broadcast quality professional narration, and celebrity narration is available upon request.



Scriptmaker choreography screen



Our Fire One Choreography network system.

Advanced Technology

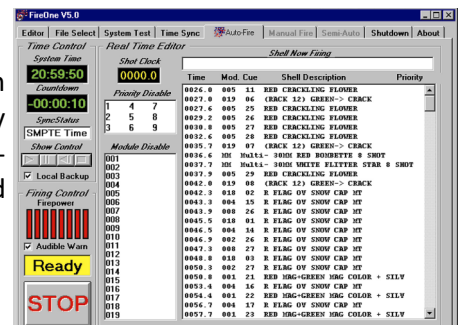


All our World-Class programs begin in our multi-track studio, where the layers of the musical production track are first assembled*. Upon approval, this final mix is combined with other production elements such as narration, and then output to a digital medium, such as CD or Mini-Disk. It is then prepared for the process for precise computer designed choreography with the fireworks effects. The software, "Scriptmaker", is the most precise and intuitive in the industry, allowing for the exact placement and triggering of literally thousands of simultaneous firings throughout the staging network, a feat not possible with any other mode of firing. Whether displayed from one, two or ten

or more firing locations, the pyrotechnic effects are seen to lift into the sky and display at the same precise instant, a truly unprecedented pyrotechnic accomplishment.

Before and during the event, our media team will work seamlessly with your event media partners to bring the soundtrack to life, whether by local radio station, event sound system, or television. Our media experience and capabilities are head and shoulders above our competition and will guarantee you a flawless production.

*** Music and choreography available upon special order only.**



Fire One software firing screen

SCOPE OF SERVICES

PROGRAM VALUE: \$10,000

Proposals pricing is valid for 60 days from postmarked date

OTHER SERVICES:

INSURANCE LIABILITY COVERAGE*:

Insurance: \$10,000,000 General Liability
\$5,000,000 Motor Carrier



WORKER'S COMPENSATION:
Full coverage as required by law.

U.S. LONGSHOREMAN & HARBOR WORKER'S ACT:
We provide full coverage for Pyrotechnicians who perform fireworks exhibitions on barge based programs.

COMPLIANCE: Starfire Inc. strictly adheres to the following requirements:

- * NFPA 1123, BATF, OSHA
- * U.S. Department of Transportation
- * U.S. Coast Guard

VISIT US AT WWW.STARFIRECORPORATIONCOM

800-806-4486

© STARFIRE CORPORATION Contents, pricing & quantities of this proposal are valid for 60 days

CONFIDENTIAL INFORMATION—The data on all pages of this proposal is proprietary, and is to be accorded confidential treatment. This proposal and its contents shall not be disclosed other than to the official representatives of the organization listed on the cover, and only then when used in the evaluation of this proposal for awarding a contract. Any reproduction of the contents of this proposal, whether in whole or in part is expressly forbidden. STARFIRE CORPORATION requests that all the information included in this proposal submission be safeguarded from release pursuant to any request under the Freedom of Information Law (FOIL) of your state, or any other state or jurisdiction, as it may result in a competitive disadvantage to our company. The enclosed concepts and materials are the sole and exclusive property of STARFIRE CORPORATION Photocopies forbidden without permission of STARFIRE CORPORATION.

CONTENT SUBJECT TO REDESIGN: We reserve the right to make substitutions in the products, types, quantities and sizes listed herein, provided such substitutions are in accordance with NFPA 1123. The value of this program among other production elements, is based on the programs esthetic look. Different firework effects and shells of the same size may have significantly different values, therefore, a fireworks program can never be valued on shell counts alone. Shells * Insurance limits are valid through our policy period February 15, 2021—February 15, 2022 (Policy subject to renewal at that time)

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING A CONTRACT FOR FLOORING AND RELATED IMPROVEMENTS FOR THE
OLD WHARF HOUSE THROUGH THE
EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY COOPERATIVE PRICING
SYSTEM**

Resolution

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 is making improvements to the Old Wharf House which requires removal and disposal of existing flooring, preparation and installation of new flooring and associated improvements; and

WHEREAS, the Educational Services Commission of NJ has awarded a contract to Hannon Floors, 1119 Springfield Road, Union, N.J. 07083 (Contract #65MCESCCPS, ESCNJ #19/20-05 and as extended through 8/31/23) "Carpet and Flooring - Purchase, Installation and Related Services" and the Borough desires to engage Hannon Floors for the planned improvements at the Old Wharf House purchase pursuant with the proposal dated July 6, 2022 in the amount of \$29,166.50.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council that the award of a contract to Hannon Floors through the Educational Services Commission of NJ (Contract #65MCESCCPS, ESCNJ #19/20-05 and as extended through 8/31/23) for the July 6, 2022 proposal for flooring & related improvements at the Old Wharf House for a total amount not to exceed \$29,166.50 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 #06-270-00-500-020, not to exceed \$29,166.50 for the stated purpose.

Catherine D. LaPorta, CFO



July 6, 2022

The Borough of Oceanport
910 Oceanport Way
Oceanport, NJ 07757

Re: Senior Center flooring proposal
State Approved Co-op #65MCESCCPS
Bid# ESCNJ 19/20-05

Steve

We are pleased to submit our proposal for removal and disposal existing slip resistant vct and ceramic cove in bathrooms, skim-coating floors to prepare for new flooring, furnishing and installing Slip resistant vct, Mohawk Living Local lvt, Mohawk Geomorphie sheet vinyl covered up the walls in two bathrooms, nosings on ramp and steps, and 4 inch vinyl cove base at Oceanport Senior Center as shown by Steven Briskey as per ESCNJ Co-op.

Complete \$29,166.50

Notes:

1. Entrance, lower level, ramp and hallway from ramp to bathrooms to receive slip-resistant vct. Upper level main area to receive lvt. Bathrooms to receive heat welded sheet vinyl covered up the wall 4 inches
2. All work to be done during normal hours
3. Toilets to be removed prior to Hannon's working in bathrooms

Regards,

Kevin Pupa

CARPET AND FLOORING - PURCHASE, INSTALLATION AND RELATED SERVICES - BID #ESCNJ 19/20-05

Bid Term -9/1/19 - 8/31/21; Extended to 8/31/22; Extended to 8/31/23
 «Return to Members Section

VENDOR INFORMATION**PRICING****TITLE**

Contact Information

Vendor Documents

TITLE**LAST**

1.Awards

8/1/19

2.Carpet Price Lists

8/1/19

3.Carpet and Flooring Pricing

8/1/19

4.Flooring Price Lists

8/1/19

Six Degrees Catalogs

8/1/19

CONTACT INFORMATION: 1660 Stelton Road Piscataway, NJ 08854 (PHONE) 732-777-9848

SITE MAP

VENDOR CONTACT FORM

Bid	Commercial Carpet and Flooring: Purchase, Installation and Related Services Bid #ESCNJ 19/20-05
Vendor	Commercial Interiors Direct, Inc
Representative	Steven Muller
Address	1 S. Corporate Drive Riverdale, NJ 07457
Telephone #	(973) 839-8394
Fax #	(973) 839-8394
Email	sales@commercialinteriorsdirect.com
Website	www.commercialinteriorsdirect.com

Bid	Commercial Carpet and Flooring: Purchase, Installation and Related Services Bid #ESCNJ 19/20-05
Vendor	Direct Flooring
Representative	Frank Gomes
Address	12 Minneakoning Road, Building A, Unit 103, Flemington , New Jersey 08822
Telephone #	732-241-0232
Fax #	908-237-1422
Email	fgomes@dfemail.com
Website	www.Directflooringmetro.com

Bid	Commercial Carpet and Flooring: Purchase, Installation and Related Services Bid #ESCNJ 19/20-05
Vendor	The Gillespie Group, Inc.
Representative	Robert Gillespie
Address	5 Chris Court., Ste. G, Dayton, NJ 08810
Telephone #	732-254-5508
Fax #	732-254-5537
Email	info@thegillespiegroup.com
Website	www.Thegillespiegroup.com

Bid	Commercial Carpet and Flooring: Purchase, Installation and Related Services Bid #ESCNJ 19/20-05
Vendor	Hannon Floor Covering Corporation
Representative	James Hannon
Address	1119 Springfield Road, Union, New Jersey 07083
Telephone #	908-686-6333
Fax #	908-687-9435
Email	sales@hannonfloor.com
Website	www.hannonfloors.com



EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY
New Jersey State-Approved Cooperative Pricing System #65MCSCPCS
Commercial Carpet and Flooring: Purchase, Installation and Related Services ♦ Bid #ESCNJ 19/20-05 ♦ BID TERM: 9/1/2019 - 8/31/2021; Ext. 8/31/2022; Ext. 8/31/2023

Carpet Manufacturer Catalog Pricing Sheet - Material Only

VENDOR	MANUFACTURER	CATALOG/PRICE LIST NAME	CATALOG/PRICE LIST DATE	CATALOG/PRICE LIST DISCOUNT/MARKUP %	UNIT OF MEASUREMENT
The Gillespie Group, Inc.	Atlas Carpet Mills	Atlas Carpet Mills Product Catalog/Price List 4/8/2019	2019	0% Discount	SY
Direct Flooring	Bentley	Bentley Price List	2019	15% Discount	SY
Hannon Floors	EF Contract	EF Contract Catalog Pricing	3/29/2019	10% Discount	SY
Commercial Interiors Direct	Grasstex	Grasstex Specialty Turf Price List	3/1/2019	25% Discount	SY
Commercial Interiors Direct	Interface	Interface Carbon Neutral Flooring Price List	May 2019	20% Discount	SY
The Gillespie Group, Inc.	J + J Flooring Group	J + J Flooring Group Product Catalog/Price List Years 1 & 2	2019	0% Discount	SY
Hannon Floors	Kraus Flooring	Kraus Catalog/Price List	April 2019	22% Markup	SY
The Gillespie Group, Inc.	Mannington	Mannington Product Catalog/Price List PAGES 1-9	2019	18% Discount	SY
The Gillespie Group, Inc.	Mannington	Mannington Product Catalog/Price List PAGES 14-16	2019	18% Discount	LF
The Gillespie Group, Inc.	Mannington	Mannington Product Catalog/Price List PAGES 14-17	2019	18% Discount	EACH
The Gillespie Group, Inc.	Masland Carpet	Masland Contract Product Catalog/Price List	4/1/2019	0% Discount	SY
Commercial Interiors Direct	Mats Inc.	Mats Inc. Price List (Excludes Matting Products)	November 2018	35% Discount	SY
The Gillespie Group, Inc.	Milliken	Milliken Product Catalog/Price List 1/25/2019 PAGES 1-8	2019	8% Discount	SY
The Gillespie Group, Inc.	Milliken	Milliken Product Catalog/Price List 1/25/2019 PAGE 7	2019	8% Discount	EACH
Hannon Floors	Mohawk Group	Mohawk Group Product Catalog/Mohawk Carpet Price List	April 2019	5% Discount	SY
Commercial Interiors Direct	Next Floor	Next Floor Product Catalog/Price List	6/10/2019	35% Markup	SY
Direct Flooring	Patcraft Carpet Tile	Patcraft Carpet Tile Products Price List	8/17/2021	15% Discount	SY
Direct Flooring	Patcraft Broadloom	Patcraft Broadloom Products Price List	8/17/2021	15% Discount	SY
Direct Flooring	Peerless Balsan	Peerless Balsan Price List	2019	20% Discount	SY
Direct Flooring	Peerless Broadloom	Peerless Broadloom Price List	2019	20% Discount	SY
Direct Flooring	Peerless City Tiles	Peerless City Collection Price List	2019	20% Discount	SY
Direct Flooring	Peerless DI Design	Peerless DI Design Price List	2019	20% Discount	SY
Hannon Floors	Philadelphia Commercial	Philadelphia Commercial Product Catalog/Carpet Price List	6/1/2019	31% Discount	SY
The Gillespie Group, Inc.	Shaw Contract	Shaw Contract Product Catalog/Price List	2019	25% Discount	SY
Commercial Interiors Direct	Tarkett Tandus-Centiva	Tarkett Tandus-Centiva Price List 4/1/2019	2019	25% Discount	SY

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING AN INTER-LOCAL AGREEMENT BETWEEN THE BOROUGH OF OCEANPORT
AND THE OCEANPORT BOARD OF EDUCATION FOR GROUNDS MAINTENANCE AND
SNOW PLOWING**

Resolution

WHEREAS, the Uniformed Shared Services and Consolidation Act, N.J.S.A. 40:65-1 Et. Seq. authorizes joint activities among governmental agencies and was enacted with the intent to facilitate and promote Inter local Service Agreements; and

WHEREAS the Governing Body approved an Interlocal Agreement with the Oceanport Board of Education pursuant with Resolution #2021-145 for the provision of grounds maintenance and snow plowing of school properties which expired on June 30, 2022; and

WHEREAS, the Oceanport Board of Education is desirous of continuing this shared services agreement with the Borough of Oceanport for a period of one year beginning July 1, 2022 and expiring June 30, 2022 for an amount not to exceed \$42,000.00;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Oceanport hereby authorizes the Mayor and Borough Clerk to execute a Shared Services Agreement ("agreement") for services between the Borough of Oceanport and the Oceanport Board of Education that incorporates the following terms and conditions:

1. The agreement shall be for a period of one year beginning July 1, 2022 and expiring on June 30, 2023
2. The annual rate for the services shall be \$42,000.00.
3. The cost of equipment to provide services upon approval by the Board shall be purchased by the Board and deducted from and made in lieu of a portion or all of the payments due to the Borough. Upon termination of or any extension of the agreement, the equipment shall be transferred to the Borough for consideration of the payment of \$100.00
4. All other terms and conditions contained in the Shared Services Agreement or any extensions thereto.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Oceanport Board of Education, Borough Administrator, Public Works Superintendent and Chief Financial Officer.

**INTER-LOCAL AGREEMENT BETWEEN THE BOROUGH OF OCEANPORT AND THE
OCEANPORT BOARD OF EDUCATION
FOR GROUNDS MAINTENANCE AND SNOW PLOWING SERVICES**

THIS AGREEMENT made the _____ day of _____ 2022, by and between the **BOROUGH OF OCEANPORT** and the **OCEANPORT BOARD OF EDUCATION**

WHEREAS the Oceanport Board of Education (the "Board") has the need for lawn mowing and snow plowing services in connection with Board related properties, with the exception of the walkways of school properties; and

WHEREAS, the Uniformed Shared Services and Consolidation Act, N.J.S.A. 40:65-1 Et. Seq. authorizes joint activities among governmental agencies and was enacted with the intent to facilitate and promote Inter-local Service Agreements; and

WHEREAS, the Borough of Oceanport (the "Borough") has the personnel to perform the lawn mowing and snow plowing services and the willingness and ability to enter into an inter-local agreement with the Board to do such work; and

WHEREAS, the Borough has been performing these services for the Board of Education since 2008 and both parties have found the Agreement to be beneficial;

NOW, THEREFORE, IT IS HEREBY AGREED by and between the Borough of Oceanport and the Oceanport Board of Education that they hereby enter into an inter-local services agreement with each other as follows:

1. The Borough shall provide for lawn mowing and snow plowing services in connection with Board related properties, with the exception of the walkways of school properties, for a cost of Forty-Two Thousand Dollars (\$42,000.00) annually, with one half of payment due July 1st and the second half of payment due January 1st of each year. The Borough shall invoice the Board in advance of the payment due date.

2. The Borough may request that the Board purchase equipment for the ground's maintenance and snow plowing. Should the Board agree, the Board shall purchase said equipment. The Borough shall be responsible to utilize, store, service and maintain the equipment at its sole cost and expense. The cost of the equipment paid for by the Board shall be deducted from and made in lieu of a portion or all of the payments due to the Borough in paragraph 1. The equipment shall remain the property of the Board during the term of this agreement and any extension thereof. Upon termination of this agreement or any extension thereof, the equipment shall be transferred to the Borough for consideration of the payment of \$100.00.

3. The Borough agrees to defend, indemnify, and hold harmless the Oceanport Board of Education and/or its members, agents, servants or employees or other representatives from all liabilities, claims, physical injury, bodily injury, damages, losses, and expenses, including reasonable attorneys' fees, that may arise out of and/or in connection with the Borough's use, storage, service, and maintenance of the equipment purchased in paragraph 2. This indemnification agreement's scope

of coverage shall include, but not be limited to, bodily injuries suffered by Borough employees, Board employees and/or any other persons.

4. In accordance with N.J.S.A. 18A:18A-45, at the end of the term of this agreement, the Board shall sell the equipment to the Borough for \$100, which shall be considered good and valuable consideration for such sale.

5. This Agreement shall commence on July 1, 2022, and terminate on June 30, 2023, and shall be renewable for one year thereafter at the discretion of the parties. Any renewal must be made in writing and signed by both parties.

6. The parties hereby agree that each party shall release, indemnify, defend, and hold harmless the other and their respective agents, officers, and employees from any and all claims, demands, losses, expenses, attorney's fees, causes of action, judgments, lawsuits, proceedings, damages, and liability resulting and arising from the alleged or asserted negligent, reckless, or intentional act of itself, its agents, officers, and employees.

7. Both parties shall designate each other as a named insured on all insurance coverage.

8. Either party may terminate this Agreement for any reason upon sixty-days' written notice to the other. In the event of an early termination by either party for any reason, the Board shall retain ownership of any equipment purchased regardless of any offset in payment.

IN WITNESS WHEREOF, the parties have caused this Agreement to be signed by their respective officers duly authorized and have caused this Agreement to be dated as of the day and year written above.

ATTEST:

BOROUGH OF OCEANPORT

Jeanne Smith
Municipal Clerk

By: John F. Coffey, II
Mayor

Date: _____

Date: _____

OCEANPORT BOARD OF EDUCATION

Board Secretary

By: Mark Patterson
President

Date: _____

Date: _____

**RESOLUTION OF THE BOROUGH OF OCEANPORT
COUNTY OF MONMOUTH, STATE OF NEW JERSEY
DECLARING AUGUST 31, 2022 AS OVERDOSE AWARENESS DAY**

Resolution

WHEREAS, Drug addiction is a chronic disease, characterized by compulsive or difficult to control drug use despite harmful consequences; and

WHEREAS, Drug addiction is seen by both the Centers for Disease Control and the World Health Organization as a fast-growing epidemic that can all too easily lead to overdose and death; and

WHEREAS, in 2020, 90,237 individuals died from drug overdoses in the United States - an increase of 28.9% from the previous year; and

WHEREAS, In New Jersey alone, more than 2,900 people died from drug overdoses in 2020; and

WHEREAS, for every drug overdose that results in death, there are many more nonfatal overdoses, each taking an emotional and economic toll on the individual, their family, and the community at large; and

WHEREAS, drug addiction can fuel feelings of shame, guilt, embarrassment, depression, and hopelessness, causing individuals to resist seeking treatment and support; and

WHEREAS, Overdose Awareness Day is a global event held on August 31 of each year that aims to raise awareness of drug overdoses, reduce the stigma of a drug-related death, and to acknowledge the grief felt by families and friends remembering those who have died or had a permanent injury as a result of a drug overdose; and

WHEREAS, Tigger House is a local non-profit foundation committed to spreading awareness for opiate addiction and saving lives and is holding an event in partnership with the Monmouth County Prosecutor's Office and the Monmouth County Board of Commissioners to bring awareness to this important cause; and

WHEREAS, the Borough of Oceanport desires to show its support by promoting awareness and the goals of Overdose Awareness Day and encourages the Mayor to declare all flags throughout the Borough to be flown at half-staff for the day's duration; and

WHEREAS, recognizing Overdose Awareness Day in Oceanport sends a strong message to former or current substance users, namely, that they are valued, and that overdose death is preventable,

NOW, THEREFORE, BE IT RESOLVED, the Governing Body of the Borough of Oceanport, in order to raise awareness of overdose and reduce the stigma of a drug-related death does hereby declare:

**August 31st
"Overdose Awareness Day"**

BE IT FURTHER RESOLVED, that the Mayor is respectfully requested to order flags be flown at half-staff on August 31, 2022.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING A SPECIAL EVENTS PERMIT TO BE ISSUED TO FRANICS LIPPOLIS FOR
THE OCEANPORT HOOK & LADDER FUNERAL/MEMORIAL SERVICE FOR KEVIN ARBAN
TO BE HELD JULY 30, 2022 WITHIN THE BOROUGH OF OCEANPORT**

Resolution

WHEREAS, Fire Chief Francis Lippolis has made application for a Special Events Permit to hold a funeral/memorial service for Kevin Arban at the Oceanport Hook & Ladder Fire Co., 21 Main Street, that will require closure of a portion of Main Street; and

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

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that the Borough Clerk is hereby authorized to issue a Special Events Permit to Fire Chief Francis Lippolis for the Oceanport Hook & Ladder Fire Co. funeral/memorial service for Kevin Arban on July 30, 2022 in accordance with the application made and recommendation by the Traffic Safety Unit and that the fee is hereby waived.

BOROUGH OF OCEANPORT

Michael P. Kelly
Chief of Police

Michael S. Chenoweth
Captain

Michael R. Fagliarone
Lieutenant



POLICE DEPARTMENT

P.O. BOX 370, OCEANPORT, NEW JERSEY 07757

732.222.6300
Main

732.222.6301 ext 1015
Records

732.222.0945
Fax

To: Mayor Jay Coffey, Borough Administrator Donna Phelps, and Borough Clerk Jeanne Smith, Councilman Brian Keeshen

CC: Capt. Michael Chenoweth, Sgt. Greg Lauretta, Traffic Safety

From: Chief Michael P. Kelly, Oceanport Police Department

Date: July 12, 2022

Re: Special Permit Application-Oceanport Hook and Ladder Kevin Arban Memorial Service

As per Borough Code 326-3, I have reviewed the Special Event Permit Application for the Oceanport Hook and Ladder Kevin Arban Memorial Service that will be held at the building and in front of the building on Saturday July 30th from 12 noon to 2pm.

Main street between Center and Oceanport Ave will be closed for heavy pedestrian traffic. Fire police will be utilized at the closures and signage will be posted to alert motorists.

Traffic Safety and I have reviewed the plans and spoken with the organizers.

I am respectfully asking that the Council waive the \$100.00 event fee due to the nature of the service and the Oceanport Hook and Ladder being an Oceanport Volunteer organization.

I am recommending that the Mayor and Council approve the Special Permit application.

I will notify your office of any changes concerning the event.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
COUNTY OF MONMOUTH, STATE OF NEW JERSEY
CONCERNING THE NJ DCA AMERICAN RESCUE PLAN FIREFIGHTER GRANT**

Resolution

WHEREAS, the Borough of Oceanport desires to apply for and obtain a grant from the New Jersey Department of Community Affairs in an amount not to exceed \$75,000.00 to carry out a project to purchase Structural Firefighting Personal Protective Equipment; Gear Cleaning System; and Breathing Air Fill Station and Compressor for the Oceanport Fire Department.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Oceanport does hereby authorize the application for such a grant; and

BE IT FURTHER RESOLVED that the Borough of Oceanport recognizes and accepts that the Department may offer a lesser or greater amount and, therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and

BE IT FURTHER RESOLVED that the Borough of Oceanport, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of Oceanport and the New Jersey Department of Community Affairs; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the application and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith:

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST: _____
Jeanne Smith, Borough Clerk

John F. Coffey, II, Mayor

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AWARDING A CONTRACT FOR THE CR29A/MYRTLE AVE IMPROVEMENTS PROJECT
BETWEEN THE BOROUGH OF OCEANPORT AND LIMA CHARLIE CONSTRUCTION, INC.**

Resolution

WHEREAS, the Borough of Oceanport advertised for bids for the County Route 29A (Myrtle Ave) Drainage 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, in response to the subject bid solicitations process, the Borough of Oceanport received three (3) bids; and

WHEREAS, the lowest responsible bid submitted by Lima Charlie Construction, Inc. of Freehold, New Jersey hereinafter referred to as "Contractor" was as follows:

WHEREAS, the recommendation is to award a contract total in the sum of Nine Hundred Sixty-Four Thousand Nine Hundred Sixty-Four Dollars and zero cents (\$964,964.00); and

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

WHEREAS, pursuant with the Borough's project agreement with Monmouth County of September 2018, the County has reviewed the bids and recommendation of award and has given its approval to proceed with the award,

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

1. That the Borough of Oceanport is hereby authorized to award the County Route 29A (Myrtle Ave) Drainage Improvements contract to Lima Charlie Construction, Inc. of Freehold, New Jersey subject to the conditions set forth herein.
2. That said Contract shall be in the total sum of Nine Hundred Sixty-Four Thousand Nine Hundred Sixty-Four Dollars and zero cents (\$964,964.00).
3. That the within award of Contract shall be contingent upon the Contractor submitting an Appropriate Performance Security, which guarantees shall be approved as to form by the Borough Attorney.
4. That the Mayor and Clerk are hereby authorized to sign any and all documents necessary to effectuate the intentions of the within Resolution - including but not limited to the Contract subject to the review of said Contract by the Borough Attorney.

CERTIFICATION OF FUNDS

As required by N.J.A.C. 5:34-5.1 et seq., and any other applicable requirement, I, Catherine D. LaPorta, Chief Financial Officer of the Borough of Oceanport, certify that there are sufficient uncommitted funds available in Account #04-215-55-988-A01 in the amount of \$241,172.30 and Account #04-215-55-990-A01 in the amount of \$723,791.70 for total amount not to exceed \$964,964.00 for the stated purpose.



Catherine D. LaPorta, CFO

331 Newman Springs Road
Suite 203
Red Bank New Jersey 07701
Main: 877 627 3772



June 2, 2022

VIA EMAIL

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

County Route 29A (Myrtle Avenue) Drainage Improvements
Borough of Oceanport, Monmouth County, New Jersey
Colliers Engineering & Design Project No. OPB-156

Dear Mayor and Council,

On Wednesday June 1, 2022, at 11:00 am, bids were received for the County Route 29A (Myrtle Avenue) Drainage Improvements. We have reviewed the bids and found them to be in order. We have included the attached bid summary for your review.

A comparison of the bids is as follows:

BIDDER	GRAND TOTAL
LIMA CHARLIE CONSTRUCTION	\$964,964.00
UNDERGROUND UTILITIES CORP.	\$1,096,988.00
L&L PAVING COMPANY	\$1,147,265.00

Our office has worked with the apparent low bidder recently, and their work has been found to be acceptable. Based upon our review of the above referenced bid, it is our recommendation that the contract be awarded to Lima Charlie Construction, 649 Mattison Avenue, Asbury Park, NJ 07712 for \$964,964.00.

Any award shall be conditioned upon the review and approval of the bid documents by the Borough Attorney, approval by Monmouth County and the availability of funds.

Project No. OPB-156
June 2, 2022
Page 2 | 2



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

Sincerely,

Colliers Engineering & Design, Inc.
(DBA Maser Consulting)

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

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

WHW/dmm
Enclosure

cc: Jeanne Smith, RMC, Borough Clerk (with enclosure and original bids)
Scott Arnette, Esq., Borough Attorney (via email)
Thomas Lombardi, P.E. Supervising Engineer, Monmouth County (via email)

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 6/1/2022 WILLIAM H.R. WHITE, III, PE, PP, CME, CPWM N.J. P.E. Lic. No. GE38263											
Project NameCOUNTY ROUTE 29A (MYRTLE AVENUE) DRAINAGE IMPROVEMENTS City, StateBorough of Oceanport, New Jersey Project #OPB-156				ENGINEER'S ESTIMATE		Lima Charlie Construction, Inc. 649 Mattison Avenue, Suite 102 Asbury Park, NJ 07712		Underground Utilities Corp. 711 Commerce Road Linden, NJ 07036		L&L Paving Company, Inc. 89 Yellowbrook Road Farmingdale, NJ 07727	
ESTIMATE OF QUANTITIES											
Item #	Description	Unit	Contract Quantities	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
BASE BID PROPOSAL											
1	SOIL EROSION AND SEDIMENT CONTROL MEASURES	LS	1	\$ 15,000.00	\$ 15,000.00	\$ 5,000.00	\$ 5,000.00	\$ 10,000.00	\$ 10,000.00	\$ 25,000.00	\$ 25,000.00
2	FUEL PRICE ADJUSTMENT	ALLOW	1	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00
3	ASPHALT PRICE ADJUSTMENT	ALLOW	1	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00
4	PORTABLE VARIABLE MESSAGE SIGN	UNIT	2	\$ 3,000.00	\$ 6,000.00	\$ 3,500.00	\$ 7,000.00	\$ 3,000.00	\$ 6,000.00	\$ 4,000.00	\$ 8,000.00
5	BREAKAWAY BARRICADE	UNIT	14	\$ 25.00	\$ 350.00	\$ 1.00	\$ 14.00	\$ 1.00	\$ 14.00	\$ 10.00	\$ 140.00
6	DRUM	UNIT	20	\$ 30.00	\$ 600.00	\$ 1.00	\$ 20.00	\$ 1.00	\$ 20.00	\$ 10.00	\$ 200.00
7	TRAFFIC CONE	UNIT	50	\$ 10.00	\$ 500.00	\$ 1.00	\$ 50.00	\$ 1.00	\$ 50.00	\$ 1.00	\$ 50.00
8	UNIFORMED TRAFFIC DIRECTORS	ALLOW	1	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00
9	CLEARING SITE	LS	1	\$ 40,000.00	\$ 40,000.00	\$ 95,470.00	\$ 95,470.00	\$ 117,474.00	\$ 117,474.00	\$ 25,000.00	\$ 25,000.00
10	EXCAVATION, TEST PIT	CY	90	\$ 35.00	\$ 3,150.00	\$ 75.00	\$ 6,750.00	\$ 300.00	\$ 27,000.00	\$ 30.00	\$ 2,700.00
11	CONSTRUCTION SIGNS	SF	500	\$ 25.00	\$ 12,500.00	\$ 12.00	\$ 6,000.00	\$ 18.00	\$ 9,000.00	\$ 5.00	\$ 2,500.00
12	DENSE GRADED AGGREGATE, BASE COURSE, 6" THICK	SY	2040	\$ 10.00	\$ 20,400.00	\$ 3.00	\$ 6,120.00	\$ 11.00	\$ 22,440.00	\$ 20.00	\$ 40,800.00
13	HOT MIX ASPHALT, 19M64 BASE COURSE, 8" THICK	TON	1070	\$ 95.00	\$ 101,650.00	\$ 150.00	\$ 160,500.00	\$ 110.00	\$ 117,700.00	\$ 110.00	\$ 117,700.00
14	12" HIGH DENSITY POLYETHYLENE PIPE	LF	130	\$ 50.00	\$ 6,500.00	\$ 50.00	\$ 6,500.00	\$ 80.00	\$ 10,400.00	\$ 103.50	\$ 13,455.00
15	15" REINFORCED CONCRETE PIPE	LF	1500	\$ 70.00	\$ 105,000.00	\$ 70.00	\$ 105,000.00	\$ 85.00	\$ 127,500.00	\$ 178.25	\$ 267,375.00
16	18" REINFORCED CONCRETE PIPE	LF	65	\$ 85.00	\$ 5,525.00	\$ 90.00	\$ 5,850.00	\$ 90.00	\$ 5,850.00	\$ 184.00	\$ 11,960.00
17	24" REINFORCED CONCRETE PIPE	LF	130	\$ 90.00	\$ 11,700.00	\$ 100.00	\$ 13,000.00	\$ 100.00	\$ 13,000.00	\$ 201.25	\$ 26,162.50
18	14" DUCTILE IRON PIPE	LF	250	\$ 95.00	\$ 23,750.00	\$ 150.00	\$ 37,500.00	\$ 150.00	\$ 37,500.00	\$ 207.00	\$ 51,750.00
19	12" PVC C905 PIPE	LF	50	\$ 80.00	\$ 4,000.00	\$ 120.00	\$ 6,000.00	\$ 110.00	\$ 5,500.00	\$ 115.00	\$ 5,750.00
20	RESET EXISTING CASTING	UNIT	10	\$ 300.00	\$ 3,000.00	\$ 350.00	\$ 3,500.00	\$ 800.00	\$ 8,000.00	\$ 795.00	\$ 7,950.00
21	CURB PIECE, TYPE 'N-ECO'	UNIT	10	\$ 300.00	\$ 3,000.00	\$ 400.00	\$ 4,000.00	\$ 500.00	\$ 5,000.00	\$ 875.00	\$ 8,750.00
22	BICYCLE SAFE GRATE	UNIT	5	\$ 300.00	\$ 1,500.00	\$ 400.00	\$ 2,000.00	\$ 500.00	\$ 2,500.00	\$ 875.00	\$ 4,375.00
23	RECONSTRUCTED INLET, TYPE B, USING NEW CASTING	UNIT	5	\$ 3,000.00	\$ 15,000.00	\$ 2,000.00	\$ 10,000.00	\$ 1,600.00	\$ 8,000.00	\$ 2,750.00	\$ 13,750.00
24	INLET, TYPE "A"	UNIT	5	\$ 4,000.00	\$ 20,000.00	\$ 3,000.00	\$ 15,000.00	\$ 3,700.00	\$ 18,500.00	\$ 3,975.00	\$ 19,875.00
25	INLET, TYPE "B"	UNIT	13	\$ 4,500.00	\$ 58,500.00	\$ 7,500.00	\$ 97,500.00	\$ 4,000.00	\$ 52,000.00	\$ 3,975.00	\$ 51,675.00
26	INLET, TYPE "B", EXTENDED	UNIT	2	\$ 5,500.00	\$ 11,000.00	\$ 9,500.00	\$ 19,000.00	\$ 7,000.00	\$ 14,000.00	\$ 4,500.00	\$ 9,000.00
27	YARD INLET	UNIT	2	\$ 1,000.00	\$ 2,000.00	\$ 2,500.00	\$ 5,000.00	\$ 2,000.00	\$ 4,000.00	\$ 1,500.00	\$ 3,000.00
28	CONCRETE HEADWALL	CY	5	\$ 700.00	\$ 3,500.00	\$ 1,300.00	\$ 6,500.00	\$ 2,000.00	\$ 10,000.00	\$ 690.00	\$ 3,450.00
29	RIPRAP STONE SLOPE PROTECTION, 12" THICK, D50 =6"	SY	20	\$ 50.00	\$ 1,000.00	\$ 250.00	\$ 5,000.00	\$ 100.00	\$ 2,000.00	\$ 172.50	\$ 3,450.00
30	CONCRETE SIDEWALK, 4" THICK	SY	1255	\$ 75.00	\$ 94,125.00	\$ 70.00	\$ 87,850.00	\$ 95.00	\$ 119,225.00	\$ 90.00	\$ 112,950.00
31	CONCRETE DRIVEWAY, REINFORCED, 6" THICK	SY	195	\$ 85.00	\$ 16,575.00	\$ 95.00	\$ 18,525.00	\$ 110.00	\$ 21,450.00	\$ 120.00	\$ 23,400.00
32	CONCRETE SWALE, 8" THICK, IF & WHERE DIRECTED	SY	70	\$ 90.00	\$ 6,300.00	\$ 150.00	\$ 10,500.00	\$ 175.00	\$ 12,250.00	\$ 135.00	\$ 9,450.00
33	ASPHALT DRIVEWAY, 3-1/2" THICK	SY	230	\$ 65.00	\$ 14,950.00	\$ 35.00	\$ 8,050.00	\$ 60.00	\$ 13,800.00	\$ 30.00	\$ 6,900.00
34	RESET EXISTING PAVERS	SY	25	\$ 80.00	\$ 2,000.00	\$ 140.00	\$ 3,500.00	\$ 150.00	\$ 3,750.00	\$ 90.00	\$ 2,250.00
35	DETECTABLE WARNING SURFACE	SY	25	\$ 500.00	\$ 12,500.00	\$ 250.00	\$ 6,250.00	\$ 250.00	\$ 6,250.00	\$ 100.00	\$ 2,500.00
36	6"x8"x20" CONCRETE VERTICAL CURB	LF	465	\$ 45.00	\$ 20,925.00	\$ 25.00	\$ 11,625.00	\$ 30.00	\$ 13,950.00	\$ 38.50	\$ 17,902.50
37	CONCRETE CURB AND GUTTER	LF	3620	\$ 40.00	\$ 144,800.00	\$ 35.00	\$ 126,700.00	\$ 58.00	\$ 209,960.00	\$ 45.00	\$ 162,900.00
38	TRAFFIC MARKINGS LINES, 4"	LF	2330	\$ 2.00	\$ 4,660.00	\$ 1.00	\$ 2,330.00	\$ 1.00	\$ 2,330.00	\$ 1.00	\$ 2,330.00
39	TRAFFIC MARKINGS LINES, 6"	LF	700	\$ 4.00	\$ 2,800.00	\$ 1.50	\$ 1,050.00	\$ 1.00	\$ 700.00	\$ 2.00	\$ 1,400.00
40	TRAFFIC MARKINGS LINES, 24"	LF	145	\$ 8.00	\$ 1,160.00	\$ 6.00	\$ 870.00	\$ 10.00	\$ 1,450.00	\$ 6.00	\$ 870.00
41	GUIDE SIGN, TYPE GA, BREAK AWAY SUPPORT, IF & WHERE DIRECTED	SF	25	\$ 35.00	\$ 875.00	\$ 45.00	\$ 1,125.00	\$ 75.00	\$ 1,875.00	\$ 100.00	\$ 2,500.00
42	TREE REMOVAL, OVER 12" TO 24" DIAMETER	UNIT	6	\$ 2,500.00	\$ 15,000.00	\$ 1,500.00	\$ 9,000.00	\$ 1,200.00	\$ 7,200.00	\$ 2,000.00	\$ 12,000.00
43	TREE REMOVAL, OVER 36" DIAMETER	UNIT	3	\$ 3,250.00	\$ 9,750.00	\$ 2,500.00	\$ 7,500.00	\$ 2,000.00	\$ 6,000.00	\$ 4,000.00	\$ 12,000.00
44	TOPSOILING, 5" THICK, IF & WHERE DIRECTED	SY	1535	\$ 8.00	\$ 12,280.00	\$ 6.00	\$ 9,210.00	\$ 7.00	\$ 10,745.00	\$ 8.00	\$ 12,280.00
45	FERTILIZING AND SEEDING, TYPE F, IF & WHERE DIRECTED	SY	1535	\$ 2.00	\$ 3,070.00	\$ 1.50	\$ 2,302.50	\$ 2.00	\$ 3,070.00	\$ 6.00	\$ 9,210.00
46	STRAW MULCHING, IF & WHERE DIRECTED	SY	1535	\$ 2.00	\$ 3,070.00	\$ 1.50	\$ 2,302.50	\$ 1.00	\$ 1,535.00	\$ 3.00	\$ 4,605.00
TOTAL BASE BID PROPOSAL				\$ 867,965.00		\$ 964,964.00		\$ 1,096,988.00		\$ 1,147,265.00	


 6/1/2022
 WILLIAM H.R. WHITE, III, PE, PP, CME, CPWM
 N.J. P.E. Lic. No. GE38263

Project Name COUNTY ROUTE 29A (MYRTLE AVENUE) DRAINAGE IMPROVEMENTS
City, State Borough of Oceanport, New Jersey
Project # OPB-156

			ENGINEER'S ESTIMATE	Lima Charlie Construction, Inc. 649 Mattison Avenue, Suite 102 Asbury Park, NJ 07712	Underground Utilities Corp. 711 Commerce Road Linden, NJ 07036	L&L Paving Company, Inc. 89 Yellowbrook Road Farmingdale, NJ 07727
ESTIMATE OF QUANTITIES						
REQUIRED DOCUMENTS						
BID GUARANTEE				X		X
CERTIFICATE FROM SURETY COMPANY				X	X	X
STATEMENT OF CORPORATE OWNERSHIP				X	X	X
LIST OF SUBCONTRACTORS				X	TBD	X
BIDDERS ACKNOWLEDGMENT OF REVISIONS TO BID DOCUMENTS				X	X	X
BIDDERS TO VISIT SITE				X	X	X
EXPERIENCE STATEMENT				X	X	X
NOTICE OF FEDERALLY MANDATED ANTI-DRUG/ALCOHOL PLAN				X	X	X
DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN AS REQUIRED BY N.J.S.A. 40A:11-2.1				X	X	X
PROOF OF BUSINESS REGISTRATION				X	X	X
CONSENT OF SURETY AS TO LABOR AND MATERIAL PAYMENT BOND				X	X	X
SUBCONTRACTOR EXPERIENCE STATEMENT				X	N/A	X
PUBLIC WORKS CONTRACTOR REGISTRATION				X	X	X
CONSENT OF SURETY AS TO MAINTENANCE BOND				X	X	X
NON-COLLUSION AFFIDAVIT (NOTARIZED)				X	X	X
EQUIPMENT CERTIFICATION				X	X	X
EVIDENCE OF AFFIRMATIVE ACTION COMPLIANCE				X	X	X

331 Newman Springs Road
Suite 203
Red Bank New Jersey 07701
Main: 877 627 3772



June 22, 2022

VIA EMAIL

Joseph Ettore, County Engineer
Department of Public Works & Engineering
Division of Engineering & Traffic Safety
Hall of Records Annex
1 East Main Street
Freehold, NJ 07728

County Route 29A (Myrtle Avenue) Drainage Improvements
Borough of Oceanport, Monmouth County, New Jersey
Colliers Engineering & Design Project No. OPB-156

Dear Mr. Ettore,

Please be advised that formal bids for the above-referenced project were received on Wednesday, June 1, 2022. Three (3) bids were received, all of which were regular. A summary tabulation of the bid results is attached.

The lowest bid was submitted by Lima Charlie Construction, 649 Mattison Avenue, Asbury Park, NJ 07712 in the total amount of \$964,964.00.

I have reviewed each of the submitted proposals by the three (3) bidders and find that although the low bidder's amount is higher than anticipated, it is consistent with the other proposals submitted and is not unreasonable. Additionally, Lima Charlie Construction is known by this office to be a responsible contractor and has successfully completed projects that were under our observance.

As you are aware this project is subject to a September 2018 agreement between the County and Borough. Attached is the original Appendix A clarifying the cost share. The spreadsheet was updated based on the lowest bid unit prices. A comparison is provided below.

	Engineering	Construction	Total	County Portion	Borough Portion
Original Agreement	\$189,511.50	\$757,956.00	\$947,467.50	\$649,025.75	\$298,411.25
Current	\$161,900.00	\$964,964.00	\$1,126,864.00	\$740,039.78	\$386,824.22



Based on the above, it is my recommendation for your office to provide approval to the Borough for the award of a unit price contract in the low bid amount of \$964,964.00 to Lima Charlie Construction.

Any award shall be conditioned upon the review and approval of the bid documents by your office, the Borough Attorney, and the availability of funds.

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

Sincerely,

Colliers Engineering & Design, Inc.
(DBA Maser Consulting)

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

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

WHW/dmm
Enclosures

cc: Jeanne Smith, RMC, Borough Clerk (via email)
Thomas Lombardi, PE (via email)
Katie LaPorta, CFO (via email)

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331 Newman Springs Road
Suite 203
Red Bank New Jersey 07701
Main: 877 627 3772



June 2, 2022

VIA EMAIL

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

County Route 29A (Myrtle Avenue) Drainage Improvements
Borough of Oceanport, Monmouth County, New Jersey
Colliers Engineering & Design Project No. OPB-156

Dear Mayor and Council,

On Wednesday June 1, 2022, at 11:00 am, bids were received for the County Route 29A (Myrtle Avenue) Drainage Improvements. We have reviewed the bids and found them to be in order. We have included the attached bid summary for your review.

A comparison of the bids is as follows:

BIDDER	GRAND TOTAL
LIMA CHARLIE CONSTRUCTION	\$964,964.00
UNDERGROUND UTILITIES CORP.	\$1,096,988.00
L&L PAVING COMPANY	\$1,147,265.00

Our office has worked with the apparent low bidder recently, and their work has been found to be acceptable. Based upon our review of the above referenced bid, it is our recommendation that the contract be awarded to Lima Charlie Construction, 649 Mattison Avenue, Asbury Park, NJ 07712 for \$964,964.00.

Any award shall be conditioned upon the review and approval of the bid documents by the Borough Attorney, approval by Monmouth County and the availability of funds.

Project No. OPB-156
June 2, 2022
Page 2 | 2



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

Sincerely,

Colliers Engineering & Design, Inc.
(DBA Maser Consulting)

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

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

WHW/dmm
Enclosure

cc: Jeanne Smith, RMC, Borough Clerk (with enclosure and original bids)
Scott Arnette, Esq., Borough Attorney (via email)
Thomas Lombardi, P.E. Supervising Engineer, Monmouth County (via email)

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 6/1/2022 WILLIAM H.R. WHITE, III, PE, PP, CME, CPWM N.J. P.E. Lic. No. GE38263											
Project Name COUNTY ROUTE 29A (MYRTLE AVENUE) DRAINAGE IMPROVEMENTS City, State Borough of Oceanport, New Jersey Project # OPB-156				ENGINEER'S ESTIMATE		Lima Charlie Construction, Inc. 649 Mattison Avenue, Suite 102 Asbury Park, NJ 07712		Underground Utilities Corp. 711 Commerce Road Linden, NJ 07036		L&L Paving Company, Inc. 89 Yellowbrook Road Farmingdale, NJ 07727	
ESTIMATE OF QUANTITIES											
Item #	Description	Unit	Contract Quantities	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
BASE BID PROPOSAL											
1	SOIL EROSION AND SEDIMENT CONTROL MEASURES	LS	1	\$ 15,000.00	\$ 15,000.00	\$ 5,000.00	\$ 5,000.00	\$ 10,000.00	\$ 10,000.00	\$ 25,000.00	\$ 25,000.00
2	FUEL PRICE ADJUSTMENT	ALLOW	1	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00
3	ASPHALT PRICE ADJUSTMENT	ALLOW	1	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00
4	PORTABLE VARIABLE MESSAGE SIGN	UNIT	2	\$ 3,000.00	\$ 6,000.00	\$ 3,500.00	\$ 7,000.00	\$ 3,000.00	\$ 6,000.00	\$ 4,000.00	\$ 8,000.00
5	BREAKAWAY BARRICADE	UNIT	14	\$ 25.00	\$ 350.00	\$ 1.00	\$ 14.00	\$ 1.00	\$ 14.00	\$ 10.00	\$ 140.00
6	DRUM	UNIT	20	\$ 30.00	\$ 600.00	\$ 1.00	\$ 20.00	\$ 1.00	\$ 20.00	\$ 10.00	\$ 200.00
7	TRAFFIC CONE	UNIT	50	\$ 10.00	\$ 500.00	\$ 1.00	\$ 50.00	\$ 1.00	\$ 50.00	\$ 1.00	\$ 50.00
8	UNIFORMED TRAFFIC DIRECTORS	ALLOW	1	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00
9	CLEARING SITE	LS	1	\$ 40,000.00	\$ 40,000.00	\$ 95,470.00	\$ 95,470.00	\$ 117,474.00	\$ 117,474.00	\$ 25,000.00	\$ 25,000.00
10	EXCAVATION, TEST PIT	CY	90	\$ 35.00	\$ 3,150.00	\$ 75.00	\$ 6,750.00	\$ 300.00	\$ 27,000.00	\$ 30.00	\$ 2,700.00
11	CONSTRUCTION SIGNS	SF	500	\$ 25.00	\$ 12,500.00	\$ 12.00	\$ 6,000.00	\$ 18.00	\$ 9,000.00	\$ 5.00	\$ 2,500.00
12	DENSE GRADED AGGREGATE, BASE COURSE, 6" THICK	SY	2040	\$ 10.00	\$ 20,400.00	\$ 3.00	\$ 6,120.00	\$ 11.00	\$ 22,440.00	\$ 20.00	\$ 40,800.00
13	HOT MIX ASPHALT, 19M64 BASE COURSE, 8" THICK	TON	1070	\$ 95.00	\$ 101,650.00	\$ 150.00	\$ 160,500.00	\$ 110.00	\$ 117,700.00	\$ 110.00	\$ 117,700.00
14	12" HIGH DENSITY POLYETHYLENE PIPE	LF	130	\$ 50.00	\$ 6,500.00	\$ 50.00	\$ 6,500.00	\$ 80.00	\$ 10,400.00	\$ 103.50	\$ 13,455.00
15	15" REINFORCED CONCRETE PIPE	LF	1500	\$ 70.00	\$ 105,000.00	\$ 70.00	\$ 105,000.00	\$ 85.00	\$ 127,500.00	\$ 178.25	\$ 267,375.00
16	18" REINFORCED CONCRETE PIPE	LF	65	\$ 85.00	\$ 5,525.00	\$ 90.00	\$ 5,850.00	\$ 90.00	\$ 5,850.00	\$ 184.00	\$ 11,960.00
17	24" REINFORCED CONCRETE PIPE	LF	130	\$ 90.00	\$ 11,700.00	\$ 100.00	\$ 13,000.00	\$ 100.00	\$ 13,000.00	\$ 201.25	\$ 26,162.50
18	14" DUCTILE IRON PIPE	LF	250	\$ 95.00	\$ 23,750.00	\$ 150.00	\$ 37,500.00	\$ 150.00	\$ 37,500.00	\$ 207.00	\$ 51,750.00
19	12" PVC C905 PIPE	LF	50	\$ 80.00	\$ 4,000.00	\$ 120.00	\$ 6,000.00	\$ 110.00	\$ 5,500.00	\$ 115.00	\$ 5,750.00
20	RESET EXISTING CASTING	UNIT	10	\$ 300.00	\$ 3,000.00	\$ 350.00	\$ 3,500.00	\$ 800.00	\$ 8,000.00	\$ 795.00	\$ 7,950.00
21	CURB PIECE, TYPE 'N-ECO'	UNIT	10	\$ 300.00	\$ 3,000.00	\$ 400.00	\$ 4,000.00	\$ 500.00	\$ 5,000.00	\$ 875.00	\$ 8,750.00
22	BICYCLE SAFE GRATE	UNIT	5	\$ 300.00	\$ 1,500.00	\$ 400.00	\$ 2,000.00	\$ 500.00	\$ 2,500.00	\$ 875.00	\$ 4,375.00
23	RECONSTRUCTED INLET, TYPE B, USING NEW CASTING	UNIT	5	\$ 3,000.00	\$ 15,000.00	\$ 2,000.00	\$ 10,000.00	\$ 1,600.00	\$ 8,000.00	\$ 2,750.00	\$ 13,750.00
24	INLET, TYPE "A"	UNIT	5	\$ 4,000.00	\$ 20,000.00	\$ 3,000.00	\$ 15,000.00	\$ 3,700.00	\$ 18,500.00	\$ 3,975.00	\$ 19,875.00
25	INLET, TYPE "B"	UNIT	13	\$ 4,500.00	\$ 58,500.00	\$ 7,500.00	\$ 97,500.00	\$ 4,000.00	\$ 52,000.00	\$ 3,975.00	\$ 51,675.00
26	INLET, TYPE "B", EXTENDED	UNIT	2	\$ 5,500.00	\$ 11,000.00	\$ 9,500.00	\$ 19,000.00	\$ 7,000.00	\$ 14,000.00	\$ 4,500.00	\$ 9,000.00
27	YARD INLET	UNIT	2	\$ 1,000.00	\$ 2,000.00	\$ 2,500.00	\$ 5,000.00	\$ 2,000.00	\$ 4,000.00	\$ 1,500.00	\$ 3,000.00
28	CONCRETE HEADWALL	CY	5	\$ 700.00	\$ 3,500.00	\$ 1,300.00	\$ 6,500.00	\$ 2,000.00	\$ 10,000.00	\$ 690.00	\$ 3,450.00
29	RIPRAP STONE SLOPE PROTECTION, 12" THICK, D50 =6"	SY	20	\$ 50.00	\$ 1,000.00	\$ 250.00	\$ 5,000.00	\$ 100.00	\$ 2,000.00	\$ 172.50	\$ 3,450.00
30	CONCRETE SIDEWALK, 4" THICK	SY	1255	\$ 75.00	\$ 94,125.00	\$ 70.00	\$ 87,850.00	\$ 95.00	\$ 119,225.00	\$ 90.00	\$ 112,950.00
31	CONCRETE DRIVEWAY, REINFORCED, 6" THICK	SY	195	\$ 85.00	\$ 16,575.00	\$ 95.00	\$ 18,525.00	\$ 110.00	\$ 21,450.00	\$ 120.00	\$ 23,400.00
32	CONCRETE SWALE, 8" THICK, IF & WHERE DIRECTED	SY	70	\$ 90.00	\$ 6,300.00	\$ 150.00	\$ 10,500.00	\$ 175.00	\$ 12,250.00	\$ 135.00	\$ 9,450.00
33	ASPHALT DRIVEWAY, 3-1/2" THICK	SY	230	\$ 65.00	\$ 14,950.00	\$ 35.00	\$ 8,050.00	\$ 60.00	\$ 13,800.00	\$ 30.00	\$ 6,900.00
34	RESET EXISTING PAVERS	SY	25	\$ 80.00	\$ 2,000.00	\$ 140.00	\$ 3,500.00	\$ 150.00	\$ 3,750.00	\$ 90.00	\$ 2,250.00
35	DETECTABLE WARNING SURFACE	SY	25	\$ 500.00	\$ 12,500.00	\$ 250.00	\$ 6,250.00	\$ 250.00	\$ 6,250.00	\$ 100.00	\$ 2,500.00
36	6"X8"X20" CONCRETE VERTICAL CURB	LF	465	\$ 45.00	\$ 20,925.00	\$ 25.00	\$ 11,625.00	\$ 30.00	\$ 13,950.00	\$ 38.50	\$ 17,902.50
37	CONCRETE CURB AND GUTTER	LF	3620	\$ 40.00	\$ 144,800.00	\$ 35.00	\$ 126,700.00	\$ 58.00	\$ 209,960.00	\$ 45.00	\$ 162,900.00
38	TRAFFIC MARKINGS LINES, 4"	LF	2330	\$ 2.00	\$ 4,660.00	\$ 1.00	\$ 2,330.00	\$ 1.00	\$ 2,330.00	\$ 1.00	\$ 2,330.00
39	TRAFFIC MARKINGS LINES, 6"	LF	700	\$ 4.00	\$ 2,800.00	\$ 1.50	\$ 1,050.00	\$ 1.00	\$ 700.00	\$ 2.00	\$ 1,400.00
40	TRAFFIC MARKINGS LINES, 24"	LF	145	\$ 8.00	\$ 1,160.00	\$ 6.00	\$ 870.00	\$ 10.00	\$ 1,450.00	\$ 6.00	\$ 870.00
41	GUIDE SIGN, TYPE GA, BREAK AWAY SUPPORT, IF & WHERE DIRECTED	SF	25	\$ 35.00	\$ 875.00	\$ 45.00	\$ 1,125.00	\$ 75.00	\$ 1,875.00	\$ 100.00	\$ 2,500.00
42	TREE REMOVAL, OVER 12" TO 24" DIAMETER	UNIT	6	\$ 2,500.00	\$ 15,000.00	\$ 1,500.00	\$ 9,000.00	\$ 1,200.00	\$ 7,200.00	\$ 2,000.00	\$ 12,000.00
43	TREE REMOVAL, OVER 36" DIAMETER	UNIT	3	\$ 3,250.00	\$ 9,750.00	\$ 2,500.00	\$ 7,500.00	\$ 2,000.00	\$ 6,000.00	\$ 4,000.00	\$ 12,000.00
44	TOPSOILING, 5" THICK, IF & WHERE DIRECTED	SY	1535	\$ 8.00	\$ 12,280.00	\$ 6.00	\$ 9,210.00	\$ 7.00	\$ 10,745.00	\$ 8.00	\$ 12,280.00
45	FERTILIZING AND SEEDING, TYPE F, IF & WHERE DIRECTED	SY	1535	\$ 2.00	\$ 3,070.00	\$ 1.50	\$ 2,302.50	\$ 2.00	\$ 3,070.00	\$ 6.00	\$ 9,210.00
46	STRAW MULCHING, IF & WHERE DIRECTED	SY	1535	\$ 2.00	\$ 3,070.00	\$ 1.50	\$ 2,302.50	\$ 1.00	\$ 1,535.00	\$ 3.00	\$ 4,605.00
TOTAL BASE BID PROPOSAL				\$ 867,965.00		\$ 964,964.00		\$ 1,096,988.00		\$ 1,147,265.00	



 6/1/2022 WILLIAM H.R. WHITE, III, PE, PP, CME, CPWM N.J. P.E. Lic. No. GE38263											
Project Name COUNTY ROUTE 29A (MYRTLE AVENUE) DRAINAGE IMPROVEMENTS City, State Borough of Oceanport, New Jersey Project # OPB-156											
				ENGINEER'S ESTIMATE		Lima Charlie Construction, Inc. 649 Mattison Avenue, Suite 102 Asbury Park, NJ 07712		Underground Utilities Corp. 711 Commerce Road Linden, NJ 07036		L&L Paving Company, Inc. 89 Yellowbrook Road Farmingdale, NJ 07727	
ESTIMATE OF QUANTITIES											
REQUIRED DOCUMENTS											
BID GUARANTEE						X				X	
CERTIFICATE FROM SURETY COMPANY						X		X		X	
STATEMENT OF CORPORATE OWNERSHIP						X		X		X	
LIST OF SUBCONTRACTORS						X		TBD		X	
BIDDERS ACKNOWLEDGMENT OF REVISIONS TO BID DOCUMENTS						X		X		X	
BIDDERS TO VISIT SITE						X		X		X	
EXPERIENCE STATEMENT						X		X		X	
NOTICE OF FEDERALLY MANDATED ANTI-DRUG/ALCOHOL PLAN						X		X		X	
DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN AS REQUIRED BY N.J.S.A. 40A:11-2.1						X		X		X	
PROOF OF BUSINESS REGISTRATION						X		X		X	
CONSENT OF SURETY AS TO LABOR AND MATERIAL PAYMENT BOND						X		X		X	
SUBCONTRACTOR EXPERIENCE STATEMENT						X		N/A		X	
PUBLIC WORKS CONTRACTOR REGISTRATION						X		X		X	
CONSENT OF SURETY AS TO MAINTENANCE BOND						X		X		X	
NON-COLLUSION AFFIDAVIT (NOTARIZED)						X		X		X	
EQUIPMENT CERTIFICATION						X		X		X	
EVIDENCE OF AFFIRMATIVE ACTION COMPLIANCE						X		X		X	

Updated

2022 Shared Service Project "Myrtle Ave" With County

		Bonding, Design, Construction	Project	Total	County	Cnty portion	Borough
Drainage	Myrtle	\$ 53,660.44	\$ 319,829.50	\$ 373,489.94	\$ 373,489.94	100%	\$ -
	Myrtle Curb	\$ 23,272.61	\$ 138,710.50	\$ 161,983.11	\$ 161,983.11	100%	\$ -
	Allenhurst Drainage	\$ 30,060.50	\$ 179,168.00	\$ 209,228.50	\$ 104,614.25	50%	\$ 104,614.25
	Allenhurst Drainage Curb and Aprons	\$ 9,537.19	\$ 56,844.00	\$ 66,381.19	\$ -	0%	\$ 66,381.19
	Avon Drainage	\$ 17,950.60	\$ 106,990.00	\$ 124,940.60	\$ 99,952.48	80%	\$ 24,988.12
	Sidewalk	\$ 27,418.66	\$ 163,422.00	\$ 190,840.66	\$ -	0%	\$ 190,840.66
		<u>\$ 161,900.00</u>	<u>\$ 964,964.00</u>	<u>\$ 1,126,864.00</u>	<u>\$ 740,039.78</u>		<u>\$ 386,824.22</u>
		\$ 161,900.00					

2019 Shared Service Project "Myrtle Ave" With County

Mill and Pave	Allenhurst	\$ 10,017.75	\$ 40,071.00	\$ 50,088.75	\$ 25,044.38	50%	\$ 25,044.38
	Avon	\$ 7,554.00	\$ 30,216.00	\$ 37,770.00	\$ 18,885.00	50%	\$ 18,885.00
		<u>\$ 17,571.75</u>	<u>\$ 70,287.00</u>	<u>\$ 87,858.75</u>	<u>\$ 43,929.38</u>		<u>\$ 43,929.38</u>
				\$ 1,214,722.75	\$ 783,969.16		\$ 430,753.59

2019 County Mills and Paves Myrtle and Monmouth Blvd.

	Total	County		Borough
Monmouth Blvd	\$450,000.00	\$450,000.00	100%	\$ -
Myrtle Ave	\$160,000.00	\$160,000.00	100%	\$ -
	<u>\$610,000.00</u>	<u>\$610,000.00</u>		

Estimated Total Cost	<u>\$ 2,134,008.94</u>	<u>\$ 817,577.81</u>
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Total	County	Borough
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ORIGINAL

2018 Shared Service Project "Myrtle Ave" With County

		Bonding, Design, Construction	Project	Total	County	Cnty portion	Borough
Drainage	Myrtle	\$ 60,747.50	\$ 242,900.00	\$ 303,647.50	\$ 303,647.00	100%	\$ -
	Myrtle Curb	\$ 40,505.00	\$ 162,020.00	\$ 202,525.00	\$ 202,525.00	100%	\$ -
	Allenhurst Drainage	\$ 22,461.50	\$ 89,846.00	\$ 112,307.50	\$ 56,153.75	50%	\$ 56,153.75
	Allenhurst Drainage Curb and Aprons	\$ 17,462.50	\$ 69,850.00	\$ 87,312.50	\$ -	0%	\$ 87,312.50
	Avon Drainage	\$ 21,675.00	\$ 86,700.00	\$ 108,375.00	\$ 86,700.00	80%	\$ 21,675.00
	Sidewalk	\$ 26,660.00	\$ 106,640.00	\$ 133,300.00	\$ -	0%	\$ 133,300.00
		<u>\$ 189,511.50</u>	<u>\$ 757,956.00</u>	<u>\$ 947,467.50</u>	<u>\$ 649,025.75</u>		<u>\$ 298,441.25</u>

2019 Shared Service Project "Myrtle Ave" With County

Mill and Pave	Allenhurst	\$ 10,017.75	\$ 40,071.00	\$ 50,088.75	\$ 25,044.38	50%	\$ 25,044.38
	Avon	\$ 7,554.00	\$ 30,216.00	\$ 37,770.00	\$ 18,885.00	50%	\$ 18,885.00
		<u>\$ 17,571.75</u>	<u>\$ 70,287.00</u>	<u>\$ 87,858.75</u>	<u>\$ 43,929.38</u>		<u>\$ 43,929.38</u>
				\$ 1,035,326.25	\$ 692,955.13		\$ 342,370.63

2019 County Mills and Paves Myrtle and Monmouth Blvd.

	Total	County		Borough
Monmouth Blvd	\$450,000.00	\$450,000.00	100%	\$ -
Myrtle Ave	\$160,000.00	\$160,000.00	100%	\$ -
	<u>\$610,000.00</u>	<u>\$610,000.00</u>		

Estimated Total Cost	<u>\$ 1,951,980.88</u>	<u>\$ 640,811.88</u>
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Total	County	Borough
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Minutes of the Oceanport Historical Committee Meeting on 05/12/2022

The meeting was held at the Blackberry Bay Pavilion and began at 7:00 p.m.

Attendees:

1. Frank Barricelli
2. Rosanne Letson
3. Robin Kelly
4. Toni Sverapa
5. Paula Lombardo
6. Mike MacStudy
7. Ric Siciliano

The meeting minutes for March were approved with the changes recommended by Rosanne. Frank has an action item to provide those approved minutes to Jeanne Smith.

Toni provided an update on the financial status. There was no change from the previous month. The amount of \$358 remains unencumbered.

The status of the action items from the March 10, 2022 meeting are as follows:

1. Completed. Rosanne submitted the minutes of the meeting held on February 10th to Jeanne Smith.
2. Completed. Toni provided additional information and photographs about Superstorm Sandy which have been included in the latest draft.
3. Completed. Rosanne assembled photographs which have been assembled into collages.
4. Completed. Information about the Covid-19 Pandemic has been added to the introduction.
5. Completed. The parts of the book have been placed in a revised order.
6. Completed. The minutes of the March meeting were prepared and circulated for comment.

Paula provided the status of the military band concert. It will be held on June 30th at Blackberry Bay Park on the former roller hockey rink. There is no alternate date in case of inclement weather. There was a discussion about how to disseminate information about that concert to encourage attendance. Paula took an action item to prepare and post fliers about the event. Paula and Toni took an action item to gather information about purchasing three signs about the event which would be posted at prominent locations. Robin took an action item to check on buses to transport senior citizens to and from the concert.

Robin Kelly and Tom Cavanagh plan to march in the Memorial Day Parade. The banner carried at the last parade and its duplicate were both repeatedly damaged by storms and were disposed of. Paula advised there will be no wreath laying ceremony at the end of the parade.

There have been no actions with regards to school support.

Copies of the latest draft of the book were distributed along with the photograph collages. Members are to review those.

Other Items and Open Discussions - The possibility of another Holiday House Tour was discussed. No decision was made due to our current understanding about the committee's ability to charge an admission.

The next meeting will be held on June 2nd at 6:00 p.m. at the Blackberry Bay Pavilion. The purpose of that meeting will be to provide all comments on the latest book draft.

New Action Items

1. Frank will submit the minutes of the March 10th meeting to Jeanne Smith.
2. Paula will prepare and post fliers about the military band concert.
3. Toni and Paula will check on acquiring signs to advertise the military band concert.
4. Robin will check on the bus service for senior citizens wishing to attend the military band concert.
5. Frank will prepare and circulate draft minutes of this meeting.

The meeting was adjourned at 8:10 p.m.

BOROUGH OF OCEANPORT

Michael P. Kelly
Chief of Police

Michael S. Chenoweth
Captain



POLICE DEPARTMENT

P.O. BOX 370, OCEANPORT, NEW JERSEY 07757

732.222.6300

Main

732.222.6301 ext 1015

Records

732.222.0945

Fax

Thursday, June 23, 2022

To: Francis Lippolis, Oceanport Fire Department
Donna Phelps, Oceanport Borough Administrator

Reference: Daniel S. Briskey, Fire Department Applicant

Please be advised that the record check of the above applicant for membership in a volunteer organization is complete. Our investigation has led to the following finding:

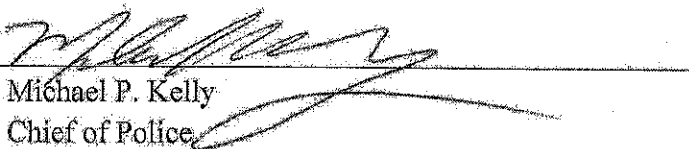
X

The applicant is suitable for membership.

The applicant is **NOT** suitable for membership.

If there are any further questions regarding this applicant, please contact my office.

Sincerely,


Michael P. Kelly
Chief of Police

Cc: file copy

BOROUGH OF OCEANPORT

Michael P. Kelly
Chief of Police
Michael S. Chenoweth
Captain



POLICE DEPARTMENT

P.O. BOX 370, OCEANPORT, NEW JERSEY 07757

732.222.6300
Main732.222.6301 ext 1015
Records732.222.0945
Fax

Tuesday, July 05, 2022

To: Frederick Filippone, Oceanport First Aid
Donna Phelps, Oceanport Borough Administrator

Reference: John A. Donohoe, First Aid Applicant

Please be advised that the record check of the above applicant for membership in a volunteer organization is complete. Our investigation has led to the following finding:

 X

The applicant is suitable for membership.

 The applicant is **NOT** suitable for membership.

If there are any further questions regarding this applicant, please contact my office.

Sincerely,


Michael P. Kelly
Chief of Police

Cc: file copy

BOROUGH OF OCEANPORT



Michael P. Kelly
Chief of Police

Michael S. Chenoweth
Captain

POLICE DEPARTMENT
P.O. BOX 370, OCEANPORT, NEW JERSEY 07757

732.222.6300

Main

732.222.6301 ext 1015

Records

732.222.0945

Fax

Wednesday, June 29, 2022

To: Frederick Filippone, Oceanport First Aid
Donna Phelps, Oceanport Borough Administrator

Reference: Caroline Kokolus, First Aid Applicant

Please be advised that the record check of the above applicant for membership in a volunteer organization is complete. Our investigation has led to the following finding:

X

The applicant is suitable for membership.

The applicant is **NOT** suitable for membership.

If there are any further questions regarding this applicant, please contact my office.

Sincerely,


Michael P. Kelly
Chief of Police

Cc: file copy

**BOROUGH OF OCEANPORT****MAYOR & COUNCIL****MINUTES • JUNE 16, 2022****Regular Meeting****Clement V. Sommers Municipal Building****7:00 PM****910 Oceanport Way, Oceanport, NJ 07757**

- I. **Call to Order:** Mayor Coffey called the meeting to order at 7:16 PM
- II. **Statement of Compliance with Open Public Meetings Act:** This meeting complies with the Open Public Meetings Act by adequate and electronic notification on January 5, 2022 of this meeting and its location, date and time to the Asbury Park Press and Two River Times and by the posting of same on the municipal bulletin board and Borough's Web Site.
- III. **Flag Salute:** Members of the U10 Knights Championship Basketball Team led attendees and the Mayor & Borough Council in the flag salute.
- IV. **Roll Call:**

Attendee Name	Title	Status	Arrived
Jay Coffey	Mayor	Present	
William Deerin	Councilman	Absent	
Richard Gallo	Councilman	Present	
Bryan Keeshen	Councilman	Present	
Michael O'Brien	Councilman	Present	
Thomas Tvrdik	Councilman	Present	
Meghan Walker	Councilwoman	Present	
Jeanne Smith	Borough Clerk	Present	
Scott Arnette	Board Attorney	Present	
Donna M. Phelps	Administrator	Present	
Catherine D. LaPorta	Chief Financial Officer	Present	

Mayor Coffey read a Proclamation recognizing and congratulating the U10 Knights Championship Basketball Team and proclaiming June 17, 2022 as Oceanport Knights U10 Girls Day in Oceanport.

- V. **Administrators Report:** Ms. Phelps reported on items including COVID19 reimbursement applications to FEMA, second round of FEMA Building Resilient Infrastructure and Communities (BRIC) being reviewed, kick off meeting, and individual meeting for Oceanport representatives to discuss back flooding issues and what can be done to reduce the surge that Oceanport experiences during tidal events; discussions with OEM to relocate the temporary debris management area from the parcel next to Maria Gatta Park – considered sites include leaf compost area, parking lot owned by NJSEA, Monmouth County property off Crescent Place, property owned by FMERA, ultimately discussed how to keep at Maria Gatta Park which is owned by the Borough where the other sites are not; other sites suggested but not an option are the field for the community garden and parking lot owned by NJSEA. Ms. Phelps asked for Council input on using the compost site, discussion ensued concerning suitability of the site – size, area, access. She has requested Mr. White to review for any wetland buffer issues. OEM Director Buzz Baldanza needs to seek NJDEP approval for the new location. Mayor Coffey offered to discuss with FMERA Director for options on an emergent basis should something happen while the work at Gatta Park being done. He expects FMERA to be hesitant but in the case of a severe emergency it may be an option.

Ms. Phelps also advised that Monmouth County has announced funding for the 2022 Open Space Grant is open; she has reached out to the County to determine if Oceanport would be eligible having 2 open projects currently (Community Center and pickleball courts); the deadline to apply is September 15th. Ms. Phelps announced that the Maria Gatta Park fields would be closed from July 1 to Oct. 1. Mayor Coffey asked if leagues that normally utilize had been noticed. Ms. Smith responded that the Clerk's Office would be notifying those parties once the official start date was provided and would also be put up on the website.

Ms. Phelps reported a successful launch of the Borough's new payroll system and employee time off request system; and congratulated Steve Briskey on achieving his Certified Public Works Manager certification.

VI. Clerk's Report:

1. Fort Monmouth Plan Amendment #19 (Eatontown) – Ms. Smith advised that the Borough was in receipt of the plan amendment with 45 days for the host communities to provide comment; she provided brief summary of the amendment that impacts a section of Eatontown near the golf course not in the vicinity of Oceanport and asked if the Council wanted to continue with the distribution of the plan amendments to the Borough's professionals and the costs incurred thereof. Councilman Keeshen stated he didn't believe comment was necessary for the Eatontown amendment. Mayor Coffey agreed that the amendment did not need further review. Consensus was no need to review and the Clerk was directed to respond to FMERA with no comments.

VII. Consent Agenda:

- | | | |
|------------------|-----|---|
| #2022-118 | 1. | Resolution authorizing payment of BILL LIST 06-16-2022 |
| #2022-119 | 2. | Resolution Setting Compensation for Action Camp 2022 Employees |
| #2022-120 | 3. | Resolution Approving 2022-2023 Liquor Licenses |
| #2022-121 | 4. | Resolution awarding Contract to Colliers Engineering & Design - 2022 Road Program |
| #2022-122 | 5. | Resolution Authorizing 3rd Quarter Estimated Tax Bills |
| #2022-123 | 6. | Resolution authorizing an extension of the 3rd QTR Grace Period |
| #2022-124 | 7. | Resolution appointments to Boards & Committees, Recreation |
| #2022-125 | 8. | Resolution awarding contract to Coastal Refrigeration for 2022 services |
| | 9. | Receipt & Acceptance of Minutes, Recreation Committee, 04/13/2022 |
| | 10. | Receipt & Acceptance of Minutes, Historical Committee, 03/10/2022 |

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Meghan Walker, Councilwoman
SECONDER:	Bryan Keeshen, Councilman
AYES:	Gallo, Keeshen, O'Brien, Tvrdik, Walker
ABSENT:	Deerin

VIII. Minutes:

1. Mayor & Council - Workshop - May 5, 2022 7:00 PM

RESULT:	ACCEPTED [4 TO 0]
MOVER:	Michael O'Brien, Councilman
SECONDER:	Richard Gallo, Councilman
AYES:	Gallo, O'Brien, Tvrdik, Walker
ABSTAIN:	Keeshen
ABSENT:	Deerin

2. Mayor & Council - Regular Meeting - May 19, 2022 7:00 PM

RESULT:	ACCEPTED [4 TO 0]
MOVER:	Thomas Tvrdik, Councilman
SECONDER:	Meghan Walker, Councilwoman
AYES:	Gallo, O'Brien, Tvrdik, Walker
ABSTAIN:	Keeshen
ABSENT:	Deerin

IX. Second Reading & Public Hearing Ordinances:**#1056 An Ordinance Amending Salary Ranges**

Councilman Tvrdik called for the 2nd reading and Public Hearing of an ordinance creating an Environmental Commission and asked the Clerk to read the affidavit of publication of the proposed ordinance by title only **"AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY SETTING THE SALARY RANGES OF CERTAIN BOROUGH OFFICERS AND BOROUGH EMPLOYEES PASSED AND APPROVED MARCH 16, 1939 AND LAST REVISED AND APPROVED ON SEPTEMBER 16, 2021"** was published one time in the Two River Times on June 9, 2022.

PUBLIC HEARING: Mayor Coffey opened the meeting for public comment for this ordinance. As no one from the public presented to be heard, the public hearing was closed on a motion by Councilman O'Brien and seconded by Councilman Keeshen.

Councilman Tvrdik made a motion to adopt the ordinance and advertise in accordance with law, which was seconded by Councilman O'Brien.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Thomas Tvrdik, Councilman
SECONDER: Michael O'Brien, Councilman
AYES: Gallo, Keeshen, O'Brien, Tvrdik, Walker
ABSENT: Deerin

X. Resolutions:

#2022-126 Resolution fixing compensation for employees & officials for 2022

RESULT: ADOPTED [UNANIMOUS]
MOVER: Michael O'Brien, Councilman
SECONDER: Meghan Walker, Councilwoman
AYES: Gallo, Keeshen, O'Brien, Tvrdik, Walker
ABSENT: Deerin

#2022-127 Resolution authorizing submittal of NJDOT Grant Application - Comanche Dr Phase 4

RESULT: ADOPTED [UNANIMOUS]
MOVER: Richard Gallo, Councilman
SECONDER: Michael O'Brien, Councilman
AYES: Gallo, Keeshen, O'Brien, Tvrdik, Walker
ABSENT: Deerin

#2022-128 Resolution awarding contract to Colliers Engineering & Design - Pickle Ball Courts

RESULT: ADOPTED [UNANIMOUS]
MOVER: Michael O'Brien, Councilman
SECONDER: Thomas Tvrdik, Councilman
AYES: Gallo, Keeshen, O'Brien, Tvrdik, Walker
ABSENT: Deerin

#2022-129 Resolution authorizing MOU with FMERA for Engineering Services - Demolition of Bldgs

RESULT: ADOPTED [4 TO 0]
MOVER: Thomas Tvrdik, Councilman
SECONDER: Meghan Walker, Councilwoman
AYES: Keeshen, O'Brien, Tvrdik, Walker
ABSTAIN: Gallo
ABSENT: Deerin

#2022-130 Resolution authorizing purchase of various DPW equipment - *Added on Late*

RESULT: ADOPTED [UNANIMOUS]
MOVER: Bryan Keeshen, Councilman
SECONDER: Richard Gallo, Councilman
AYES: Gallo, Keeshen, O'Brien, Tvrdik, Walker
ABSENT: Deerin

#2022-131 Resolution authorizing purchase of leaf vacuum for DPW - *Added on Late*

RESULT: ADOPTED [UNANIMOUS]
MOVER: Richard Gallo, Councilman
SECONDER: Bryan Keeshen, Councilman
AYES: Gallo, Keeshen, O'Brien, Tvrdik, Walker
ABSENT: Deerin

#2022-132 Resolution authorizing the sale of general obligation bonds - *Added on Late*

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael O'Brien, Councilman
SECONDER:	Bryan Keeshen, Councilman
AYES:	Gallo, Keeshen, O'Brien, Tvrdik, Walker
ABSENT:	Deerin

XI. Committee Reports:

1. Councilman Deerin, Parks & Recreation - Absent
2. Councilman Gallo, Public Works & Engineering – Provided an update on the 2021 Road Program, sharp increases in material costs will increase by up to \$100,000 which may be covered by contingencies in part, however, an change order for the contract is forthcoming; Pocano, Seawaneka, Pemberton and Fairfield have had curbs and storm drains completed and paving next; Shore Road and Gooseneck Point Road will be next with work expected to be completed by end of July. Councilman O'Brien asked if the Council's previous approval to extend window of acceptable working hours was still in effect or did it need to be done again. Ms. Smith responded that the resolution was for the length of the project and was also done for the 2022 Road Program.
3. Councilman Keeshen, Public Safety – Reminded everyone to keep doors and cars locked; reduce speeds; meeting with police, fire official and code enforcement regarding brush in the street, problems arising from that, reminded residents to keep brush out of the street and remind their landscapers to take it with them to avoid any court summons. He also advised that First Aid and Fire Department were looking for new members – encouraged residents with the time to volunteer.
4. Councilman O'Brien, Finance & Administration – Bond ordinance for Maria Gatta Park improvements has been completed and next steps for the project are being started for this project that all have been looking forward to; wished Gary Tvrdik, long-time resident, a Happy Birthday
5. Councilman Tvrdik, Planning & Development – Planning Board has had a nice break with the summer schedule, provided updates on the new townhomes at the Fort, Allison Hall parcel closed last month and look to begin demolition soon; four bids received for the Fort mega-parcel and looking forward to seeing what comes with that.
6. Councilwoman Walker, Health & Human Services – Provided updates on the schools – privilege of attending the 8th grade graduation and giving the commencement speech on behalf of the Mayor; Shore Regional graduation is next week; Water Watch and Environmental watching suspicious findings with the water testing and possibly adding a second vendor; wished a Happy Father's Day to all the dads.

XII. Mayor Coffey's Report: Mayor Coffey commented further on the mega-parcel bids, 4 received, Netflix being one of them, will take 60-90 days for FMERA to analyze the bid submissions and circulate with state and federal government agencies for review. With the exception of the Nurse's Quarters, the mega-parcel completes the sale of Fort Monmouth parcels in Oceanport. The State has provided incentives for production companies that use New Jersey as their home. The Mayor stated that the Borough's position has been that the Borough will not provide any local assistance via PILOTs which was communicated to the Bureau and developers.

Mayor Coffey also commented on other local developments nearing completion including the bakery/apartments building across from the post office. Councilman Tvrdik commented that there were 7,000 applicants for the affordable units lottery. Mayor Coffey announced the Music in the Park at Blackberry Bay Park on June 30th, arranging for bus transportation for the seniors to attend. Next month will discuss renewal with the Board of Education for shared service for groundskeeping and snowplowing.

Mayor Coffey lastly discussed the potential "storm" coming with the proposal by Sea Bright to leave the Shore Regional School District which could have tremendous financial impact on the Borough, West Long Branch and Monmouth Beach. The Oceanport BOE has been active in monitoring, legislation that was passed provides an end-around of the existing system. A full report should be ready by July/August and recommends picking a liaison or two to start sending to these meetings to represent the municipality.

XIII. Petitions from the public: Mayor Coffey opened the meeting to petitions from the public. As no one from the public appeared, Mayor Coffey closed that portion of the meeting.

XIV. Adjournment: As there was no further business, the meeting was adjourned at 7:56 PM on a motion by Councilman Keeshen, seconded by Councilman O'Brien and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
URGING THE NEW JERSEY LEGISLATURE TO AMEND THE BUDGET CAP LAW TO
APPROPRIATE FUNDS FOR INCREASING INSURANCE COSTS**

Resolution

**The Power of Collaboration
Support Budget Cap Relief**

Insurance budgets are being hit with the highest inflation since the 1980s. All municipalities are urged to support budget cap relief by adopting the following resolution.

**A RESOLUTION URGING THE NEW JERSEY LEGISLATURE TO AMEND THE BUDGET CAP LAW TO
APPROPRIATE FUNDS FOR INCREASING INSURANCE COSTS**

WHEREAS, pursuant to N.J.S.A. 40A:4-45, et al, a municipality is required to limit any increase in its levy to 2.0% and any increase in appropriations to 2 1/2% or the cost-of-living adjustment, whatever is less, over the prior year's final appropriations subject to certain exceptions; and

WHEREAS, all local public entities, including participating municipalities in the Municipal Excess Liability Joint Insurance Fund (MEL), has incurred an estimated \$50 million in COVID related worker's compensation claims and it is anticipated that these costs will continue to increase as a result of long-term COVID cases; and

WHEREAS, a 2021 New Jersey Department of Labor decision regarding worker's compensation funding has generated increased costs to the members of the MEL by over 10% in order to cover claims that were previously funded by the State pension system; and

WHEREAS, a recent amendment to the sexual molestation statute of limitations will increase total liability costs for members of the MEL system by an estimated amount of 6% in 2023; and

WHEREAS, the frequency of weather-related catastrophic claims and corresponding impacts are anticipated to increase property insurance costs by over 10% per year; and

WHEREAS, cyber liability events throughout the country have resulted in twice the amount of premium costs in 2022 and such costs are expected to accelerate at a pace far greater than the rate of inflation; and

WHEREAS, these increasing costs, regulations, policy decisions and environmental impacts are occurring when many other items and costs in municipal budgets are also increasing at an inflationary rate; and

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Oceanport that N.J.S.A. 40A:4-45 be amended to provide that appropriations in the first three years after the effective date of (this amendment) for liability insurance, worker's compensation insurance, cyber insurance, and property insurance be exempt from the Appropriation CAP and the Levy CAP.

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the New Jersey Legislative representative for the Borough of Oceanport.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
COMMUNITY DEVELOPMENT BLOCK GRANT RESOLUTION AUTHORIZING THE MAYOR
AND CLERK TO EXECUTE A PROJECT AGREEMENT WITH MONMOUTH COUNTY FOR
PERFORMANCE AND DELIVERY OF FISCAL YEAR 2022 COMMUNITY DEVELOPMENT
PROJECTS**

Resolution

WHEREAS, certain federal funds are potentially available to Monmouth County under the Housing and Community Development Act of 1974, as amended; and

WHEREAS, the County of Monmouth expects to receive an allocation for Fiscal Year 2022 from the United States Department of Housing and Urban Development; and

WHEREAS, the County of Monmouth has submitted its Annual Plan for Fiscal Year 2022 to the U.S. Department of Housing and Urban Development, which included a project hereinafter referred to as Old Wharf Housing Parking Lot Improvements with a grant allocation of \$189,392.00.

WHEREAS, the Borough of Oceanport hereby met all requirements for the release of funds to begin incurring costs for this project; and

WHEREAS, the Borough of Oceanport has filed with the Monmouth County Community Development Program an acceptable timetable for completion and expenditure of grant funds, which is included as an appendix to the Project Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Clerk are hereby authorized to execute with the County of Monmouth the attached project agreement on behalf of the Borough of Oceanport.



Monmouth County Division of Planning Office of Community Development

Hall of Records Annex
One East Main Street
Freehold, NJ 07728
Office (732) 431-7460
Fax (732) 308-2995

June 27, 2022

Donna Phelps
Administrator
Borough of Oceanport
910 Oceanport Way
Oceanport, NJ 07757

Dear Ms. Phelps:

I am pleased to inform you that the Monmouth County Board of County Commissioners has approved your application for a Community Development Block Grant in the amount of \$189,392.00 for Old Wharf House Parking Lot Improvements. A letter from the Board of Commissioners will be forth coming at a later date.

To accept this grant, please complete the enclosed FY 2022 CDBG Allocation Acceptance Form and return to this office no later than July 31, 2022.

In addition, please note the following important information:

- Implementation of any project partially or fully funded by CDBG funds may not begin without a fully executed Project Agreement with the County.
- Monmouth County and the Office of Community Development will not be responsible for any project costs incurred prior to the full execution of the Project Agreement. Release of payments will be subject to compliance with all requirements listed in the Agreement.
- The Office of Community Development must approve all solicitations for bids and/or contractor(s) prior to the execution of any contract to be funded in full or in part with CDBG funds.
- Projects requiring municipal planning or zoning approval, or capital project review will be required to provide the Office of Community Development with a site plan and/or planning board resolution. The site plan shall include the drainage plan, landscaping and tree removal plan. Lighting plan and traffic movement plans are site specific.
- Copies of all applications for state permits, including but not limited to, stream encroachment, wetlands, CAFRA, etc. must be submitted to the Office of Community Development as soon as possible. Failure to submit this information will delay the HUD required Environmental Review process and the eventual start of your project.

Please contact me or Debbie Dovedytis at (732) 431-7460 if you have any questions about the grant process.

Sincerely,

Laura Kirby
Director
Office of Community Development
CDBG Program Award Approval/ Acceptance



Monmouth County Division of Planning Office of Community Development

Hall of Records Annex
One East Main Street
Freehold, NJ 07728
Office (732) 431-7460
Fax (732) 308-2995

June 27, 2022

Donna Phelps
Administrator
Borough of Oceanport
910 Oceanport Way
Oceanport, NJ

Dear Ms. Phelps:

I have enclosed three copies of the Fiscal Year 2022 Community Development Block Grant (CDBG) Project Agreement for your project, Old Wharf House Parking Lot Improvements, to be signed, sealed, and returned to the Monmouth County Office of Community Development. In addition, you must complete and return the documents indicated by the Pre-Clearance Checklist to satisfy the Community Development Program requirements. Please note that failure to execute this Agreement could jeopardize your eligibility for this and future projects.

It is important that the resolution be adopted and the Project Agreement executed as quickly as possible. We cannot allow you to begin your project until the Project Agreement and all necessary attachments are completed and reviewed by our office and receive HUD clearance.

Should you have any questions, please call me at (732) 431-7460, extension 5736.

Sincerely,

A handwritten signature in dark ink, appearing to read "Debbie Dovedytis", is written over a horizontal line.

Debbie Dovedytis
Program Specialist

Enclosures



**MONMOUTH COUNTY
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG)
FY 2022 CDBG ALLOCATION ACCEPTANCE FORM**

GRANT RECIPIENT: Borough of Oceanport

PROJECT TITLE: Old Wharf House Parking Lot Improvements

FUNDING AMOUNT: \$189,392.00

PROJECT DESCRIPTION: CDBG funds will be used to improve the Old Wharf House Parking Lot.

☐ YES, we accept the CDBG award for the project described above. We will not incur any costs which are to be paid through this grant until authorized to do so by the Office of Community Development.

☐ NO, we cannot accept funding for the project described above.

SIGNATURE

DATE

NAME (PLEASE PRINT)

TITLE

Please return this fully completed form no later than July 31, 2022 to:

Monmouth County Division of Planning/Office of Community Development
Attention: Debbie Dovedytis
Hall of Records Annex
One East Main Street, 2nd Floor
Freehold, NJ 07728



Monmouth County Division of Planning Office of Community Development

Hall of Records Annex
One East Main Street
Freehold, NJ 07728
Office (732) 431-7460
Fax (732) 308-2995

COMMUNITY DEVELOPMENT BLOCK GRANT PRE-CLEARANCE CHECKLIST FOR MUNICIPALITIES FISCAL YEAR 2022

PROJECT AGREEMENT:

The U.S. Department of Housing and Urban Development (HUD) requires the County Community Development (CD) Program to execute a Project Agreement with each sub-recipient for all projects funded through this program.

- ☐ **Three (3) copies** of the PROJECT AGREEMENT must be executed and returned to CD office.

In addition to completing one (1) copy of the Authorized Signatory Form, please provide three (3) copies of the following documents to become part of and attached to each of the three completed Project Agreements:

- ☐ The resolution adopted by your municipality approving the execution of a Project Agreement with Monmouth County (please refer to sample provided)
 - All sub-recipients are required to adopt a resolution approving the execution of the agreement and certification.
 - Additionally, the CD Program will not pay for the costs associated with the adoption of any resolution required for this agreement.
 - Please follow your normal resolution procedures for its adoption.
- ☐ The resolution authorizing the Mayor to sign the Certification Prohibiting Excessive Force/Lobbying (please refer sample provided)
- ☐ Certification Prohibiting the Use of Excessive Force (attached to the back of each Project Agreement)
 - In addition to executing Project Agreements with the Monmouth County CD Program, HUD has required all municipalities to certify that they will abide by HUD Regulations on this specific issue.
- ☐ Borough of Oceanport's policy prohibiting the use of excessive force



Monmouth County Division of Planning Office of Community Development

Hall of Records Annex
One East Main Street
Freehold, NJ 07728
Office (732) 431-7460
Fax (732) 308-2995

- ☐ Certification Regarding Lobbying (attached to the back of each Project Agreement)
 - Similar to the Certification Prohibiting the Use of Excessive Force, HUD has required all municipalities to certify that they will abide by HUD Regulations on this specific issue.
- ☐ Project timetable
 - The timetable for project completion must outline a realistic schedule of undertaking and completing the project and expending all grant monies.
 - To help you formulate your timetable, the following is a list of important deadlines that must be adhered to:
 - PROJECT PERFORMANCE/TIME ALLOTTED:
The term of the service shall commence on the date of County clearance and shall terminate twelve (12) months later. The dates of the Project Performance will be filled in by the CD Staff after the Project Agreement has been executed by the Office of Monmouth County Board of Chosen Freeholders.
 - CONSULTANT SERVICES:
HUD regulations require that consultant services (all engineering, architectural, etc.) be obtained through competitive negotiations when the project is federally funded. The consultant must begin design of an engineering project within sixty (60) days of CD County clearance.
 - Include anticipated bid receipt, contract award, start and end of construction, and anticipated drawdown dates in your timetable estimate.
- ☐ Map of project area
 - Provide a map of the project's location, indicating exactly where the activity will take place.
- ☐ Proposed budget
 - The budget should realistically reflect the activity to be undertaken given the amount of the grant.



Monmouth County Division of Planning Office of Community Development

Hall of Records Annex
One East Main Street
Freehold, NJ 07728
Office (732) 431-7460
Fax (732) 308-2995

Once returned to the CD Office, the Project Agreement copies are signed by the Freeholder Director, sealed by the Clerk of the Board, and one copy is sent to the municipality. One copy each is kept on file by the Monmouth County Finance Department and the CD Office.

Clearance notification will be sent to the municipality upon receiving the signed copy from the Office of the Board of Chosen Freeholders. **FUNDS MAY NOT BE SPENT, NOR COSTS INCURRED, UNTIL THIS CLEARANCE IS ISSUED.**

If you require additional information, please feel free to contact this office at (732) 431-7460. We will be happy to work with you to expedite this process.



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2022 AUTHORIZED SIGNATORY FORM

I, _____ authorize the following individuals below to sign all financial documentation regarding this grant.

AUTHORIZED SIGNATORY #1

Name: _____

Title: _____

Telephone: _____

Manual Signature: _____

AUTHORIZED SIGNATORY #2

Name: _____

Title: _____

Telephone: _____

Manual Signature: _____

Name of person completing this form: _____

Title: _____ Date: _____



DIVISION OF PLANNING
OFFICE OF COMMUNITY DEVELOPMENT

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

PROJECT AGREEMENT

PROJECT TITLE: Old Wharf House Parking
Lot Improvements

SUB-RECIPIENT: Borough of Oceanport

PROJECT NUMBER:

ALLOCATION: \$189,392.00

THIS AGREEMENT, entered into this _____ day of _____, 2022, by and between the MONMOUTH COUNTY BOARD OF COUNTY COMMISSIONERS (hereinafter referred to as the "COUNTY") and Borough of Oceanport, hereinafter referred to as the "SUB-RECIPIENT").

WHEREAS, the COUNTY has applied for and received grant funds from the U.S. Department of Housing and Urban Development under Title I of the Housing and Urban-Rural Recovery Act of 1983, as amended, and

WHEREAS, the Sub-Recipient has submitted a written proposal to the Office of Community Development, (hereinafter referred to as the "Community Development Program") and the COUNTY to perform the services as set forth in the scope of services for a project entitled **Old Wharf House Parking Lot Improvements** in accordance with provisions of this Agreement, the General and Specific Assurances and all other documents hereto:

NOW, THEREFORE, in consideration of the mutual promises and other conditions, covenants, and obligations made and agreed to between the parties, it is hereby agreed as follows:

I. SCOPE OF SERVICES

The Sub-Recipient will be responsible for the administration of a project entitled **Old Wharf House Parking Lot Improvements** and will utilize **\$189,392.00**. Funds available under this Agreement will be applied toward the following specific PROJECT:

CDBG funds will be used to improve the Old Wharf House Parking Lot.

LOCATION: 315 East Main St., Oceanport

II. COUNTY - SUB-RECIPIENT RELATIONSHIP

The Sub-Recipient will direct all communication concerning this agreement to the County of Monmouth, Office of Community Development, Hall of Records Annex, One East Main Street, Freehold, New Jersey 07728-1255, and will file all documents as required. The COUNTY and the Sub-Recipient agree to revise this agreement and the attached budget and project site location as may be necessary.

The Sub-Recipient hereby designates _____ to be the project liaison for the **Borough of Oceanport**. Should the designated individual change, for any reason, the Sub-Recipient hereby agrees to notify the Community Development Program immediately.

III. PROJECT PERFORMANCE

- A. The services of the Sub-Recipient shall commence on the _____ day of _____, 2022 and shall terminate no later than the _____ day of _____, 2023.
- B. Schedule A, attached and incorporated hereto provides the "time of essence" deadlines related to the completion of the Project that shall not exceed 18 months from the issuance of a Clearance Letter.
- C. The Sub-Recipient may upon written notice to the Office of Community Development, request a project extension to complete the Project. The granting of an extension is in the sole discretion of the County.

IV. COMPENSATION

It is expressly agreed and understood that the total compensation to be paid by the COUNTY under this agreement for the above services shall not exceed \$189,392.00.

V. METHOD OF PAYMENT

The COUNTY agrees to pay the Sub-Recipient under the Direct Payment method. In other words, upon the incurring of eligible costs relative to the project, the Sub-Recipient shall submit to the Program the necessary documentation *prior* to making the payment themselves. The Sub-Recipient hereby agrees to abide by the rules and regulations set forth for the payment of all project costs. The COUNTY agrees to pay for project costs in an amount not to exceed the amount set forth in Paragraph (IV) upon the submission of a bonafide County voucher together with the information necessary to document the bill submitted for payment.

VI. TERMS AND CONDITIONS

This agreement is subject to and incorporates all of the terms and conditions, including the following:

A. EQUAL OPPORTUNITY

The Sub-Recipient shall incorporate the requirements of Paragraph (1) of this section in all of its contracts for program work, except contracts governed by Paragraph (2) of this section, and will require all of its contractors for such work to incorporate such requirements in all subcontracts for program work.

1. Projects and Contracts not subject to Executive Order 11246, as amended.

The Sub-Recipient agrees that if any projects under this Agreement are not subject to Executive Order 11246, as amended, then the Sub-Recipient shall not discriminate against any employee, or applicant for employment, because of race, color, religion, sex or national origin. The Sub-Recipient shall take affirmative action to insure that applicants for employment are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin.

Such actions, shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; lay-off or termination, including apprenticeship. The Sub-Recipient shall post in conspicuous places, available to employees and applicants for employment, notices to be provided by the government setting forth the provisions of this nondiscrimination clause. The Sub-Recipient shall state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin.

2. In regard to contracts subject to Executive Order 11246, as amended, the Sub-Recipient agrees as follows:

- a. The Sub-Recipient will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The Sub-Recipient will take affirmative action to insure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such actions shall include, but not limited to, the following: Employment, upgrading, demotion or transfer; recruitment or recruitment advertising; lay-off or termination; rates of pay, or other forms of compensation; and selection for training including apprenticeship. The Sub-Recipient agrees to post in

conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provision of this nondiscrimination clause.

- b. The Sub-Recipient will, in all solicitations or advertisements for employees placed by or on behalf of the Sub-Recipient, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin.
- c. The Sub-Recipient will send to each labor union or representative of workers with which he has a collective bargaining agreement, or other agreement or understanding, a notice to be provided by the contract compliance officer, advising the said labor union or workers' representative of the Sub-Recipient commitment under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- d. The Sub-Recipient will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations and relevant orders of the Secretary of Labor.
- e. The Sub-Recipient will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by the rules, regulations and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records and accounts by the Department and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.
- f. In the event of the Sub-Recipient's noncompliance with the nondiscrimination clauses of the agreement, or with any such rules, regulations or orders, this Agreement may be canceled, terminated or suspended, in whole or in part, and the Sub-Recipient may be declared ineligible for further government agreements or federally assisted construction agreement procedures authorized in Executive Order 11246 of September 24, 1965, or by rule, regulation or order of the Secretary of Labor, or as otherwise provided by law.
- g. The Sub-Recipient will include the portion of the sentence immediately preceding Paragraph (a) and the provisions of Paragraphs (a) through (g) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The Sub-Recipient will take such action with respect to any subcontract or purchase order as the Department may direct as a means of enforcing such provisions, including sanctions for noncompliance; provided, however, that in the event a Sub-Recipient becomes involved in, or is threatened with, litigation with a contractor or vendor as a result of such direction by the Department, the Sub-Recipient may request the United States to enter into such litigation to protect the interest of the United States.

B. ARCHITECTURAL COMPLIANCE

The Sub-Recipient agrees to comply with the requirements of the Americans with Disabilities Act of 1990, in so far as it applies to the performance of this Agreement.

C. HATCH ACT

The Sub-Recipient agrees that no funds provided under this Agreement nor any personnel employed in the administration of this Agreement, shall be in any way or to any extent engaged in the conduct of the political activities in contravention of Chapter 15 Title V, United States Code.

D. COMPLIANCE WITH AIR AND WATER ACTS

This Agreement is subject to the requirements of the Clean Air Act, as amended, 42 U.S.C. 1857, et. seq., the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251, et. seq., and the Regulations of the Environmental Protection Agency with respect thereto, at 40 CFR Part 15, as amended from time to time. In compliance with said regulations, the Grantee shall cause or require to be inserted in full in all contracts or subcontracts with respect to any nonexempt transaction thereunder funded with assistance provided under this Agreement, the following requirements.

1. That it will enter into a stipulation with any contractor that any facility to be utilized in the performance of any non-exempt contract or subcontract is not listed on the list of Violating Facilities issued by the Environmental Protection Agency (EPA) pursuant to 40 CFR 15:20.
2. The Sub-Recipient agrees to comply with all of the requirements of Section 114 of the Clean Air Act, as amended, (42 U.S.C. 1318) relating to inspection, monitoring, entry, reports, and information, as well as other requirements specified in said Section 114 and Section 308, and all regulations and guidelines issued thereunder.
3. The Sub-Recipient will notify the Monmouth County Community Development Office promptly if the Director of the Office of Federal Activities, EPA, notifies them that a facility to be utilized under this agreement is, or is to be, listed on the EPA List of Violating Facilities.
4. The Sub-Recipient agrees that he will include, or cause to be included, the criteria and requirements in Paragraph (1) through Paragraph (4) of this section in every nonexempt subcontract and requiring that the contractor will take such action as the government may direct as a means of enforcing such provisions. In no event shall any amount of the assistance provided under this Agreement be utilized with respect to a facility which has given rise to a conviction under Section 113 (c) (1) of the Clean Air Act or Section 309 (c) of the Federal Water Pollution Control Act.

E. COMPLIANCE WITH SECTION 3

The Sub-Recipient agrees to comply with the provisions of Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701) as amended, the HUD regulation issued pursuant hereto at 24 CFR Part 135, and any applicable rules and orders of HUD issued thereunder prior to the HUD authorization of the Funding Approval.

The Sub-Recipient shall cause or require to be inserted in full in all contract and subcontracts for work financed in whole or in part with assistance provided under this Agreement, the Section 3 clause set forth in 24 CFR 135.38 as follows:

1. The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (section 3). The purpose of Section 3 is to ensure that employment and other economic

opportunities generated by HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low and very low-income persons, particularly persons who are recipients of HUD assistance for housing.

2. The parties to this contract agree to comply with HUD's regulations in 24 CFR part 135, which implement Section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 135 regulations.
3. The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this Section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment can see the notice. The notice shall describe the Section 3 preference, shall set forth minimum number and job training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.
4. The contractor agrees to include this Section 3 clause in every subcontract subject to compliance with regulations in 24 CFR part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 135. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 135.
5. The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 135 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 135.
6. Noncompliance with HUD's regulations in 24 CFR part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.
7. With respect to work performed in connection with Section 3 covered Indian housing assistance, Section 7(b) of the Indian Self-Determination and Education Act (25 U.S.C. 450e) also applies to the work to be performed under this contract. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this contract that are subject to the provisions of section and section 7(b) agree to comply with section to the maximum extent feasible, but not in derogation of compliance with section 7(b).

F. FLOOD INSURANCE PROTECTION

The Sub-Recipient agrees to comply with the requirements of the Flood Disaster Protection Act of 1973 (P.L. 930234). No portion of the assistance provided under this Agreement is approved for acquisition or construction purposes as defined under Section 3 (a) of said Act, for use in an area

identified by the Secretary as having special flood hazards which is located in a community not then in compliance with the requirements for participation in the National Flood Insurance program pursuant to Section 201 (d) of said Act, and the use of any assistance provided under this Agreement for such acquisition or construction in such identified areas in communities than participating in the National Flood Insurance Program shall be subject to the mandatory purchase of flood insurance requirements of Section 102 (a) of said Act.

Any contract or agreement for the sale, lease or other transfer or land acquired, cleared or improved with assistance provided under this Agreement shall contain, if such land is located in an area identified by the Secretary as having special flood hazards and in which the sale of flood insurance has been made available under the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4001 et. seq., provisions obligating the transferee and its successors or assigns to obtain and maintain, during the ownership of such land, such flood insurance as required with respect to financial assistance for acquisition or construction purposes under Section 102 (a) of the Flood Disaster Protection Act of 1973. Such provisions shall be required notwithstanding the fact that the construction on such land is not itself funded with assistance provided under this Agreement.

G. LEAD-BASED PAINT HAZARDS

The Sub-Recipient agrees that any construction or rehabilitation of residential structures with assistance provided under this agreement, shall be subject to HUD Lead-based Paint regulations, 24 CFR Part 35, and in particular Part B of said regulations. The Sub-Recipient shall be responsible for the inspections and certification required under Section 35.14 (f) thereof.

H. NON-DISCRIMINATION UNDER TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

This Agreement is subject to the requirements of Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and HUD regulations with respect thereto, including the regulations under 24 CFR Part I. In regard to the sale, lease or other transfer of land acquired, cleared or improved with assistance provided under this agreement, the Sub-Recipient shall cause or require a covenant running with the land to be inserted in the deed or lease for such transfer, prohibiting discrimination upon the basis of race, color, religion, sex, or national origin, in the sale, lease or rental, or in the use of occupancy of such land, or in any improvements erected or to be created thereon, providing that the County and the United States are beneficiaries of and entitled to enforce such covenants. The Sub-Recipient, in undertaking its obligation to carry out the program assisted hereunder, agrees to take such measures as are necessary to enforce such covenant, and will not itself so discriminate.

I. COMPLIANCE WITH TITLE VIII OF THE CIVIL RIGHTS ACT

This Agreement is subject to the requirements of Title VIII of the Civil Rights Act of 1968 (P.L. 90-284) as amended. The Sub-Recipient, in regard to the administering of all programs and activities relating to housing and community development funded by this Agreement, will do so in a manner to affirmatively further fair housing and will take action to affirmatively further fair housing in the sale or rental of housing, the financing of housing, and the provision of brokerage services within the Sub-Recipient's jurisdiction.

J. COMPLIANCE WITH SECTION 109

The Sub-Recipient will comply with Section 109 of the Housing and Community Development Act of 1974, as amended, and the regulations issued pursuant thereto (24 CFR 570.61), which provides that no person in the United States shall, on the ground of race, color, national origin or

sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or project funded in whole or part with Title I funds.

K. USE OF DEBARRED, SUSPENDED, OR INELIGIBLE CONTRACTORS OR SUB-RECIPIENT

Assistance under this part shall not be used directly or indirectly to employ, award contracts to, or otherwise engage the services of, or fund any contractor or sub-recipient during any period of debarment, suspension, or placement in ineligibility status under the provisions of 24 CFR Part 24.

L. COMPLIANCE WITH EXECUTIVE ORDER 11063

The Sub-Recipient will comply with Executive Order 11063 for equal opportunity in housing and nondiscrimination in the sale or rental of housing built with Federal assistance.

M. OBLIGATIONS OF SUB-RECIPIENT WITH RESPECT TO CERTAIN THIRD PARTY RELATIONSHIPS

The Sub-Recipient shall remain fully obligated under the provisions of the Agreement notwithstanding its designation of any third party or parties for the undertaking of all or any part of the program with respect to which assistance is being provided under this Agreement to the Sub-Recipient. Any party which is not the Sub-Recipient shall comply with all lawful requirements of the Sub-recipient necessary to insure that the program with respect to which assistance is being provided under this Agreement to the Sub-Recipient is carried out in accordance with the Sub-Recipient's assurances and certifications, to the County.

N. WORKER'S COMPENSATION

The Sub-Recipient shall provide Workmen's Compensation Insurance Coverage for all employees involved with the performance of this Agreement.

O. AFFIRMATIVE ACTION

The Sub-Recipient agrees that it shall be committed to and carry out an affirmative action program in keeping with the principles as provided in the President's Executive Order 11246.

P. COMPLIANCE WITH FEDERAL REGULATIONS

The Sub-Recipient agrees to comply with all federal regulations governing the grant of money under which this Agreement is made available as they apply as of the date of the Agreement, and as such regulations may be amended by the federal government or agencies.

Q. COMPLIANCE WITH SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT

The Sub-Recipient agrees that prior to approval of the expenditure of funds, shall take into account the effect of the undertaking on any district, site, building, structure or object that is included or eligible for inclusion to the National Register. The County shall afford the Advisory Council and the State Historic Preservation Officer a reasonable opportunity to comment with regard to such undertaking.

R. UNIFORM ADMINISTRATIVE REQUIREMENTS AND COST PRINCIPLES

The Sub-Recipient and its agencies or assigns shall comply with the policies, guidelines, and requirements of OMB Circular 2 CFR 200 (implemented at 24 CFR Part 44), as applicable, as they relate to the acceptance and use of Federal funds under this part. The application sections of OMB Circular 2 CFR 200 are set forth at Section 570.502.

S. STANDARDS APPLICABLE TO REAL PROPERTY ACQUIRED OR IMPROVED IN WHOLE OR IN PART WITH CDBG FUNDS

The following standards apply to real property acquired or improved in whole or in part using CDBG funds that are within the control of the municipality:

1. The municipality must notify the county in a timely manner of any modifications or change in the use of real property from that planned at the time of acquisition of the improvement including disposition;
2. The municipality shall reimburse the county an amount equal to the current fair market value (less any portion thereof attributable to expenditures of non-CDBG funds) of property acquired or improved with CDBG funds that is sold or transferred for a use which does not qualify under CDBG regulations; and
3. Program income generated from disposition or transfer of property prior to or subsequent to close-out, change of status or termination of the cooperation agreement between the county and the municipality shall be paid to the county.

VII. TERMINATION

A. TERMINATION OF AGREEMENT FOR CAUSE

If, through any cause, the Sub-Recipient shall fail to fulfill in a timely and proper manner his/her obligations under this Agreement, or if the Sub-Recipient shall violate any of the covenants, agreements, or stipulations of this Agreement, the County shall thereupon have the right to terminate this Agreement by giving written notice to the Sub-Recipient of such termination and specifying the effective date thereof, at least thirty (30) days before the effective date of such termination. In that event, all finishes or unfinished documents, data studies surveys, drawings, maps, models, photographs, and reports shall at the option of the County, become its property, and the Sub-Recipient shall be entitled to receive just and equitable compensation for any satisfactory work completed on such documents or materials prior to the termination. Upon termination of this Agreement any unexpended funds shall revert to the Program for re-distribution.

B. TERMINATION FOR CONVENIENCE

Either party may terminate this Agreement at any time by giving written notice to the other party of such termination and specifying the effective date thereof, at least thirty (30) days before the effective date of such termination. In that event, all finished or unfinished documents and other materials as described in Paragraph (A) above shall at the option of the County become its property. Upon termination of this Agreement, any unexpended funds shall be subject to the terms and conditions of this Agreement and the Monmouth County Community Development Program's Deobligation and Reprogramming and all other Program policies, as applicable.

VIII. CHANGES

The County may, from time to time, require changes in the scope of services of the Sub-Recipient to be performed hereunder. Such changes, including any increase or decrease in the amount of the Sub-Recipient's compensation, which are mutually agreed upon by and between the County and the Sub-Recipient shall be incorporated in written amendments to this Agreement.

IX. INTEREST OF MEMBERS, OFFICERS, OR EMPLOYEES OF THE SUB-RECIPIENT

No member, officer or employee of the Sub-Recipient, or its designate or agents, no member of the governing body of the locality in which the program is situated, and no other public official of such locality or localities who exercises any functions or responsibilities with respect to the program during his tenure or for one year thereafter, shall have any interest, direct or indirect, in any contract or subcontract, or the proceeds thereof, for work to be performed in connection with the program assisted under the Agreement. The Sub-Recipient shall incorporate, or cause to incorporate, in all such contracts or subcontracts a provision prohibiting such interest pursuant to the purposes of this section.

X. INTEREST OF CERTAIN FEDERAL OFFICIALS

No member of or delegate to the Congress of the United States of America, and no Resident Commissioner, shall be admitted to any share or part of the Agreement or to any benefit to arise from the same.

XI. COPYRIGHT

If this Agreement results in any book or other copyrightable material, the author or County is free to copyright the work, but the Federal grantor agency will have the right of royalty-free, nonexclusive and irrevocable license to reproduce, publish or otherwise use and to authorize others to use, the work for government purposes.

XII. AUDITS AND INSPECTIONS

Each Sub-Recipient shall establish and maintain sufficient records to enable the County to determine whether the Sub-Recipient has met the Community Development regulations as set forth in the COUNTY OF MONMOUTH'S COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM SUBRECIPIENT MONITORING MANUAL, which is attached to and made a part hereof. At any time during the normal business hours, and as often as the County may deem necessary, there shall be made available to the County or to the Federal government for examination, all of the Sub-recipient's records with respect to all matters covered by this Agreement. The Sub-Recipient will permit the County and the Federal government to audit, examine and make excerpts or transcripts.

The Sub-Recipient must submit two copies of its yearly municipal audit report to the Community Development Program upon its availability. The Sub-Recipient is required to adhere to the Single Audit requirements promulgated by the Federal government.

XIII. COMPLIANCE WITH LOCAL LAWS AND HOLD HARMLESS

The Sub-Recipient agrees to comply with all local laws and statutes of the State of New Jersey and further agrees to hold the County harmless from any and all suits, claims, or actions arising out of the performance of this Agreement.

XIV. PROHIBITION AGAINST PAYMENTS OF BONUS OR COMPENSATION

The Assistance provided under this Agreement shall not be used in the payment of any bonus or commission for the purpose of obtaining HUD approval of the application for such assistance, or HUD approval of applications for additional assistance, or any other approval or concurrence of HUD required under this Agreement, Title I of the Housing and Urban-Recovery Act of 1983, as amended, or HUD regulations with respect thereto; provided, however, that reasonable fees or bonafide technical, consultant, managerial or other such services, other than actual solicitation, are not hereby prohibited if otherwise eligible as program costs.

XV. SUBCONTRACTS

The Sub-Recipient agrees that it shall be committed to and carry out an affirmative action program in keeping with the principles as provided in the President's Executive Order 111246.

XVI. PROGRAM INCOME

- A. Program Income is any gross income received by a Sub-Recipient directly generated from the use of CDBG funds, as further defined in 24 CFR 570.500. When program income is generated by an activity that is only partially assisted with CDBG funds the income shall be provided to reflect the percentage of CDBG funds used. All program income, including any interest earned on grant funds shall be returned to County.
- B. However, program income may be used for an eligible activity provided that the amount specified first be returned to the County and after a new proposal describing the eligible activity and a new scope of services have been submitted to and approved by the County. As in all other applications, a new contract shall be executed to cover the new scope of services. Recipients shall record the receipt and expenditures of revenues related to the program (such as taxes, special assessment, levies, fines, etc.) as part of the program transactions. A copy of these records shall be submitted to the County upon preparation. Any Program Income on hand when the agreement expires, or received after the agreement's expiration, shall be paid to the County as required by 570.503 (b) (8).

XVII. REVERSION OF ASSETS

Upon the expiration of the within agreement, the Sub-Recipient shall transfer to the County any CDBG funds on hand at the time of the expiration and any accounts receivable attributable to the use of CDBG funds. In addition, the Sub-Recipient shall transfer and return to the County any equipment and unutilized supplies purchased by use of CDBG funds. Any real property under the Sub-Recipient's control that was acquired or improved in whole or in part with CDBG funds in excess of \$25,000 shall either:

- A. Be used to meet one of the national objectives contained in 24 CFR 570.900 until five years after the expiration of the agreement or such longer period as determined appropriate by the Sub-Recipient; or
- B. Be disposed of in a manner that results in the County being reimbursed in the amount of the fair market value of the property less any portion of such value attributable to non-CDBG funds for acquisition or improvement to the property. Reimbursement is not required after the five year period set forth in Paragraph A above.

XVIII. RECORDS TO BE MAINTAINED

Each Sub-Recipient shall establish and maintain the following records:

- A. **LOW/MOD BENEFIT** - Records demonstrating, for an activity determined to benefit low and moderate income persons, the income limits applied and the point in time when the benefit was determined.
- B. **AREA BENEFIT** - For an activity determined to benefit low and moderate income persons based on the area served by the activity, addresses of recipients or project locations that correspond to HUD eligible areas, as determined by the County.
- C. **LIMITED CLIENTELE** - For an activity involving a facility or service designed for use by a clientele consisting exclusively or predominantly of low and moderate income persons:
 - 1. Documentation establishing that the facility or service is designed for and used by senior citizens, handicapped persons, battered spouses, abused children, the homeless or illiterate persons, for which the regulations provide presumptive benefit to low and moderate income persons; or
 - 2. Documentation describing how the nature and/or location of the facility or service establishes that it is used predominantly by low and moderate income persons; or
 - 3. Data showing the size and annual income of the immediate family of each person receiving the benefit.
- D. **LOW/MOD HOUSING** - For an activity carried out for the purpose of providing or improving housing which is determined to benefit low and moderate income persons:
 - 1. A copy of written agreement with each landlord or developer receiving CDBG assistance indicating the total number of dwelling units in each multifamily structure assisted and the number of those units which will be occupied by low and moderate income households after assistance;
 - 2. For each unit occupied by a low and moderate income household, the size and income of the household;
 - 3. For rental housing only:
 - a. The rent charged (or to be charged) after assistance for each dwelling unit in each structure assisted; and
 - b. Information to show the affordability of units occupied (or to be occupied) by low and moderate income households pursuant to criteria established and made public by the Sub-Recipient.
- E. **CREATION OF JOBS** - For an activity determined to benefit low and moderate income persons based on the creation of jobs, the Sub-Recipient may provide the documentation described in either (1) or (2) below.

1. Where the Sub-Recipient chooses to document that at least 51% of the jobs will be available to low and moderate income persons, documentation for each assisted business shall include:
 - a. A copy of a written agreement containing:
 - i. A commitment by the business that it will make at least 51% of the jobs available to low and moderate income persons and will provide training for any of those jobs requiring special skills or education;
 - ii. A listing by job title of the permanent jobs to be created indicating which jobs will be available to low and moderate income persons, which jobs are part-time, and which jobs require special skills or education; and
 - iii. A description of actions to be taken by the grantee and business to ensure that low and moderate income persons receive first consideration for those jobs.
 - b. A listing by job title of the permanent jobs filled, and which jobs were available to low and moderate income persons, and a description of how first consideration was given to such persons for those jobs;
 - c. A listing by job title of the permanent jobs to be created;
 - d. A listing by job title of the permanent jobs filled and which jobs were initially held by low and moderate income persons;
 - e. For each such low and moderate income person hired, the size and annual income of the person's immediate family prior to the person being hired for the jobs.
- F. JOB RETENTION - For each activity determined to benefit low and moderate income persons based on the retention of jobs:
 1. Evidence that in the absence of CDBG assistance jobs will be lost;
 2. For each business assisted, a listing by job title of permanent jobs retained, indicating which of those jobs are part-time and (where it is known) which are held by low and moderate income persons at the time the CDBG assistance is provided. Where applicable, identification of any of the retained jobs (other than those known to be held by low and moderate income persons) which are projected to become available to low and moderate income persons through job turnover within two years of the CDBG assistance is provided. Information upon which the job turnover projections were based shall also be included in the record;
 3. For each retained job claimed to be held by a low and moderate income person, information on the size and annual income of the person's immediate family;
 4. For jobs claimed to be available to low and moderate income persons based on job turnover, a description covering the items required for "available to" jobs in paragraph E above; and
 5. Where jobs were claimed to be available to low and moderate income persons through

turnover, a listing of each job which has turned over to date, indicating which of those jobs were either taken by, or available to, low and moderate income persons. For jobs made available, a description of how first consideration was given to such persons for those jobs shall also be included.

- G. SLUM/BLIGHT (AREA BENEFIT) - For an activity determined to aid in the prevention or elimination of slums or blight based on addressing one or more of the condition which contributed to the deterioration of the designated area:
 - 1. The boundaries of the area; and
 - 2. A description of the conditions which qualified the area at the time of its designation.
- H. SLUM/BLIGHT (RESIDENTIAL REHABILITATION) - For a residential rehabilitation activity determined to aid in the prevention or elimination of slums or blight in a slum or blighted area:
 - 1. The local definition of "substandard";
 - 2. A pre-rehabilitation on inspection report describing the deficiencies in each structure to be rehabilitated; and
 - 3. Details and scope of CDBG assisted rehabilitation, by structure.
- I. SLUM/BLIGHT (SPOT) - For an activity determined to aid in the prevention or elimination of slums and blight based on the elimination of specific conditions of blight or physical decay not located in a slum or blighted area:
 - 1. A description of the specific condition of blight or physical decay treated; and
 - 2. For rehabilitation carried out under this category, a description of the specific conditions detrimental to public health and safety which were corrected.
- J. URGENT NEEDS - For an activity determined to meet a community development need having a particular urgency:
 - 1. The nature and degree of seriousness of the condition requiring assistance;
 - 2. Evidence that the recipient certified that the CDBG activity was designed to address the urgent need;
 - 3. Information on the timing of the development of the serious condition; and
 - 4. Evidence confirming that other financial resources to alleviate the need were not available.
- K. Records demonstrating that the recipient has met the conditions of eligibility of certain activities.
- L. Records demonstrating compliance with regulations regarding any change of use of real property acquired or improved with CDBG assistance.

- M. Records demonstrating compliance with Citizen Participation Plan.
- N. Records demonstrating compliance with requirements governing the development, adoption, dissemination and implementation of a local policy on displacement.
- O. Fair housing and equal opportunity records containing:
 - 1. Documentation of any official actions the Sub-Recipient has taken to demonstrate its support for fair housing in the community.
 - 2. Data on the extent to which each racial and ethnic group and single-headed households (by gender of household head) have applied for, participated in, or benefited from, any program or activity funded in whole or part with CDBG funds.
 - 3. Documentation of any actions undertaken to assure equal employment opportunities to all persons regardless of race, color, national origin, sex or handicap in operating units funded in whole or in part by CDBG funds.
 - 4. Data indicating the race and ethnicity of households (and the gender of single heads of households) displaced as a result of CDBG funded activities, together with the address and census tract of the housing units to which each displaced household relocated.
 - 5. Documentation of actions undertaken relative to the hiring and training of lower income residents and the use of local businesses.
 - 6. Data indicating the racial/ethnic character of each business entity receiving a contract or subcontract of \$10,000 or more paid, or to be paid, with CDBG funds, including those which are women's business enterprises. The amount of the contract or subcontract, and documentation of affirmative steps taken to assure minority businesses and women's business enterprises are used when possible as sources of supplies, equipment, construction and services.

XIX. RETENTION OF RECORDS

Financial records, supporting documents, statistical records, and all other records pertinent to the administration of this agreement shall be retained by the Sub-Recipient for a period of three years except as follows:

- A. Records that are the subject of audit finding shall be retained for three years or until such audit findings have been resolved, whichever is later.
- B. Records for non-expendable property which was acquired with Federal Grant funds shall be retained for three years after its final disposition.
- C. Records for any displaced person shall be retained for three years after he has received final payment.

XX. ENVIRONMENTAL REVIEW

- 1. General - The environmental effects of each activity carried out with CDBG funds must be

assessed in accordance with the provisions of the National Environmental Policy Act of 1969 (NEPA) and the related authorities listed in HUD's implementing regulations at 24 CFR parts 50 and 58.

2. Responsibility for Review - The County shall assume responsibility for environmental review, decision-making, and action for each activity that it carries out with CDBG funds, in accordance with the requirements imposed on a recipient under 24 CFR part 58. No funds may be committed to a CDBG activity or project before the completion of the environmental review, except as authorized by 24 CFR part 58.

WITNESS THEROF, the County and the Sub-Recipient have executed this Agreement of the date first above written.

ATTEST

MONMOUTH COUNTY BOARD
OF COUNTY COMMISSIONERS

MARION MASNICK, CLERK OF THE BOARD
OF MONMOUTH COUNTY BOARD OF COUNTY
COMMISSIONERS

BY: _____
THOMAS A. ARNONE, DIRECTOR
MONMOUTH COUNTY BOARD OF COUNTY
COMMISSIONERS

DATE

ATTEST

SUB-RECIPIENT

SIGNATURE OF WITNESS

BY: _____
SIGNATURE OF EXECUTIVE DIRECTOR OR OFFICER

PRINT NAME

TITLE

DATE

SCHEDULE A

Completion within 18 months (1 ½ years) of Clearance Letter

- 30 days must have engineer
- 45 days Proof of engineer (resolution from municipal governing body)
- 120 days must submit notice along with plans/specs
- 180 days Bid advertised
- 210 days must receive All Bids
- 255 days must award Bid
- 540 Days completion of project

RESOLUTION #: _____

BOROUGH OF OCEANPORT

MEETING DATE:

LOCATION:

AGENDA: **CDBG RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO EXECUTE A
PROJECT AGREEMENT WITH MONMOUTH COUNTY FOR PERFORMANCE AND
DELIVERY OF FY 2022 COMMUNITY DEVELOPMENT PROJECTS**

RESOLUTION #
MEETING DATE:
INTRODUCED DATE:
ADOPTED DATE:
AGENDA ITEM:

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE COPY OF A RESOLUTION ADOPTED BY THE BOROUGH OF OCEANPORT
AT A MEETING HELD ON _____ 2022..

APPROVED BY:

SIGNATURE_____
PRINT NAME_____
TITLE

RESOLUTION #: _____

**COMMUNITY DEVELOPMENT BLOCK GRANT RESOLUTION AUTHORIZING THE MAYOR
AND CLERK TO EXECUTE A PROJECT AGREEMENT WITH MONMOUTH
COUNTY FOR PERFORMANCE AND DELIVERY OF FISCAL YEAR 2022
COMMUNITY DEVELOPMENT PROJECTS**

WHEREAS, certain federal funds are potentially available to Monmouth County under the Housing and Community Development Act of 1974, as amended; and

WHEREAS, the County of Monmouth expects to receive an allocation for Fiscal Year 2022 from the United States Department of Housing and Urban Development; and

WHEREAS, the County of Monmouth has submitted its Annual Plan for Fiscal Year 2022 to the U.S. Department of Housing and Urban Development, which included a project hereinafter referred to as Old Wharf House Parking Lot Improvements with a grant allocation of \$189,392.00.

WHEREAS, the Borough of Oceanport hereby met all the requirements for the release of funds to begin incurring costs for this project; and

WHEREAS, the Borough of Oceanport has filed with the Monmouth County Community Development Program an acceptable timetable for completion and expenditure of grant funds, which is included as an appendix to the Project Agreement.

NOW, THEREFORE, BE IT ORDAINED, that the Mayor and Municipal Clerk are hereby authorized to execute with the County of Monmouth the attached Project Agreement on behalf of the Borough of Oceanport.

Seconded by _____ and adopted on roll call by the following vote:

In the Affirmative:
In the Negative:
Abstained:
Absent:

APPROVED BY:

SIGNATURE_____
DATE_____
TITLE_____
PRINT NAME

RESOLUTION #: _____

BOROUGH OF OCEANPORT

MEETING DATE:

LOCATION:

**AGENDA: CDBG RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CERTIFICATION
PROHIBITING THE USE OF EXCESSIVE FORCE AND A CERTIFICATION
PROHIBITING THE USE OF FEDERAL FUNDS FOR LOBBYING**

RESOLUTION #
MEETING DATE:
INTRODUCED DATE:
ADOPTED DATE:
AGENDA ITEM:

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE COPY OF A RESOLUTION ADOPTED BY THE BOROUGH OF OCEANPORT
AT A MEETING HELD ON _____ 2022.

APPROVED BY:

SIGNATURE_____
PRINT NAME_____
TITLE

RESOLUTION #: _____

**COMMUNITY DEVELOPMENT BLOCK GRANT RESOLUTION AUTHORIZING THE MAYOR
TO SIGN A CERTIFICATION PROHIBITING THE USE OF EXCESSIVE FORCE AND
A CERTIFICATION PROHIBITING THE USE OF FEDERAL FUNDS FOR LOBBYING**

WHEREAS, certain federal funds are potentially available to Monmouth County through the Housing and Community Development Act of 1974, as amended; and

WHEREAS, the United States Department of Housing and Urban Development has allocated funding to the County of Monmouth for Fiscal Year 2022; and

WHEREAS, the County is making some of these funds available to certain participating municipalities and non-profit agencies; and

WHEREAS, it is required that the Borough of Oceanport execute a Project Agreement with Monmouth County to undertake a project known as Old Wharf House Parking Lot Improvements and WHEREAS, the U.S. Department of Housing and Urban Development is requiring that the Mayor of the Borough of Oceanport sign additional certifications in order to receive these funds; and

WHEREAS, the Borough of Oceanport has adopted a policy prohibiting the use of excessive force by its law enforcement agency (police force) within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

WHEREAS, a copy of that policy is attached to and made part of this resolution.

NOW, THEREFORE, BE IT ORDAINED, that the Borough of Oceanport has met the conditions of receiving a Fiscal Year 2022 allocation by adopting a policy prohibiting the use of excessive force and by not using federal funds for lobbying or by disclosing that funds have been used for lobbying.

BE IT FURTHER RESOLVED, that the Mayor of the Borough of Oceanport is hereby authorized to sign the attached certifications which will become part of the Fiscal Year 2022 Project Agreement.

Seconded by _____ and adopted on roll call by the following vote:

In the Affirmative:
In the Negative:
Abstained:
Absent:

APPROVED BY: _____

SIGNATURE

DATE

TITLE

PRINT NAME

CDBG Pre-Clearance Package

RESOLUTION #: _____

**CERTIFICATION OF POLICY PROHIBITING USE OF EXCESSIVE FORCE
FOR FISCAL YEAR 2022
FOR: Borough of Oceanport**

In accordance with section 519 of Public Law 101-140, the 1990 HUD Appropriations Act, the Borough of Oceanport certifies that it has adopted and is enforcing a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations.

The Borough of Oceanport also certifies that it is enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of nonviolent civil rights demonstrations within its jurisdiction.

In order to enforce the County's policy as stated above, the County of Monmouth will require, as a condition for receiving funds from the 1990 HUD Appropriations Act, that the Sub-Recipient, Borough of Oceanport, provides that it has adopted and is enforcing a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations, and that the certification shall be made part of all Sub-Recipient agreements.

APPROVED BY:

ATTESTED BY:

SIGNATURE OF AUTHORIZED REPRESENTATIVE_____
SIGNATURE OF WITNESS_____
PRINT NAME_____
PRINT NAME_____
TITLE_____
TITLE_____
DATE

RESOLUTION #: _____

**CERTIFICATION REGARDING LOBBYING
FOR FISCAL YEAR 2022
FOR: Borough of Oceanport**

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The Undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award document for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

APPROVED BY:

ATTESTED BY:

SIGNATURE OF AUTHORIZED REPRESENTATIVE_____
SIGNATURE OF WITNESS_____
PRINT NAME_____
PRINT NAME_____
TITLE_____
TITLE_____
DATE

**RESOLUTION OF THE BOROUGH OF OCEANPORT
COMMUNITY DEVELOPMENT BLOCK GRANT RESOLUTION AUTHORIZING THE MAYOR TO
SIGN A CERTIFICATION PROHIBITING THE USE OF EXCESSIVE FORCE AND A
CERTIFICATION PROHIBITING THE USE OF FEDERAL FUNDS FOR LOBBYING**

Resolution

WHEREAS, certain funds are potentially available to Monmouth County through the Housing and Community Development Act of 1974, as amended; and

WHEREAS, the United States Department of Housing and Urban Development has allocated funding to the County of Monmouth for Fiscal Year 2022; and

WHEREAS, the County is making some of these funds available to certain participating municipalities and non-profit agencies; and

WHEREAS, it is required that the Borough of Oceanport execute a Project Agreement with Monmouth County to undertake a project known as Old Wharf House Parking Lot Improvements; and

WHEREAS, the U.S. Department of Housing and Urban Development is requiring that the Mayor of the Borough of Oceanport sign additional certifications in order to receive these funds; and

WHEREAS, the Borough of Oceanport has adopted a policy prohibiting the use of excessive force by its law enforcement agency (police force) within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

WHEREAS, a copy of that policy is attached to and made part of this resolution.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Oceanport has met conditions of receiving Fiscal Year 2022 allocations by adopting a policy prohibiting the use of excessive force and by not using federal funds for lobbying or by disclosing that funds have been used for lobbying.

BE IT FURTHER RESOLVED, that the Mayor of the Borough of Oceanport is hereby authorized to sign the attached certifications which will become part of the Fiscal Year 2022 Project Agreement.

RESOLUTION #: _____

**CERTIFICATION OF POLICY PROHIBITING USE OF EXCESSIVE FORCE
FOR FISCAL YEAR 2022
FOR: Borough of Oceanport**

In accordance with section 519 of Public Law 101-140, the 1990 HUD Appropriations Act, the Borough of Oceanport certifies that it has adopted and is enforcing a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations.

The Borough of Oceanport also certifies that it is enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of nonviolent civil rights demonstrations within its jurisdiction.

In order to enforce the County's policy as stated above, the County of Monmouth will require, as a condition for receiving funds from the 1990 HUD Appropriations Act, that the Sub-Recipient, Borough of Oceanport, provides that it has adopted and is enforcing a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations, and that the certification shall be made part of all Sub-Recipient agreements.

APPROVED BY:

ATTESTED BY:

SIGNATURE OF AUTHORIZED REPRESENTATIVE_____
SIGNATURE OF WITNESS_____
PRINT NAME_____
PRINT NAME_____
TITLE_____
TITLE_____
DATE

RESOLUTION #: _____

**CERTIFICATION REGARDING LOBBYING
FOR FISCAL YEAR 2022
FOR: Borough of Oceanport**

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The Undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award document for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

APPROVED BY:

ATTESTED BY:

SIGNATURE OF AUTHORIZED REPRESENTATIVE_____
SIGNATURE OF WITNESS_____
PRINT NAME_____
PRINT NAME_____
TITLE_____
TITLE_____
DATE

**RESOLUTION OF THE BOROUGH OF OCEANPORT
COUNTY OF MONMOUTH, NEW JERSEY
DESIGNATING CERTAIN PROPERTIES LOCATED IN THE BOROUGH WITHIN THE FORMER
FORT MONMOUTH AND IDENTIFIED AS THE “WAREHOUSE” PARCEL, AND “DISTRICT A”
AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT**

Resolution

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, (the “**Redevelopment Law**”) authorizes municipalities to determine whether certain parcels of land within the municipality constitute an “area in need of redevelopment”, as defined in the Redevelopment Law; and

WHEREAS, on December 16, 2021, the Borough Council (the “**Borough Council**”) of the Borough of Oceanport, in the County of Monmouth, New Jersey (the “**Borough**”), adopted Resolution No. 2021-245, authorizing and directing the Borough Planning Board (the “**Planning Board**”) to examine whether all or a portion of certain properties located in the Borough within the former Fort Monmouth, and identified as the “Warehouse” parcel and “District A” (including parcels formerly designated as the “Post Office” parcel, “Parking” parcel and “Commissary” parcel) which parcels consist of Block 110.13, Lot 1 and Block 110.14, Lot 1 (formerly a portion of Block 110, Lot 2) as currently designated on the tax maps of the Borough (collectively, the “**Study Area**”), meet the criteria set forth in the Redevelopment Law for redevelopment area designation and to make a recommendation as to whether such Study Area should be designated as a non-condemnation area in need of redevelopment; and

WHEREAS, on behalf of the Fort Monmouth Economic Revitalization Authority (“**FMERA**”), Phillips Preiss Grygiel Leheny Hughes LLC (the “**Planning Consultant**”) conducted a preliminary investigation of the Study Area to determine whether the Study Area should be designated an area in need of redevelopment, and prepared a preliminary investigation report of the above-referenced Study Area in accordance with the Redevelopment Law, entitled, “Non-Condensation Area in Need of Redevelopment Study for District A & Warehouse Parcel Within the Former Fort Monmouth Properties in the Borough of Oceanport, New Jersey” dated December 2020, as amended by a report entitled, “April 2022 Addendum to Area in Need of Redevelopment Study for District A & Warehouse Parcel Within the Former Fort Monmouth Properties in the Borough of Oceanport, New Jersey dated December 2020” dated April 2022 (together, the “**Report**”); and

WHEREAS, the Redevelopment Law requires the Planning Board to conduct a public hearing prior to making its recommendation whether the Study Area should be designated as a non-condemnation area in need of redevelopment, at which hearing the Planning Board shall hear all persons who are interested in or would be affected by a determination that the Property is an area in need of redevelopment; and

WHEREAS, on June 28, 2022, the Planning Board reviewed the Report, heard testimony from representatives of the Planning Consultant, conducted a public hearing during which members of the general public were given an opportunity to present their own evidence and/or to cross-examine the Planning Consultant, and to address questions to the Planning Board and its representatives, concerning the potential designation of the Study Area as an area in need of redevelopment; and

WHEREAS, the Planning Consultant concluded in the Report and testified to the Planning Board on June 28, 2022 that the Study Area satisfies the criterion for a redevelopment area designation as set forth in the Redevelopment Law pursuant to *N.J.S.A. 40A:12A-5*; and

WHEREAS, after the conclusion of the public hearing described above, the Planning Board adopted a resolution accepting and adopting the recommendation contained in the Report, and recommending that the Study Area be declared a non-condemnation area in need of redevelopment, in accordance with the Redevelopment Law, for the reasons set forth in the Report; and

WHEREAS, the Borough Council agrees with the conclusion of the Planning Board that the Study Area satisfies the criterion for redevelopment area designation set forth in the Redevelopment Law and finds that such conclusion is supported by substantial evidence; and

WHEREAS, the Borough Council now desires to declare the Study Area as a non-condemnation area in need of redevelopment, pursuant to *N.J.S.A. 40A:12A-6*.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Oceanport, in the County of Monmouth, New Jersey, as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. Based on the Report and the recommendation of the Planning Board, the Study Area satisfies the criterion for redevelopment area designation as set forth in the Redevelopment Law. Accordingly, the Study Area is hereby designated as an area in need of redevelopment.

Section 3. The Study Area is further hereby designated as a "Non-Condensation Redevelopment Area" as referenced in the Redevelopment Law.

Section 4. The Borough Council hereby directs the Municipal Clerk to transmit a certified copy of this resolution forthwith to the Commissioner of the Department of Community Affairs for review.

Section 5. Pursuant to *N.J.S.A. 52:27I-26(o)* and *N.J.A.C. 19:31C-3.25(a)(5)*, this resolution shall be effective upon FMERA's consent to the designation of the Study Area as an area in need of redevelopment. The Borough Council hereby directs the Mayor, in consultation with counsel to the Borough, to prepare and submit to FMERA the "Land Use/Zoning/Redevelopment and Mandatory Conceptual Review "MCR" Application Form" and any other documents in connection therewith in furtherance of such consent by FMERA.

**BOROUGH OF OCEANPORT PLANNING BOARD
COUNTY OF MONMOUTH, NEW JERSEY**

**RESOLUTION RECOMMENDING THAT ALL OR A PORTION OF CERTAIN
PROPERTIES LOCATED IN THE BOROUGH WITHIN THE FORMER FORT
MONMOUTH AND IDENTIFIED AS THE “WAREHOUSE” PARCEL, AND “DISTRICT A”
BE DESIGNATED AS A NON-CONDEMNATION AREA IN NEED OF
REDEVELOPMENT**

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, (the “**Redevelopment Law**”) authorizes municipalities to determine whether certain parcels of land within the municipality constitute an “area in need of redevelopment”, as defined in the Redevelopment Law; and

WHEREAS, on December 16, 2021, the Borough Council (the “**Borough Council**”) of the Borough of Oceanport, in the County of Monmouth, New Jersey (the “**Borough**”), adopted Resolution No. 2021-245, authorizing and directing the Borough Planning Board (the “**Planning Board**”) to examine whether all or a portion of certain properties located in the Borough within the former Fort Monmouth, and identified as the “Warehouse” parcel and “District A” (including parcels formerly designated as the “Post Office” parcel, “Parking” parcel, and “Commissary” parcel) which parcels consist of Block 110.13, Lot 1 and Block 110.14, Lot 1 (formerly a portion of Block 110, Lot 2) as currently designated on the tax maps of the Borough (collectively, the “**Study Area**”), meet the criteria set forth in the Redevelopment Law for redevelopment area designation and to make a recommendation as to whether such Study Area should be designated as a non-condemnation area in need of redevelopment; and

WHEREAS, on behalf of the Fort Monmouth Economic Revitalization Authority (“**FMERA**”), Phillips Preiss Grygiel Leheny Hughes LLC (the “**Planning Consultant**”) conducted a preliminary investigation of the Study Area to determine whether the Study Area should be designated an area in need of redevelopment, and prepared a preliminary investigation report of the above-referenced Study Area in accordance with the Redevelopment Law, entitled, “Non-condemnation Area in Need of Redevelopment Study for District A & Warehouse Parcel Within the Former Fort Monmouth Properties in the Borough of Oceanport, New Jersey” dated December 2020, as amended by a report entitled, “April 2022 Addendum to Area in Need of Redevelopment Study for District A & Warehouse Parcel Within the Former Fort Monmouth Properties in the Borough of Oceanport, New Jersey dated December 2020” dated April 2022 (together, the “**Study**”); and

WHEREAS, the Study sets forth the basis for the investigation of the Study Area and a map depicting the Study Area, and concludes that the Study Area qualifies as an area in need of redevelopment pursuant to the Redevelopment Law, for the reasons set forth in the Study; and

WHEREAS, the Redevelopment Law requires the Planning Board to conduct a public hearing prior to making its determination whether the Study Area should be designated as an area in need of redevelopment, at which hearing the Planning Board shall hear all persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment; and

WHEREAS, on June 28, 2022, the Planning Board reviewed the Study, heard testimony from representatives of the Planning Consultant, conducted a public hearing during which members of the general public, including all persons who were interested in or would be affected by a determination that the Study Area is an area in need of redevelopment, were heard and received written or oral objections, if any, and made same a part of the public record; and

WHEREAS, the Planning Consultant concluded in the Study and testified to the Planning Board on June 28, 2022 that the Study Area satisfies the criterion for redevelopment area designation set forth in the Redevelopment Law; and

WHEREAS, after careful consideration of all evidence presented and all testimony offered,

PR-22-20
06-28-22

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING BOARD OF THE BOROUGH OF OCEANPORT AS FOLLOWS:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Study, and the findings of fact and conclusions contained therein, are hereby incorporated herein by reference in their entirety. The Planning Board Secretary is hereby directed to transmit a copy of the Study and this resolution to the Borough Council.

Section 3. After consideration of all evidence presented and all testimony offered, the Planning Board accepts and adopts the recommendation contained in the Study, and hereby recommends to the Borough Council that the Study Area be declared a non-condemnation area in need of redevelopment in accordance with the Redevelopment Law, for the reasons set forth in the Study.

Section 4. This resolution shall take effect immediately.

This resolution was offered by Mr. Whitson, seconded by Mr. Foster, and adopted on roll call by the following vote:

ROLL CALL	YES	NO	ABSTAIN	ABSENT	INELIGIBLE
Whitson	(✓)	()	()	()	()
Kahle	(✓)	()	()	()	()
Cooper	(✓)	()	()	()	()
Foster	(✓)	()	()	()	()
Tvrdik	(✓)	()	()	()	()
Widdis, C.	(✓)	()	()	()	()
Kleiberg	()	()	()	(✓)	()
Davis	(✓)	()	()	()	()
Dailey	(✓)	()	()	()	()
Widdis, L. (Alt. #1)	(✓)	()	()	()	()
Vacant (Alt. #2)	()	()	()	()	()

I hereby certify that the foregoing Resolution was adopted by the Planning Board of the Borough of Oceanport at its meeting of June 28, 2022.



Jeanne Smith
Planning Board Secretary

ORDINANCE

AN ORDINANCE OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR PROPERTY LOCATED IN THE BOROUGH WITHIN THE FORMER FORT MONMOUTH AND IDENTIFIED AS THE “WAREHOUSE” PARCEL, AND “DISTRICT A” PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended and supplemented (the “**Redevelopment Law**”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of rehabilitation or redevelopment; and

WHEREAS, on December 16, 2021, the Borough Council (the “**Borough Council**”) of the Borough of Oceanport, in the County of Monmouth, New Jersey (the “**Borough**”), adopted Resolution No. 2021-245, authorizing and directing the Borough Planning Board (the “**Planning Board**”) to examine whether all or a portion of certain properties located in the Borough within the former Fort Monmouth, and identified as the “Warehouse” parcel and “District A” (including parcels formerly designated as the “Post Office” parcel, “Parking” parcel and “Commissary” parcel) which parcels consist of Block 110.13, Lot 1 and Block 110.14, Lot 1 (formerly a portion of Block 110, Lot 2) as currently designated on the tax maps of the Borough (collectively, the “**Study Area**”), meet the criteria set forth in the Redevelopment Law for redevelopment area designation and to make a recommendation as to whether such Study Area should be designated as a non-condemnation area in need of redevelopment; and

WHEREAS, on behalf of the Fort Monmouth Economic Revitalization Authority (“**FMERA**”), Phillips Preiss Grygiel Leheny Hughes LLC (the “**Planning Consultant**”) conducted a preliminary investigation of the Study Area to determine whether the Study Area should be designated an area in need of redevelopment, and prepared a preliminary investigation report of the above-referenced Study Area in accordance with the Redevelopment Law, entitled, “Non-Condensation Area in Need of Redevelopment Study for District A & Warehouse Parcel Within the Former Fort Monmouth Properties in the Borough of Oceanport, New Jersey” dated December 2020, as amended by a report entitled, “April 2022 Addendum to Area in Need of Redevelopment Study for District A & Warehouse Parcel Within the Former Fort Monmouth Properties in the Borough of Oceanport, New Jersey dated December 2020” dated April 2022 (together, the “**Report**”); and

WHEREAS, on June 28, 2022, the Planning Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law, at which hearing it determined that the Study Area qualified as an area in need of redevelopment and recommended that the Township Council designate the Study Area as an area in need of redevelopment pursuant to the criteria and requirements of the Redevelopment Law; and

WHEREAS, on July 21, 2022, by Resolution No. 2022-_____, and in accordance with the provisions of the Redevelopment Law, the Borough Council of the Borough designated the Study Area as a non-condemnation area in need of redevelopment (the “**Redevelopment Area**”); and

WHEREAS, a redevelopment plan for the Redevelopment Area, entitled “Amendment #15 to the Fort Monmouth Reuse and Redevelopment Plan” and dated August 2020 (the “**Redevelopment Plan**”) has been prepared; and

WHEREAS, the Borough Council desires to have the Planning Board review and comment upon the Redevelopment Plan, pursuant to the Redevelopment Law; and

WHEREAS, subject to receipt of the Planning Board’s recommendations concerning the Redevelopment Plan, the Borough Council believes that the adoption of the Redevelopment Plan is in the best interests of the Borough and the redevelopment of the Redevelopment Area.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Oceanport, in the County of Monmouth, New Jersey, as follows (not less than a majority of all members thereof affirmatively concurring):

Section 1. The aforementioned recitals hereof are incorporated herein as though set forth at length herein.

Section 2. Pursuant to N.J.S.A. 40A:12A-7(e), upon passage of this ordinance on first reading, the Borough

Council hereby refers the Redevelopment Plan to the Planning Board for review and recommendation. The Planning Board shall prepare a report regarding its recommendations and submit same to the Borough Council within 45 days after referral, as required by the Redevelopment Law.

Section 3. The Redevelopment Plan, on file with the Borough Clerk, is incorporated herein by reference and, contingent upon the receipt of the Planning Board's recommendations and upon the consent of FMERA pursuant to N.J.A.C. 19:31C-3.25(b)(6), is hereby approved and adopted pursuant to N.J.S.A. 40A:12A-7.

Section 4. The zoning ordinances and maps of the Borough are hereby amended to be consistent with the Redevelopment Plan and the provisions therein.

Section 5. The Borough Council shall serve as "redevelopment entity" for purposes of implementing the Redevelopment Plan and exercising the powers granted to a redevelopment entity under the Redevelopment Law.

Section 6. In case any one or more of the provisions of this ordinance or the Redevelopment Plan shall, for any reason, be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this ordinance or the Redevelopment Plan and this ordinance shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

Section 7. Pursuant to N.J.A.C. 19:31C-3.25(b)(6), this ordinance shall take effect upon the latter of (i) 20 days after final passage and publication as prescribed by applicable law or (ii) FMERA's consent to the adoption of the Redevelopment Plan for the Redevelopment Area. The Borough Council hereby directs the Mayor, in consultation with counsel to the Borough, to prepare and submit to FMERA the necessary application and/or any other documents in connection therewith in furtherance of such consent by FMERA.

APPROVED ON FIRST READING

DATED: July 21, 2022

JEANNE SMITH
Clerk of the Borough of Oceanport

ADOPTED ON SECOND READING

DATED: July 26, 2022

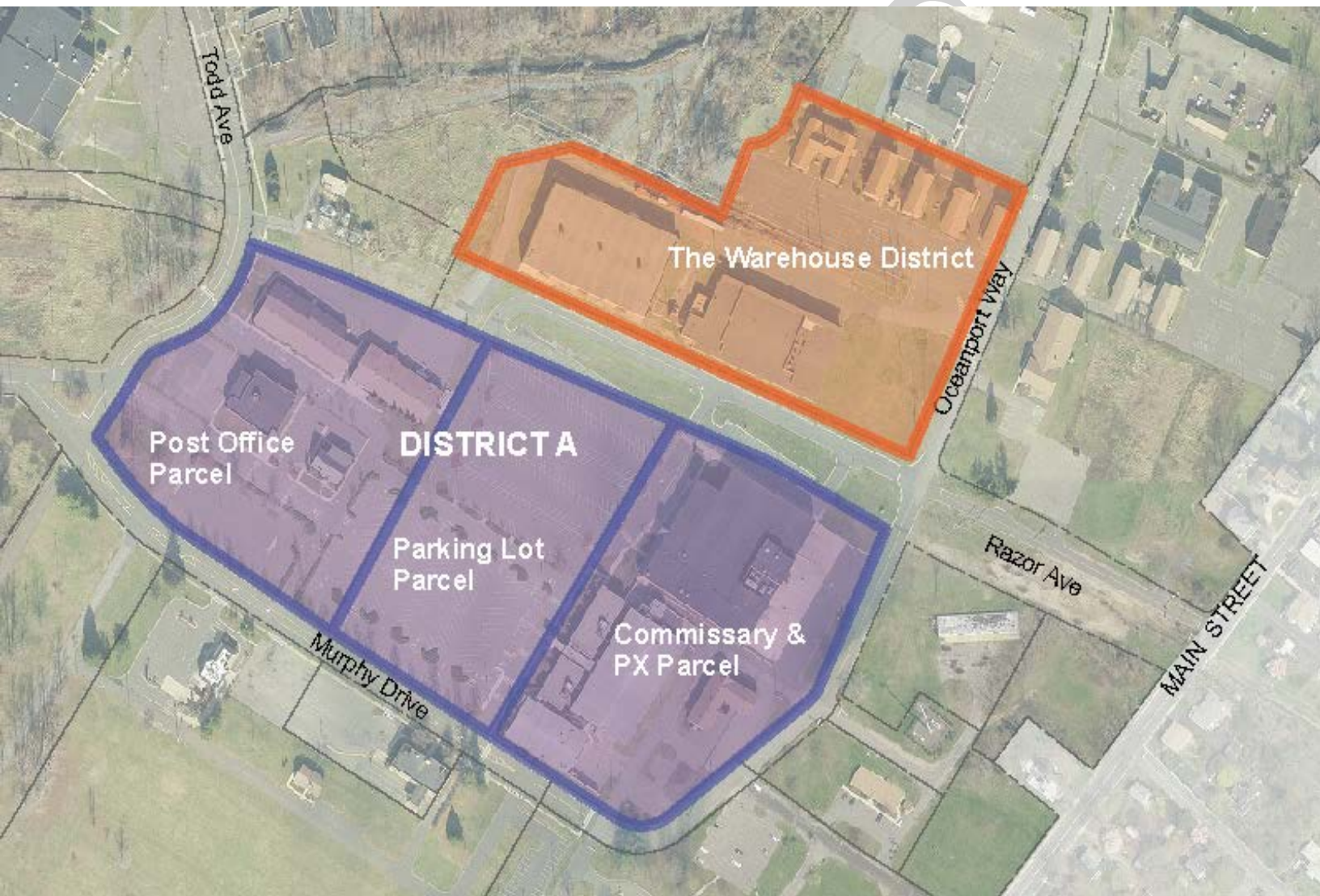
JEANNE SMITH
Clerk of the Borough of Oceanport

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____.

JOHN F. COFFEY, II
Mayor

Fort Monmouth Reuse and Redevelopment Plan

June 2020



Fort Monmouth Economic Revitalization Authority

Amendment #15 to the
Fort Monmouth Reuse and Redevelopment Plan

Prepared by:

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Fort Monmouth Reuse and Redevelopment Plan, adopted: October 2008

Amendments to the Fort Monmouth Reuse and Redevelopment Plan

- Amendment #1:** Parcel E in Tinton Falls, adopted May 2012
- Amendment #2:** Patterson Clinic in Oceanport, adopted December 2012
- Amendment #3:** Several parcels in Tinton Falls, adopted November 2015
- Amendment #4:** Russel Hall and Dance Hall in Oceanport, adopted January 2016
- Amendment #5:** Pistol Range in Tinton Falls, adopted May 2016
- Amendment #6:** Two parcels in Oceanport, adopted July 2016
- Amendment #7:** Fitness Center in Oceanport, adopted August 2016
- Amendment #9:** Eatontown Barracks and DPW in Eatontown, adopted December 2017
- Amendment #10:** Suneagles Golf Course in Eatontown, adopted May 2018
- Amendment #11:** Allison Hall in Oceanport, adopted December 2018
- Amendment #12:** Myer Center in Tinton Falls, adopted January 2019
- Amendment #13:** Squier Hall in Oceanport, adopted April 2019
- Amendment #14:** Lodging Area in Oceanport, adopted May 2019

ACKNOWLEDGEMENTS

Fort Monmouth Economic Revitalization Authority (FMERA) Board

Robert W. Lucky – Interim Chairman & Public Member, Fort Monmouth Economic Revitalization Authority
Lillian Burry – Monmouth County Board of Chosen Freeholders
Jay Coffey – Mayor of Oceanport
Anthony Talerico – Mayor of Eatontown
Vito Perillo – Mayor of Tinton Falls
Kevin A. Quinn – NJEDA Board Chairman
Brian Wilton – Governor's Representative
Catherine McCabe – Commissioner Director, Site Remediation Program, NJ Department of Environmental Protection
Diane Gutierrez Scaccetti – Commissioner, NJ Department of Transportation
Robert Asaro-Angelo – Commissioner, Central Regional Chief, NJ Department of Labor & Workforce Development
Sheila Oliver – Commissioner, New Jersey Department of Community Affairs

Planning Consultant

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I. Introduction

The Fort Monmouth Reuse and Redevelopment Plan (“the Reuse Plan”) was adopted by the Fort Monmouth Economic Revitalization Planning Authority (“FMERPA”) Board on October 15, 2008. Subsequently, the Reuse Plan has been amended 14 times since its first adoption to address the changing development climate.

To further support redevelopment opportunities and economic vitality within the Fort area, pursuant to P.L.2010, c. 10 (N.J.S.A. 52:27I-18 et. seq.), the Fort Monmouth Economic Revitalization Authority (“FMERA”) is considering amending the Reuse Plan to revise development standards (bulk standards) and provide the option for an alternative development scenario on the following parcels that are located in the former Fort Monmouth property in the Borough of Oceanport, New Jersey (“Oceanport Reuse Area”) as shown on Appendix A.

This amendment does not purport to delete any provisions of the Reuse Plan but rather supplements the Plan by proposing alternative development scenarios for the parcels in the Fort area as shown on Appendix B. Under N.J.A.C. 19:31C-3.19(a)(1), principal land uses permitted in the *Reuse Plan* are specifically permitted under the Land Use Rules. Thus, this amendment is incorporated into the Land Use Rules for the Reuse Area in a manner similar to an “overlay zone,” whereby an alternative set of requirements are superimposed on the area allowing for alternative land use scenarios to be realized. With regard to the alternative land use scenario, the overlay zoning provides alternative opportunities for development that do not apply unless the land is developed in accordance with the purposes for which the overlay zoning is adopted.

This amendment, referred to as “Amendment #15,” is consistent with the planning objectives and principles articulated in the Reuse Plan and is necessary to fulfill the Authority’s main objectives, specifically job creation, economic development, and leveraging existing Fort assets.

This is the eighth amendment to the *Reuse Plan* for the Oceanport Reuse Area. Amendment #2 permitted the reuse of the Patterson Army Health Clinic as a medical clinic. Amendment #4 allowed for office/research uses in Russel Hall (Building 286) and permitted the Dance Hall (Building 552) to be reused for commercial/retail uses including outdoor dining accessory uses and provided for the maintenance of Van Kirk Park as open space. Amendment #6 allowed for a 13-acre parcel in the southern section of the Oceanport Reuse Area to be reused by the Borough of Oceanport and a 3-acre parcel to be developed as a County emergency homeless shelter; the *Reuse Plan* contemplated these government/civic/institutional uses of the Oceanport Reuse Area, but in other locations. In particular, the *Reuse Plan* called for a 15,000 square foot emergency shelter to be located on the Squier Hall parcel in Building 288. Amendment #6 moved that use to the new 3-acre site and designated Building 288 to be used for office and/or open space. Amendment #7 allowed for Building 114 (the Fitness Center) to be reused as a privately- operated commercial recreation facility, and Amendment #11 allowed for a variety of commercial and office uses on the Allison Hall parcel and transfers the residential units proposed on Allison Hall parcel to the Lodging parcel and permits the boutique hotel to be built on the Allison Hall site. Amendment #13 to the *Reuse Plan* contemplates the reuse of the Building 283 (Squier Hall) for higher education classrooms and ancillary uses, permits the demolition of Buildings 291 and 295 and allows for

institutions of higher education and all ancillary uses, which include, but are not limited to, classrooms, labs, libraries, residence halls, parking garages, arts centers, athletic facilities, both buildings and fields, cafeterias, bookstores, and similar uses that are typical to a college campus. Reuse Plan Amendment #14 (the "Amendment") to the Reuse Plan permits an alternative development scenario on the subject property known as the "Lodging Area Parcel". The Amendment permits demolition of Buildings 360, 361, 362, 363, 364, and 365 and reuse of Buildings 270 and 271 for affordable housing. Additionally, the Amendment permits the construction of 144 market-rate townhomes and development of at least a ± 50 -foot-wide waterfront esplanade along Parkers Creek including a 12-foot wide walkway designed in a complimentary coordinated style to the adjacent Allison Hall riverfront promenade.

The Fort Monmouth *Reuse and Redevelopment Plan* involved years of careful consideration and study as well as an extensive effort to draw input from residents, the three host municipalities and the County, State and Federal government. As such, this amendment does not change the underlying Plan vision for the Oceanport Reuse Area. Instead, it provides land use options that afford FMERA with the necessary flexibility to respond to changed circumstances in a manner that does not compromise the overall *Reuse Plan* goals and objectives.

The following chapter describes the nature and scope of the amendment, while succeeding chapters discuss its relationship to the elements, objectives and planning principles of the *Reuse Plan*, as well as to FMERA's own directive, and to relevant State, County and Municipal planning objectives.

II. Goals and Objectives

The primary goal of this Amendment is to further sustainable economic development of the Fort Monmouth area by encouraging a mix of futuristic uses with greater economic viability. The amendment also aims to promote sustainable and resilient development strategies. Some of the key plan goals and policy objectives are outlined below:

- a. Encourage reinvestment and redevelopments within the Fort Monmouth area.
- b. Encourage and promote a well-planned mixed-use environment with commercial, research and development (R & D) cluster and office uses consistent with the *Reuse Plan* to build a competitive advantage in the Fort Area.
- c. Promote the creation of vibrant retail, commercial and office spaces and create job opportunities for local residents.
- d. Address some of the limitations of FMERA's current land use rules and development standards and revise those standards to provide desired flexibility for current & future redevelopment projects.
- e. Enhance economic viability and livability of the area through improved pedestrian connectivity and walkability.

III. Scope of the *Reuse Plan* Amendment

The Fort Monmouth properties in Oceanport Reuse Area total approximately 419 acres and are bounded generally by New Jersey Transit's North Jersey Coast Line, Main Street and Oceanport Creek to the south, Parkers Creek to the north, and the former Fort properties in Eatontown to the west. The *Reuse Plan* envisions redevelopment of Oceanport Reuse area for approximately 1.75 million square feet of non-residential space and 720 residential units. Such development would include a high-tech/green industry cluster, education/medical campus, a neighborhood center, a boutique hotel and spa, and expansive green space including the historic Parade Ground.

This amendment maintains the development concepts and plans articulated in the *Reuse Plan* but further permits alternative development scenarios on the Warehouse District Parcel and District A (a merger of the Commissary and PX Complex, Parking Lot and the Post Office Area) parcels located in the Oceanport Reuse Area as shown in Appendix A. The details of the amendment to the land use plan and alternative development scenario contemplated in this amendment are provided below.

a. Amendment to Land Use Plan

The "Land Use Plan" is a figure in the *Reuse and Redevelopment Plan* which divides the Fort into the following broad land use categories: low density/residential; medium density residential; mixed/multi use; commercial/retail; lodging; office/R&D; Institutional; and Open Space. As shown in Appendix B, this amendment modifies that Land Use Plan with regard to the Warehouse District and District A.

Please note that throughout the former Fort Monmouth, the land use categories provided in the Land Use Plan shall be expanded and refined to include the uses listed in N.J.A.C. 19:31c-3.4 of the Land Use Rules, as well as those uses described below.

1. Commercial/Retail

- a. "Craft Production" as defined in Amendment #4, i.e., shall mean "a commercial use that involves the production of arts, crafts, foods, beverages or other product with on-site production and assembly of goods primarily involving the use of hand tools and/or small-scale equipment. Craft production establishments are compatible and are often co-located with retail sales and service uses. This use category includes but is not limited to coffee roasting and alcoholic beverage production. Establishments engaged in the craft production of alcoholic beverages including craft wineries, craft breweries, and craft distilleries shall be limited to no more than 10,000 gallons of product per year for brewpubs; 20,000 gallons for craft distilleries; and 300,000 gallons for microbreweries." The definition is further expanded in this amendment to specify that commercial establishments such as breweries, distilleries, and wineries shall be licensed by the Alcoholic Beverage Commission pursuant to N.J.S.A 33:1-10.
- b. "Instructional Schools and Studios" which shall mean "an establishment containing recreational facilities, such as dance schools, martial arts, yoga studios, Pilates, karate and dance studios, or similar group uses involving group instruction. This use may include accessory saunas, showers, massage rooms and lockers, snack bars providing non-alcoholic drinks and pre-packaged snacks not prepared on the premises, and sports equipment and clothing shops customarily accessory to the principal use."

2. Office/Research and Development

- a. "Food Service-Related Establishments" which shall mean "a building or establishment used for preparing, manufacturing, processing, bottling, packaging, assembly of food goods, and storage and distribution of food-related goods and products. Food Service-Related Establishment may also contain the following uses accessory to the principal use: ghost kitchen, shared kitchen, kitchen incubator, restaurant, cafe, event space and catering kitchen."
- b. "Food Service- Research & Development" which shall mean "a building or establishment used for food educational & research facilities, culinary school, demonstration kitchens, media kitchens, food membership, food testing, rooftop and interior growing of food products, nutritional health facilities and storage, and distribution of food-related goods and products. Uses may include cafeteria and other ancillary uses related to Research and Development."
- c. "Flex Space" shall mean "a building, or part of a building, used for research, office, and light industrial/fabrication/assembly uses (as defined in Amendment #3)¹ that is suitable or capable of

¹ In the Amendment #3, Light Industrial/Fabrication/Assembly is defined as follows: A land use where the primary activity involved is one of the fabrication, maintenance, alteration, repairing, finishing, or assembling of standardized parts as contrasted to a processing activity which would involve a physical or chemical process that could change the nature or character of the product of raw material or which would cause or result in toxic or objectionable or corrosive fumes, vapors, odors, effluent, gas, smoke, dust, glare, flashes or excessive noise or vibration. Any and all manufacturing, fabrication, maintenance, alteration, repairing, finishing, or assembling shall be carried on within and confined to an enclosed structure or structures. Light Assembly is also permitted which refers to the process of assembling pre-manufactured materials or components with minimal use of chemical and/or mechanical processes. In addition to the fabrication and assembly of goods, light industrial uses may include, but are not limited to, warehousing; distribution; research and development facilities as defined in the Land Use Rules; and contractor services (contractor services shall mean a business which provides a service which is primarily performed off-site. Few customers visit the site. Common examples of contractor services include plumbing, heating, electrical, and air conditioning service, exterminator service, lawn and garden service, and construction services.). Light industrial uses also permit incidental offices and limited retail sales. The regulations in the Land Use Rules for Building Setbacks and Building Height for office/R&D uses shall apply to light industrial/fabrication/assembly uses.

being changed to accommodate a variety of uses and designed to be used on a short- or long-term basis.

3. Prohibited Uses Applicable to This Amendment Only

- a. For this amendment only the term "Medical Office" shall not include inpatient services.

b. Bulk Regulations

1. The Warehouse District

The Warehouse District parcel consists of an approximately 8-acre site containing seven buildings: two circa 1954 warehouses, Building 975 (36,000 sf) and Building 976 (26,880 sf); Building 909, a circa 1942, 5,269 sf administrative building; and Buildings 910, 911, 912 & 913, four circa 1943 administrative buildings, each totaling 4,720. The parcel borders on Rasor Avenue and Murphy Drive AKA Oceanport Way in the Oceanport Reuse Area of the Fort.

The *Reuse Plan* as well as the Reuse Plan Amendment #2 contemplate the demolition of all seven buildings on the Warehouse District and the construction of new housing. As the residential housing has been targeted in other areas, the proposed amendment would permit the following on the Warehouse District:

- a. Permitted Principal Use
 1. Flex Space
 2. Medical Office
 3. Office
- b. Research & Development
Permitted Accessory Use
 1. Interior storage or small warehouse space may also be accessory to the principal use of the building but under no circumstance shall be greater than 35% of total built space or 25,000 sq. ft, whichever is less.
- c. Floor Area Ratio (FAR): The permitted Floor Area Ratio shall not exceed 0.3.
- d. Building Height: The standard set forth in the FMERA Land Use Rules N.J.A.C. 19:31C-3.5(c) shall apply to this proposed amendment.²
- e. Street Facing Building Setback: The standard set forth in the FMERA Land Use Rules N.J.A.C. 19:31C-3.14(d) shall apply to this proposed amendment.
- f. Maximum Impervious Lot Coverage: The permitted Maximum Impervious Lot Coverage shall not exceed 70%.
- g. Side lot line setbacks: The standard set forth in the FMERA Land Use Rules N.J.A.C. 19:31C-3.5(h) shall apply to this proposed amendment.
- h. Rear Yard Set Back: The standard set forth in the FMERA Land Use Rules N.J.A.C. 19:31C-3.5(h) shall apply to this proposed amendment.

² For the avoidance of doubt, pursuant to N.J.A.C. 19:31C-3.5(c)(3) rooftop appurtenances, such as parapets and other design features, may exceed the permitted building height by up to 15 percent above the permitted building height set forth herein.

1.1 Additional Requirements

The following additional requirements will be applicable to the Warehouse District

- a. Street intersections shall be located at least 150 feet from other new or existing intersections.
- b. Up to three (3) entrances from Murphy Drive AKA Oceanport Way to the Subject Parcel are permitted, subject to approvals by the County and municipality.
- c. Driveways or curb cuts shall be up to 40 feet in width, subject to approvals by the County and municipality. FMERA Land Use Rules 19:31C-3.9 (c) shall be applicable for all other requirements driveways or curb cuts.
- d. The site is not required to propose any lighting along Murphy Drive AKA Oceanport Way.
- e. No setback from the adjacent property line or public right of way is required for existing Northern Private road and the relocated Anson Avenue.

2. District A

The amendment will create an alternative development scenario applicable to the - District A as shown in Appendix A. The District A consists of the Post Office Area, the Commissary & PX, and Parking Lot parcels.

2.1 The Post Office Area

The Post Office Area parcel totals an approximately six (6) acres of land containing four (4) buildings: the 7,641± sf former Post Office (Building 1005), constructed in 1971; Tickets & Tours (Building 1010), a 2,600± sf building constructed in 1970; Building 800, a circa 1942 14,964± sf administration and classroom building renovated by the Army; and Building 801, the 9,267± sf recreation equipment checkout facility built in 1941. The Post Office Area parcel borders on Todd, Alexander and Rasor (aka Anson) Avenues in the Oceanport Reuse Area of the Fort. The *Reuse Plan* as well as the Reuse Plan Amendment #2 contemplate the demolition of all four buildings on the Post Office Area parcel and the construction of a new public elementary school within the parcel. As the Borough has identified an alternate resolution for a new public elementary school, the proposed amendment would not include school as a permitted use.

2.2 The Commissary, PX Complex & Parking Lot

The Commissary, PX complex and the Parking Lot parcels totals approximately eleven (11) acres. The Commissary and PX Complex includes the 25,626 sf. Post Exchange (Buildings 1000, 1001, 1002 & 1003), the 53,700-sf. former grocery (Building 1007) and the 5,563 sf. Army Community Service Center (Building 812). The Commissary and PX Complex, is approximately 6.385 acres in area. The Parking Lot consists of an approximately 4.90-acre paved lot. The Property borders on Rasor Avenue and Murphy Drive AKA Oceanport Way in the Oceanport Reuse Area of the Fort.

The *Reuse Plan* as well as the Reuse Plan Amendment #2 contemplate the renovation and reuse of The Commissary as a retail and/or community center and the demolition of the PX-Complex.

2.3 Permitted Uses in District A

The following uses are permitted in District A.

Permitted Principal Uses

1. Food Service - Research & Development (R&D)
 2. Flex Space
 3. Office
 4. Research & Development
 5. Instructional Schools and Studios
- a. Permitted Accessory Use
 - a. Interior storage or small warehouse space may also be accessory to the principal use of the building but under no circumstance shall be greater than 25% of total built space or 10,000 sq. ft, whichever is less.
 - b. Permitted Uses for Commissary Building

The Commissary Building must be adaptively reused. The following uses are permitted for the adaptive reuse of the Commissary Building.

1. Craft Production facility
2. Food Service - Related Establishments
3. Food Service - Research & Development

2.4 Bulk Regulations Applicable to District A

The following bulk requirements will be applicable to District A.

- a. Floor Area Ratio (FAR): The permitted Floor Area Ratio shall not exceed 0.3.
- b. Building Height: The standard set forth in the FMERA Land Use Rules N.J.A.C. 19:31C-3.5(c) shall apply to this proposed amendment.³
- c. Street Facing Building Setback: The standard set forth in the FMERA Land Use Rules N.J.A.C. 19:31C-3.14(d) shall apply to this proposed amendment.
- c. Maximum Impervious Lot Coverage: The permitted Maximum Impervious Lot Coverage shall not exceed 75%.
- d. Side lot line setbacks: The standard set forth in the FMERA Land Use Rules N.J.A.C. 19:31C-3.5(h) shall apply to this proposed amendment.
- e. Rear Yard Set Back: The standard set forth in the FMERA Land Use Rules N.J.A.C. 19:31C-3.5(h) shall apply to this proposed amendment.

³ For the avoidance of doubt, pursuant to N.J.A.C. 19:31C-3.5(c)(3) rooftop appurtenances, such as parapets and other design features, may exceed the permitted building height by up to 15 percent above the permitted building height set forth herein.

2.5 Additional Requirements Applicable to District A

The following additional requirements will be applicable to District A.

- a. The Property shall provide screening for the existing loading area to comply with 3.7(c)1. Notwithstanding the height requirement in 3.10(g)1, a 6-8' wall shall be permitted in the Commissary loading area. This wall shall comply with all sight triangle requirements.
- b. Notwithstanding the loading requirement in 19:31C-3.7(c)2, existing loading area on Murphy Drive AKA Oceanport Way is permitted for the Commissary Building.
- c. The development on the site is not required to propose any lighting along Alexander Ave, Todd Ave and Murphy Drive AKA Oceanport Way.
- d. Up to four (4) entry driveway from adjacent roadways to the Subject Parcel are permitted, subject to approvals by the County and municipality.
- e. Driveways or curb cuts shall be up to 40 feet in width, subject to approvals by the County and municipality. FMERA Land Use Rules 19:31C-3.9 (c) shall be applicable for all other requirements driveways or curb cuts.

3. Parking and Loading Requirements:

The following shall apply to both Warehouse District and District A with regard to Parking and Loading.

- a. Parking:

Each use permitted shall provide the minimum number of automobile parking spaces indicated in the table below.

Land Use	Minimum Space Required
Flex Space	One space per 800 square feet of GFA
Food Service-Related Establishments	Four spaces per 1,000 square feet of GFA
Research & Development/Food Service - Research & Development	Four spaces per 1,000 square feet of GFA
Instructional Schools and Studios	Four spaces per 1,000 square feet of GFA

- b. Shared Parking: Shared parking requirements are indicated in the table below. Shared parking calculation shall be done as per FMERA Land Use Rules 19:31C-3.7 (b) (1-4)

Weekday Rates	Flex Space	Food Service Related Establishments	Research & Development/Food Service – Research & Development	Instructional Schools and Studios
Daytime (8 AM-6PM)	90%	100%	100%	100%
Evening (6PM-Midnight)	80%	80%	50%	40%
Nighttime (Midnight-8 AM)	5%	5%	5%	5%

Weekend Rates	Flex Space	Food Service Related Establishments	Research & Development/Food Service – Research & Development	Instructional Schools and Studios
Daytime (8 AM-6PM)	80%	50%	40%	100%
Evening (6PM-Midnight)	50%	5%	5%	10%
Nighttime (Midnight-8 AM)	5%	5%	5%	5%

1. The parking ratio set forth in the FMERA Land Use Rules 19:31C-3.7(a) shall apply for Office use, including Medical Office.
2. The shared parking requirements set forth in the FMERA Land Use Rules 19:31C-3.7(b) shall apply for Office use, including Medical Office.

c. Loading:

1. The following loading space requirement shall be applicable to both Warehouse District and District A.

Land Use	Minimum Space Required
Flex Space	One space per first 10,000 sq. ft. and One space per 40,000 thereafter.
Food Service-Related Establishments	One space per first 15,000 sq. ft. and One space per 40,000 thereafter.
Research & Development (R&D) Food Service - Research & Development	One space per first 15,000 sq. ft. and One space per 40,000 thereafter.
Instructional Schools and Studios	One space per first 20,000 sq. ft. and One space per 40,000 thereafter.

2. No loading space is required for Office Use as defined under N.J.A.C. 19:31C -3.2(b).
3. All other requirements related to loading as set forth in FMERA Land Use Rules 19:31C-3.7 (c) (1-3) shall be applicable for the loading.

4. **Signage:**

The following requirement shall be applicable to both Warehouse District and District A.

a. **Ground Signs:**

1. Maximum two ground signs are permitted in each district. The maximum sign area shall be 80 square feet. The maximum sign height shall be ten feet above grade.
2. FMERA Land Use Rules 19:31C-3.9 (d) shall be applicable for all other requirements related ground signs.

b. **Wall Signs:**

1. For buildings containing more than one tenant, the provisions set forth in FMERA Land Use Rules 19:31C-3.9 (d) shall apply to the exterior surface of each tenant space or leased portion of the building.

V. Relationship to Elements, Objectives and Principles of the *Reuse Plan* and FMERA Directive

a. Relationship to Reuse and Redevelopment Plan and its Elements

In considering the impacts of the Reuse Plan amendment, the following *Reuse Plan* elements were considered: land use and circulation, infrastructure, environmental issues, historic preservation, and community impacts. The relationship between the amendment and these Plan elements are described below.

1. Land Use and Circulation

Total Non-Residential Square Footage Yield

The Warehouse District and District A:

The Reuse Plan envisions redevelopment of the Warehouse District and District A for education, medical campus, residential and commissary uses.

For the Warehouse District, the Reuse Plan as well as the Reuse Plan Amendment #2 calls for the demolition of all seven buildings on the Warehouse District and the construction of new housing in its place. As the residential housing has been targeted in other areas, the proposed amendment would permit non-residential uses related to office, research and development and flex space. The proposed uses for the Warehouse District will complement the surrounding proposed uses for District A in terms of R & D cluster development. The maximum permitted FAR for the district is 0.3 which allows low-density non-residential development with required parking spaces. The Amendment would permit up to +/- 98,000 sq. ft. of new development on the Warehouse District to house office, medical offices, research and development and flex space.

For the purposes of the Redevelopment of the Post Office Area, Commissary and PX Complex and the Parking Lot, the parcels shall be merged for one section of the Redevelopment Project. District A shall include the reuse of the Commissary building and the demolition of all the remaining buildings in District A. For the Commissary building, the *Reuse Plan* contemplated approximately 53,700 sq. ft. of uses related to commissary and retail. The proposed Amendment would permit the adaptive reuse of the commissary building into a +/- 53,700 sq. ft. of commercial and retail uses related to food service establishments, research & development and craft production. The Commissary is to be redeveloped as an enrichment center incorporating a provision for food services, a culinary school, crafts production, arts adaptation (including music and art facilities for enrichment learning for all ages) as well as the display of art. The complex may also potentially include retail, office, entertainment, research and development. The Commissary and PX Complex may also include flex-space/warehouse space provided that such flex-

space/warehouse space is: (i) in support of another principal use such as office or research and development; and (ii) not the primary use of any building on the Commissary and PX Complex. The *Reuse Plan* and Amendment #2 did anticipate that once the excess buildings were demolished, a new public elementary school would be constructed within the parcel. As the Borough has identified an alternate resolution for a new public elementary school, District A shall also allow up to 140,000 sq ft of commercial space uses of commercial uses related to food service establishments, research & development, flex space, office, and instructional schools and studios.

The *Reuse Plan* calls for the demolition of the PX complex and development of residential uses. As the residential housing has been targeted in other areas, the proposed amendment permits non-residential uses related to research and development and flex space to be incorporated into District A.

For the Parking Lot area, the *Reuse Plan* contemplates the development of parking for Commissary uses. The proposed amendment permits the Parking Lot to be merged into District A's 140,00 sq ft. of commercial space uses related to research and development, office and flex space, and instructional schools and studios as discussed in the previous section. The maximum permitted FAR for District A (the entire Post Office Area, Commissary & PX-Complex and Parking Lot area) will be 0.27 which will allow the development of adequate parking spaces for the various uses.

Total Residential Development Yield

The amendment does not propose any changes relative to the residential uses, the residential units on the Oceanport Reuse Area will remain 720 units as was contemplated in the *Reuse Plan* and subsequent amendments to the Oceanport Reuse Area.

Compatibility with Surrounding Land Uses

The uses contemplated in this amendment are compatible with the surrounding land uses anticipated in the *Reuse Plan* and subsequent amendments.

The amendment permits diverse tech-oriented uses for the Warehouse and District A areas and these uses are consistent with the goal and uses contemplated of the *Reuse Plan*. As this tech-center clustered development will complement the surrounding land uses.

Circulation

As there will be no school in District and residential in the Warehouse District as contemplated by the *Reuse Plan*, there will be slight change to the interior road network as contemplated by the *Reuse Plan*. However, the amendment does not propose any changes to Rasor Avenue and Murphy Drive AKA Oceanport Way and is consistent with the "Transportation Circulation Improvement Goals" established in the *Reuse Plan*. As such, the amendment would not adversely impact any of the "Transportation Circulation Improvement Goals" established in the *Reuse Plan*.

2. Open Space

The amendment does not impact any active recreation or open space contemplated in the *Reuse Plan*. Furthermore, this amendment aims to encourage the concept of placemaking and the development of

public space, plaza, and walkways within the redevelopment area which is consistent with the *Reuse Plan*.

3. Sustainability

This amendment would not preclude incorporation of any of the sustainability measures outlined in the *Reuse Plan*. Specifically, the reuse of Commissary Building would further the *Reuse Plan*'s green building sustainability goal to maximize the adaptive reuse of existing buildings and infrastructure.

4. Infrastructure

As indicated in the *Reuse Plan*, impacts on the existing gas, electric, water, wastewater and telephone utilities servicing Fort Monmouth will have to be evaluated at site plan review for a specific project. This assessment is unaffected by the amendment.

5. Traffic

Though the amendment permits up to +/- 268,700 sq. ft. commercial and R&D related uses in the Warehouse District A area, the maximum permitted FAR is 0.3 which is not significantly high for the non-residential uses contemplated in the *Reuse Plan*. Therefore, the proposed uses and the total increase of square footage as a result of the proposed amendment, will not generate significant additional traffic than what has been anticipated in the *Reuse Plan*. The existing road network system as contemplated in the *Reuse Plan* is expected to accommodate any additional traffic generated from the commercial and R & D uses. A detailed traffic analysis would be prepared as part of any site plan review related to the reuse and/or development of this parcel. Any necessary traffic mitigation would be addressed at that time.

6. Environmental Issues

The portions of this parcel anticipated to be developed by this amendment are not environmentally constrained per Geographic Information System (GIS) layers provided by the New Jersey Department of Environment Protection (NJDEP). Any environmentally constrained areas within the land area associated with this amendment would be preserved and protected accordingly.

7. Historic Preservation

None of the buildings affected by the proposed amendment are listed in State and National Registers of Historic Places. Likewise, none of the buildings or parcels included in the amendment are subject to FMERA's Historic Preservation Guidelines.

8. Community Impacts and Affordable Housing

As noted in the *Reuse Plan*, the host communities, including Oceanport, rely on taxation for the largest portion of their municipal revenues. The Fort's closure, and the resulting loss of the Fort's workforce is expected to result in a larger share of the tax burden falling to residential property owners. The potential offered by this amendment to increase non-residential tax revenues would lessen the burden on local residents.

The commercial/R&D uses contemplated for the Warehouse and District A areas in this amendment typically generate more positive fiscal impacts for a municipality, i.e., generate more tax revenues, than do other land uses, including residential development. Additional non-residential square footage on these areas is expected to have a positive fiscal impact on the tax base of Oceanport. The commercial/retail uses would not generate an increase in the number of school children. Thus, there would be no negative impact on the construction of affordable housing as delineated in the *Reuse Plan*.

b. Relationship to Objectives and Principles of the *Reuse Plan*

The amendment would fulfill the objectives and planning principles outlined in the *Reuse Plan*. Those planning objectives articulated in the *Reuse Plan* include the following:

1. Be consistent with State, County, and Municipal planning policies.
The amendment is consistent with State, County, and Municipal planning policies, as set forth in the ensuing chapter.
2. Focus on business retention and attraction, job replacement, and employee training.
This amendment would provide for increased flexibility to aid FMERA in its efforts to attract suitable businesses that wish to relocate to Fort Monmouth and that have the potential to replace jobs lost when the Fort closed.
3. Be founded on market and economic analysis. This amendment responds to the marketplace by permitting an alternative development scenario designed to attract futuristic R&D businesses to the Oceanport Reuse Area.
4. Leverage Fort assets (people, infrastructure, location).
The amendment affords FMERA with an opportunity to leverage existing assets through the Reuse of the Commissary building in District A and the redevelopment of the Warehouse District and the remaining land in District A area within the Oceanport Reuse Area and to attract new non-residential uses that generate much-needed local employment and tax revenues.
5. Be a green community model.
The adaptive reuse of the Commissary Building with surrounding redevelopments furthers the Plan's green building sustainability goal to maximize the adaptive reuse of existing buildings and infrastructure system.

The amendment further advances a number of key planning principles from which the overall concepts in the *Reuse Plan* were devised:

Principle #1: *Decreasing Density West to East & Creating Mixed-Use Live/Work/Leisure Centers.*
The amendment contemplates a mix of uses in existing and new buildings in a manner that promotes these planning principles.

- Principle #2:** *Link centers & increase mobility with connected transit infrastructure serving the region and the Fort.*
The amendment does not preclude the potential to create an extensive system of bikeways, pedestrian trails and side- walks as envisioned in the *Reuse Plan*.
- Principle #3:** *Enhance auto mobility and redevelopment capacity with targeted roadway infrastructure improvements.*
This amendment does not preclude the enhancement of auto mobility and redevelopment capacity with targeted roadway infrastructure improvements as set forth in the *Reuse Plan*.
- Principle #4:** *Combine open space, habitat, and water resources to establish a continuous Blue – Green belt.*
The amendment does not preclude the creation of an open space network consisting of environmentally sensitive areas, including wetlands, watercourses, and habitats. The amendment promotes green roof and other low impact development strategies that will further improve the natural environment of the Fort area.
- Principle #5:** *Utilize the Blue – Green belt as an armature for enhanced bicycle and pedestrian mobility throughout the Fort.*
The amendment would not preclude the development of the bike path or trails envisioned as part of the *Reuse Plan*.
- Principle #6:** *Remove Fort boundaries & extend existing land uses to reconnect the Fort to the communities.*
The proposed amendment encourages a well-connected campus within the proposed development area as well as creates opportunities to build strong connection between the local community and the Fort Area both physically and economically. Further, the amendment would not preclude any gates into the Fort, nor inhibit public access to the Fort's amenities.
- Principle #7:** *Leverage existing Fort Monmouth assets (People, Buildings, Technology, and Infrastructure).*
The amendment affords FMERA with an opportunity to leverage existing assets of the Oceanport Reuse Area, i.e., reuse of Commissary building, and redevelopment of District A and the Warehouse District area, attract new office, commercial and R&D tenants and food-based cluster development that would generate much-needed local employment and tax revenues. The amendment would not involve the removal of any buildings identified in the *Reuse Plan* as being required for preservation.

In summary, the amendment is consistent with the *Reuse Plan* elements, objectives and planning principles.

c. Relationship to FMERA Directive

To implement the *Fort Monmouth Reuse and Redevelopment Plan*, the New Jersey State legislature empowered the Fort Monmouth Economic Revitalization Authority (FMERA) to adopt any modifications or amendments to the *Reuse Plan* and adopt development and design guidelines and land use regulations to implement the plan. Pursuant to P.L.2010, c. 10 (N.J.S.A. 52:27I-18 et. seq.), FMERA's purpose is the following:

to oversee, administer, and implement the [Reuse Plan] as provided in this act, in a manner that will promote, develop, encourage, and maintain employment, commerce, economic development, and the public welfare; to conserve the natural resources of the State; to provide housing, including housing to address identified needs related to homelessness; and to advance the general prosperity and economic welfare of the people in the host municipalities, the county, and the entire State by cooperating and acting in conjunction with other organizations, public and private, to promote and advance the economic use of the facilities located at Fort Monmouth.

The *Reuse Plan* amendment would advance both FMERA's stated purpose and the public welfare, by promoting, developing, encouraging and maintaining employment and economic development, and it would advance the public welfare by furthering the adaptive reuse of an existing facility and roadway network at the Fort.

d. Relationship to FMERA's Land Use Rules

This Amendment creates alternative development scenario and creates an overlay zone superseding some provisions of FMERA's Land Use Rules. In all situations where zoning issues and bulk standards are not specifically addressed herein, the FMERA's Land Use Rules, however, shall remain in effect.

VI. Relationship to State, County and Municipal Planning Objectives

a. State Development and Redevelopment Plan (SDRP)

On March 1, 2001, the State Planning Commission readopted the State Development and Redevelopment Plan (SDRP). In the SDRP, the Oceanport Reuse Area is classified as Planning Area 1, Metropolitan Planning Area (PA-1). The SDRP defines Metropolitan Planning Areas as areas that "provide for much of the state's future redevelopment; revitalize cities and towns; promote growth in compact forms; stabilize older suburbs; redesign areas of sprawl; and protect the character of existing stable communities." The amendment is well-reconciled with the guiding policies and policy objectives of the adopted SDRP for the Planning Area 1, Metropolitan Planning Area.

Consistent with the goals for the PA-1, the amendment promotes the type of redevelopment needed to transform this area of the Oceanport Reuse Area, into a vibrant, mixed- use community with compact development that will ensure efficient utilization of scarce land resources while also carefully protecting the character of surrounding communities. Also, in accordance with the objectives for PA-1, the amendment allows for redevelopment in a location well served by existing transportation networks, which is consistent with the plans for the Oceanport Reuse Area.

b. Monmouth County Open Space Plan

The Monmouth County Open Space Plan, adopted by the Monmouth County Planning Board in August 2006 as an element of the Monmouth County Growth Management Guide, specifically advocates the acquisition of a portion of the Fort Monmouth property as a new County park site. To fulfill this acquisition, Monmouth County filed a Notice of Interest for park and recreation lands within Fort Monmouth. The County subsequently filed an application to the National Park Service's Federal Lands to Park Program for a Public Benefit Conveyance, which was endorsed by the three host municipalities of Eatontown, Oceanport and Tinton Falls. This amendment is not inconsistent with the County's goals for open space in the Oceanport Reuse Area.

c. Fort to Village Plan: A Vision for Oceanport's Fort Monmouth

Although the development of the former Fort properties in Oceanport will be governed by the land use regulations and design guidelines adopted by FMERA, as a point of information, the former Fort properties in Oceanport are included within the "master plan" for Fort Monmouth, i.e., the *Reuse and Redevelopment Plan*. However, a vision for the redevelopment of the fort is provided in ***Fort to Village Plan: A Vision for Oceanport's Fort Monmouth***. This document was incorporated as an amendment to the Master Plan which was adopted by the Oceanport Planning Board on April 23, 2008.

The Fort to Village Plan calls for the area surrounding the Patterson Medical Center Area, presently Beacon of Life Pace Program-an adult care facility area, to be zoned for mixed-use medical office park uses, schools, and residential uses to allow townhouse. The Warehouse district and District A are in close proximity to the Beacon of Life Pace Program- adult care facility area. The amendment permits a mix of medical & professional offices and R& D uses in the Warehouse District and District A and these uses are well aligned with the uses contemplated for the area in the Fort to Village Plan. As the Borough has identified an alternate resolution for a new public elementary school and the residential housing has been targeted in other areas, repurposing the area with a mix of commercial, office and R & D uses affords FMERA the flexibility to create a cluster development of compatible and complementary land uses in the area as contemplated in the Fort to Village Plan.

d. Oceanport Zoning

The area affected by the proposed amendment lies within the Borough's R-1: Single-Family Residential District under the municipality's current zone plan. This designation permits single-family detached dwellings, parks and playgrounds, municipal buildings, libraries and public schools. The minimum lot size is 30,000 square feet, the maximum height is two stories, or thirty-five feet and the maximum density is 1.5 dwelling units per acre. The *Reuse Plan* and Land Use Rules, however supersedes the Oceanport Zoning.

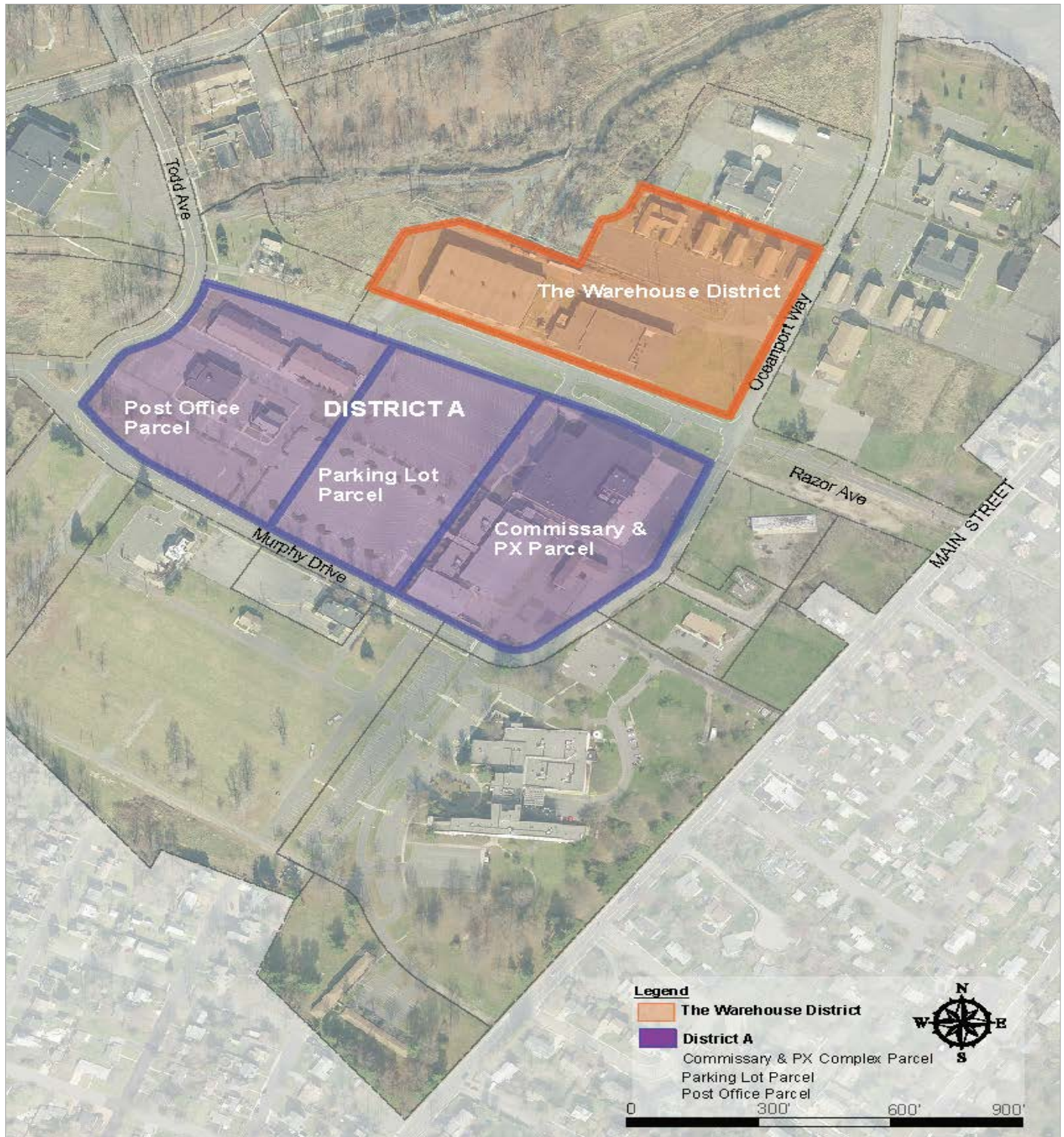
VI. Conclusion

The subject amendment, referred to as Amendment #15 to the Fort Monmouth Reuse and Redevelopment Plan, maintains the land use concepts and plans articulated in the Reuse Plan. However, the amendment permits alternative development scenarios for the Oceanport Reuse Area.

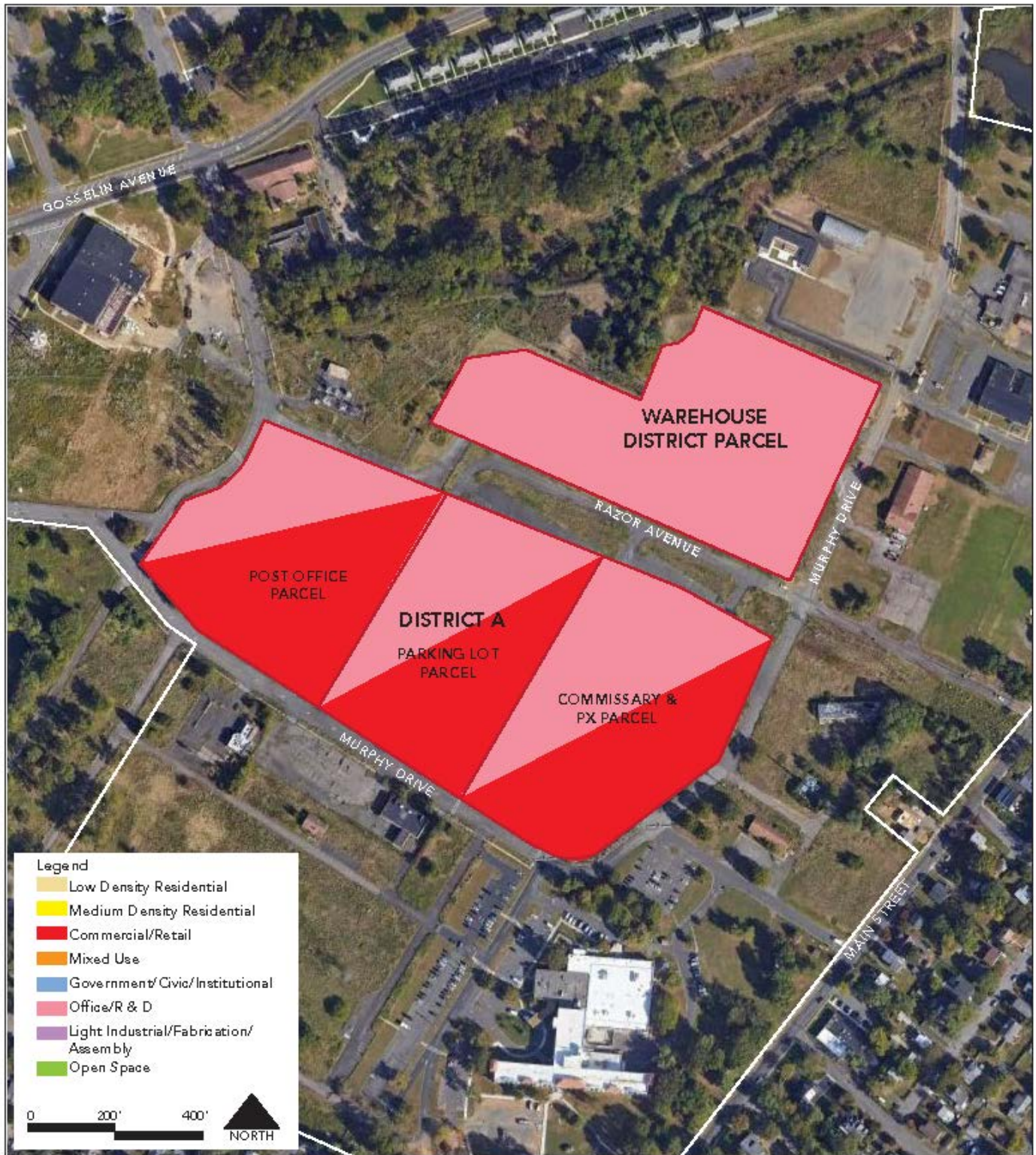
This amendment is consistent with the objectives and principles in the Reuse Plan, as well as State, County and Municipal planning objectives. Furthermore, the amendment advances the public welfare, particularly with regard to promoting, developing, encouraging and maintaining employment. Lastly, the amendment provides flexibility for FMERA to more effectively attract potential non-residential users to the Oceanport Reuse Area, thereby enabling it to fulfill its statutory mandate to create new jobs, regenerate the local tax base and advance the general prosperity and welfare of the people most impacted by the Fort's closure.

DRAFT

APPENDIX A
MAP SHOWING PARCELS AFFECTED BY THE AMENDMENT



APPENDIX B – LAND USE MAP



Land Use Plan AMENDMENT #15 in the Oceanport Reuse Area

PHILLIPS PREISS GRYGIEL LEHENY HUGHES LLC 2020

ORDINANCE

BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER 1054 FINALLY ADOPTED BY THE BOROUGH COUNCIL ON MAY 19, 2022, TO INCREASE THE APPROPRIATION THEREIN BY \$250,000 AND TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES THEREIN BY \$238,095 TO FINANCE PART OF THE ADDITIONAL COSTS THEREOF

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

SECTION 1. The bond ordinance of the Borough of Oceanport, in the County of Monmouth, State of New Jersey (the "Borough"), heretofore finally adopted by the Borough Council on May 19, 2022, Number 1054, entitled: "BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF MULTI-PURPOSE TURF FIELDS AND RELATED RECREATIONAL IMPROVEMENTS AT MARIA GATTA COMMUNITY PARK BY AND IN THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$2,950,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,809,523 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF" (the "Original Ordinance"), is hereby amended and supplemented to the extent and with the effect as follows:

SECTION 2. For the improvements or purposes described in Section 3(a) of the Original Ordinance, as amended and supplemented hereby, there is hereby appropriated the additional sum of \$250,000, said sum being inclusive of \$11,905 as the amount of an additional down payment as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), now available therefor by virtue of a provision or provisions in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes. Therefore, the total appropriation contained in the Original Ordinance, as amended and supplemented hereby, shall be increased by \$250,000 from \$2,950,000 and shall equal the amount of \$3,200,000, said sum being inclusive of all appropriations heretofore made in the Original Ordinance, as amended and supplemented hereby, including the total amount of down payment increased by \$11,905 from \$140,477 to equal \$152,382. The total appropriation including the total amount of down payment is \$3,200,000.

SECTION 3. In order to finance the additional cost of the improvements or purposes set forth in Section 3(a) of the Original Ordinance, as amended and supplemented hereby, not covered by the additional down payment, additional negotiable bonds or notes of the Borough in the amount of \$238,095 are hereby authorized to be issued by the Borough for such improvements or purposes in Section 3(a) of the Original Ordinance, as amended and supplemented, such that the total authorization of negotiable bonds or notes to be issued by the Borough for the improvements or purposes stated in the Original Ordinance, as amended and supplemented hereby, shall be increased by \$238,095 from \$2,809,523 and shall equal the amount of \$3,047,168.

SECTION 4. The Capital Budget of the Borough is hereby amended, as necessary, to conform with the provisions of this amendatory and supplemental bond ordinance and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs (the "Director of the Division of Local Government Services"), will be on file in the office of the Clerk and will be available for public inspection.

SECTION 5. The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this amendatory and supplemental bond ordinance by \$238,095 and the said obligations authorized herein will be within all debt limitations prescribed by law.

SECTION 6. For the improvements or purposes set forth in the Original Ordinance, as amended and supplemented hereby, the additional sum of \$50,000 is hereby included for the items of expense listed in and permitted under N.J.S.A. 40A:2-20, making the total amount for such items of expense \$650,000 (increased from \$600,000), such total amount being included in the estimated cost indicated herein for the improvements or purposes set forth in the Original Ordinance, as amended and supplemented hereby.

SECTION 7. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by the Original Ordinance, as amended and supplemented hereby. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 8. The Borough hereby declares the intent of the Borough to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of the Original Ordinance, as amended and supplemented hereby, and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of the Original Ordinance, as amended and supplemented hereby. This Section 8 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

SECTION 9. The Borough Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The Borough Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 10. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on all bonds and notes issued under the Original Ordinance, as amended and supplemented hereby.

SECTION 11. Except as expressly amended hereby, the Original Ordinance shall remain in full force and effect.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

APPROVED ON FIRST READING

DATED: July 21, 2022

JEANNE SMITH
Clerk of the Borough of Oceanport

ADOPTED ON SECOND READING

DATED: July 26, 2022

JEANNE SMITH
Clerk of the Borough of Oceanport

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____.

JOHN F. COFFEY, II
Mayor

ORDINANCE

AN ORDINANCE GRANTING RENEWAL OF MUNICIPAL CONSENT TO COMCAST OF MONMOUTH COUNTY TO CONSTRUCT, CONNECT, OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM IN THE BOROUGH OF OCEANPORT, MONMOUTH COUNTY, NEW JERSEY

APPROVED ON FIRST READING

DATED:

JEANNE SMITH
Clerk of the Borough of Oceanport

ADOPTED ON SECOND READING

DATED: July 26, 2022

JEANNE SMITH
Clerk of the Borough of Oceanport

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____.

JOHN F. COFFEY, II
Mayor

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING A LIMITED AND TEMPORARY WAIVER OF BOROUGH CODE CHAPTER 390
PERTAINING TO SITE PLAN AND PERMIT THE TEMPORARY EXPANSION OF OUTDOOR
DINING FOR THE MARINA AT OCEANPORT RESTAURANT, ALSO KNOWN AS, 10
RIVERSIDE AVENUE SUBJECT TO VARIOUS CONDITIONS**

Resolution

WHEREAS, the Marina at Oceanport is a food and beverage establishment with an active retail plenary consumption license within the Borough of Oceanport operating on property formerly of Fort Monmouth lands; and

WHEREAS, the property owner has a purchase sale agreement with the Fort Monmouth Economic Revitalization Authority (FMERA) for the development of the property which requires that they obtain local Site Plan approval from the Borough of Oceanport; and

WHEREAS, the property owner has engaged professionals to prepare the appropriate Site Plan application for submission to the Oceanport Planning Board; and

WHEREAS, the owners and operators of the Marina at Oceanport have sought the Borough's permission to allow temporary expanded outdoor dining as shown on the attached sketch which requires approval of the Borough Council to grant temporary waiver of the Borough's procedural and substantive land development requirements in order to permit outdoor dining; and

WHEREAS, the Borough Council believes it to be in the best interests of the Borough, its residents, the owners and operators of the Marina at Oceanport to temporarily waive the land development ordinance requirements,

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport, County of Monmouth, State of New Jersey as follows:

1. Temporary Outdoor Dining is hereby permitted to offer in-person service in the depicted outdoor areas as shown on the attached sketch.
2. Permit Required. The owner and/or operator shall apply for a Temporary Outdoor Dining Permit Application which shall include a completed application, signed and dated by the owner or an authorized agent, together with a plan depicting the existing and proposed layout and location of such outside tables/seating, which shall also include a confirmation of the number of existing approved tables/seats, a depiction of all aisles, routes of ingress and egress, clearances/distances between tables and between the seating area and any curb line or sidewalk line, trash receptacles, any proposed lighting, any proposed structures to protect the outdoor seating area from the elements, and for any seating area proposed to be located in a parking lot, the proposed temporary structures that will separate the patrons from the vehicles. In addition to the creation and/or expansion of the outdoor dining area, the application and plan may include proposed temporary awnings, tents, pergolas and other similar devices to protect the outdoor dining area from the elements.
3. Expanded Outside Dining Areas. The application and plan for outdoor dining may propose expanded outside dining areas including, not limited to, decks, patios, sidewalks and parking lots contiguous with the establishment, provided that any area proposed for outside seating/dining must be accessible from the establishment, shall not obstruct the free flow of pedestrian or motor vehicle traffic, and shall provide a safe location for the patrons. The total amount of seats available to patrons shall not exceed the permitted occupancy of the establishment.
4. Issuance of Permit. The application and plan for a Temporary Outdoor Dining Permit shall be reviewed and approved by the Borough Zoning Officer, Construction Official and Fire Official. In the discretion of any reviewer, additional information needed to process the application may be required and must be submitted by the applicant. The issuance of a Temporary Outdoor Dining Permit for outside dining, including, but not limited to, location, scope,

setbacks and size of the outside dining area, is solely in the discretion of the Borough and its reviewers. The Temporary Outdoor Dining Permit does not replace, or eliminate the need for Site Plan approval or any construction permit required for any structure or improvement at the establishment's outside dining area.

Section 5. Standards for Permits. The following standards are created for the outdoor dining areas permitted by this Resolution:

- a. Outdoor dining areas may be located only in the areas shown on the attached Sketch
- b. Where outdoor dining is proposed to be created in a parking lot, bollards or other protection structures shall be erected along the perimeters of the outdoor dining area in order to enhance public safety.
- c. Temporary lighting will be required if the outdoor dining area is proposed to be utilized after dusk and there is inadequate existing lighting.
- d. A non-enclosed tent, awning or umbrellas may be utilized within an outdoor dining area but shall not restrict pedestrian access.
- e. Serving stations and a host podium may be located within an outdoor dining area. No change in grading will be permitted in order to create an outdoor dining area.
- g. The proposed outdoor dining area shall be configured in such a manner as to permit site circulation of vehicles for employees, customers, emergency vehicles, delivery vehicles and trash pickup.
- h. The operator of the outdoor dining area shall be responsible to provide, maintain and empty an adequate amount of outdoor trash receptacles for the outdoor dining area, and shall not be permitted to dispose of trash into municipal trash receptacles.
- i. The operator of an outdoor dining area shall be responsible for maintaining a sanitary, safe, litter-free and well-kept appearance of the property at all times.
- j. A Temporary Outdoor Dining Permit may be amended or revoked if the Zoning Officer and/or Borough Administrator or his designee identifies a safety issue that may involve but not be limited to traffic, fire, pedestrian safety and trash management, or if the restaurant establishment fails to comply with applicable sanitary and cleaning standards, or other requirements by State or County Department of Health or the Borough.

6. General Permit Conditions. Temporary Outdoor Dining Permits shall be subject to the following general conditions:

- a. Permits shall be valid upon issuance and shall remain valid until the earlier of 12/31/2022 or the issuance of an approval for Site Plan by the Oceanport Planning Board.
- b. The Borough reserves the right to amend or revoke any Temporary Outdoor Dining Permit at any time, in the Borough's sole discretion.
- c. All expenses and expenditure of any funds in reliance on the provisions of the Temporary Outdoor Dining Permit shall be at the establishment's sole and exclusive cost and expense.
- d. Any changes to a permit granted hereunder shall require the submission of a new permit application.

7. Hours of Operation. Outside seating/dining authorized by a Temporary Outdoor Dining Permit shall be conducted during the same hours of operation currently applicable to the establishment, but not later than 9 PM.

8. Relaxation of Rules and Regulations. All provisions of the Oceanport Borough Code that are inconsistent with the intent and purpose of this Resolution are temporarily suspended during the time that this Resolution is in effect and shall not apply to expanded areas for outdoor dining authorized by a Temporary Outdoor Dining Permit.

9. Term. This Resolution permitting the issuance of Temporary Outdoor Dining Permits for expanded outside dining areas shall be effective immediately upon passage, and shall remain in full force and effect until (i) December 31, 2022, or (ii) the amendment or repeal of this Resolution, or (iii) the approval of Site Plan by the Oceanport Planning Board whichever shall first occur.

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING A WAIVER OF §390-17(F) ACCESSORY STRUCTURES FOR 39 WARDELL
CIRCLE**

Resolution

WHEREAS, residents Maureen and Steve Williams of 39 Wardell Circle desire to install sprinkler system along the full frontage of their property in order to maintain the grass; and

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

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Oceanport that the proposed sprinkler system and associated sprinkler heads proposed for 39 Wardell Circle is hereby authorized subject to the following conditions:

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

From: [Maureen](#)
To: [Jeanne Smith](#)
Cc: stevewil@comcast.net; greenlawnsprinkler@verizon.net
Subject: Sprinkler Permit
Date: Thursday, June 23, 2022 1:34:53 PM

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

Dear Ms. Smith, This email is a follow up to your conversation this morning with my husband, Steve, regarding installation of a sprinkler system by Greenlawn Sprinkler LLC on my/our property at 39 Wardell Circle (Block 43 Lot 3). To insure proper coverage of the lawn, several sprinkler heads need to be installed in the right-of-way area near the curb. We agree to sign a "hold harmless" agreement so that any future work by the town in this area may proceed. (And the lawn there will look great.) Thank you. Maureen and Steve Williams

Sent from my iPhone

NOTES

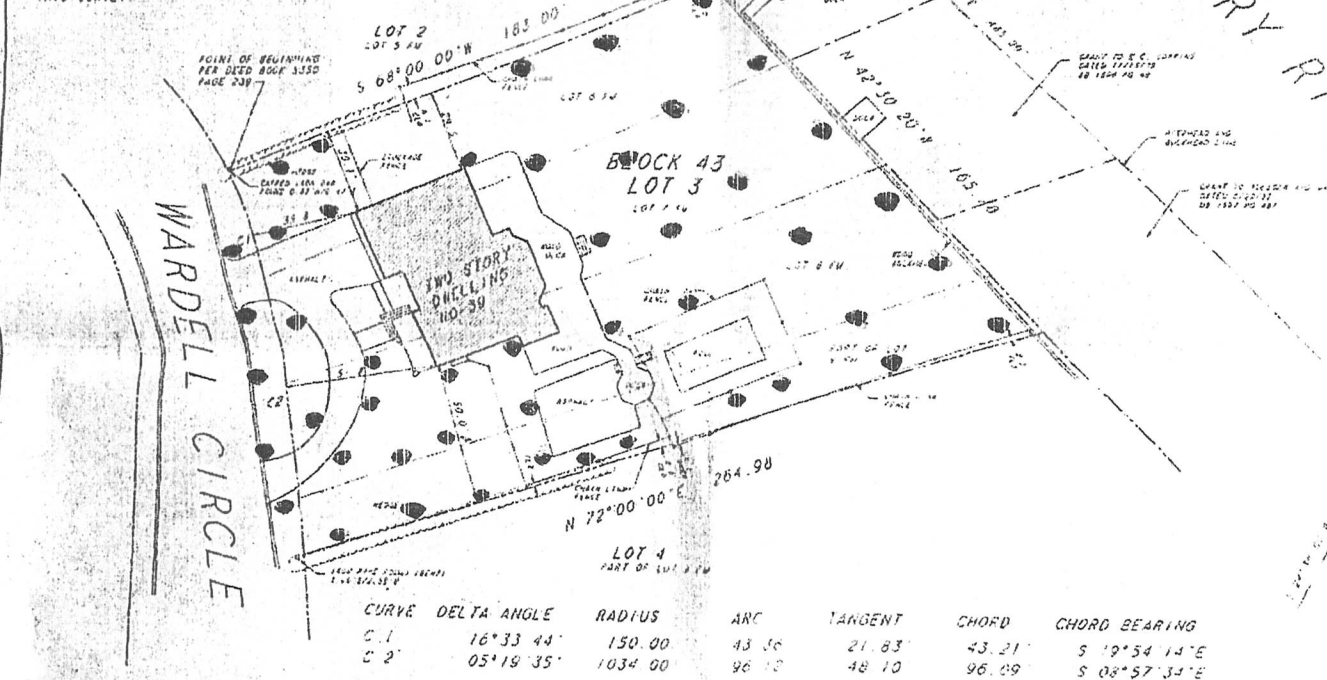
OFFSET DIMENSIONS FROM STRUCTURES TO PROPERTY LINES SHOWN HEREON ARE NOT TO BE USED TO RE-ESTABLISH PROPERTY LINES

UNDERGROUND ENCROACHMENTS, IF ANY, HAVE NOT BEEN SHOWN

THIS SURVEY IS SUBJECT TO ANY FACTS THAT MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH

PROPERTY CORNERS NOT SET BY CONTRACTUAL AGREEMENT

THIS SURVEYOR IS NOT QUALIFIED TO MAKE ANY DETERMINATION AS TO THE EXISTENCE OR NON-EXISTENCE OF WETLANDS AND/OR TOXIC WASTES. NO STATEMENT IS BEING MADE OR IMPLIED HEREON, NOR SHOULD IT BE ASSUMED OR CONSTRUED THAT ANY STATEMENT IS BEING MADE BY THE FACT THAT NO EVIDENCE OF WETLANDS AND/OR TOXIC WASTES IS PORTRAYED HEREON. THE CLIENT SHOULD PURSUE THESE MATTERS AS ITEMS SEPARATE AND APART FROM THIS SURVEY.



TAX MAP REFERENCE

LOT 3, BLOCK 43
BOROUGH OF OCEANPORT
TAX MAP SHEET NO. 11

FILED MAP REFERENCE
LOTS 6, 7, 8 AND PART OF 9
"REVISED MAP OF EQUITY GARDENS"
FILED IN THE N.J.C.D. ON
AUGUST 22, 1932 IN CASE NO. 23-10

LOT AREA: 31091.35 S.F.

CERTIFIED TO:

STEPHEN C. WILLIAMS and MAURICE E. WILLIAMS, n/y,
MARINE MIDLAND MORTGAGE CORPORATION, its successors
and/or assigns as their interest may appear;
LAWYERS TITLE INSURANCE CORPORATION, COASTAL TITLE
AGENCY, INC.; and ANSELL ZARO GRINN AND AARON, ESQ.

THIS SURVEY IS CERTIFIED ONLY TO THE ABOVE NAMED PARTIES FOR
PURCHASE AND/OR MORTGAGE OF HEREIN DELINEATED PROPERTY BY ABOVE
NAMED PURCHASER. NO RESPONSIBILITY OR LIABILITY IS ASSUMED BY
THE SURVEYOR FOR ANY OTHER USE OF SURVEY, INCLUDING, BUT NOT
LIMITED TO, USE OF SURVEY FOR SURVEY AFFIDAVIT, RECORD OF
PROPERTY, OR TO ANY OTHER PERSON NOT LISTED IN THE CERTIFICATION

SURVEY OF PROPERTY
LOT 3, BLOCK 43
BOROUGH OF OCEANPORT
MONMOUTH COUNTY NEW JERSEY

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE,
INFORMATION AND BELIEF, THAT THIS SURVEY HAS BEEN
PERFORMED IN ACCORDANCE WITH ACCEPTED STANDARDS OF
THE PROFESSION AS PRACTICED IN THE STATE OF NEW
JERSEY

Date: _____ Description: _____

CvB CHARLES V. BELL
ASSOCIAT

PROFESSIONAL LAND SURVEYORS
40 HEREDITH DRIVE TINTON FALLS, N.J.
732-542-1616

CHARLES V BELL JR.
N.J. PROFESSIONAL LAND SURVEYOR L.B. 10
N.J. PROFESSIONAL PLANNER LICENSE NO.

Scale: 1"=30' Date: MARCH 12 1999 Drawn: CVB Checked: CVB

casdlm 9666 GCD d.m. 99 6

HOLD HARMLESS AND INDEMNITY AGREEMENT

THIS AGREEMENT, entered into this 21st day of July 2022,

BETWEEN

BOROUGH OF OCEANPORT
910 Oceanport Way
Oceanport, NJ 07757

(Hereinafter referred to as “Borough”)

AND

Maureen Williams
39 Wardell Circle
Oceanport, NJ 07757

WHEREAS, Maureen Williams are seeking the Borough’s permission to place and or maintain a structure or structures or materials in a municipally owned Right of Way alongside but not in a certain street within the Borough; and

WHEREAS, the Borough has an interest in ensuring that the Borough’s right of way is recognized by the property owner and that the right of way, and any structures or materials placed therein are safe and do not constitute a general nuisance to the citizens of the Borough of Oceanport; and

WHEREAS, it is the intent of this Agreement to ensure that the structures and materials placed in the right of way are installed and maintained in a safe manner and do not become a nuisance and to further ensure that the Borough is held harmless and indemnified from any loss whatsoever arising from the placement and maintenance of the structure or structures or materials in a municipally owned Right of Way alongside but not in a certain street within the Borough.

NOW THEREFORE, in consideration of the Borough allowing Maureen Williams to place and maintain a structure or structures or materials in the municipally owned Right of Way alongside

but not in a certain street within the Borough, and for other good and valuable consideration, hereby agree for themselves, their successors and assigns, as follows:

Indemnification and Attorney's Fees: Maureen Williams agree to indemnify and hold the Borough of Oceanport, its officials, officers, consultants, agents, servants, representatives and employees, harmless from and against any and all claims, liability, cost or expense of every kind and nature arising from Maureen Williams placement or maintenance of structure or structures or materials in the municipally owned Right of Way alongside but not in a certain street within the Borough. Such indemnification and/or hold harmless obligation shall pertain to any claim, regardless of the Borough's negligence, and shall extend not only to actual damages but shall also include reasonable costs and expenses of litigation, including but not limited to, expenses and fees in connection with the engagement or utilization of any fact or expert witnesses as well as reasonable Attorney fees. When requested by the Borough, Maureen Williams agree to aid and/or defend the Borough, its officials, officers, agents, servants, representatives and employees, in the event any or all of same are named as a defendant or defendants in any action relating to activities regardless of negligence of Maureen Williams arising under this Agreement or in connection with the placement or maintenance of structure or structures or materials in the municipally owned Right of Way alongside but not in a certain street within the Borough. Maureen Williams further agree to release any claim that he/she/they may now have or have in the future against the Borough relating to the placement or maintenance of structure or structures or materials in a municipally owned Right of Way alongside but not in a certain street within the Borough, as well as any claim relating to the use of municipal property or facilities, including claims due to the Borough's negligence. In exchange for this indemnity and hold harmless agreement, the Borough hereby allows Maureen Williams to place and maintain a structure or structures or materials in a municipally owned Right of Way alongside but not in a certain street within the Borough.

Voluntary Agreement: Maureen Williams hereby specifically and unequivocally state that the agreements and conditions set forth in the Indemnity and Hold Harmless Agreement have not been forced upon her/him/them by undue influence or coercion.

Interpretation of Law: This Agreement shall be interpreted under and governed by the Laws of the State of New Jersey.

Notices: All notices required or permitted under this Agreement shall be in writing by regular mail to the addresses set forth herein or as otherwise designated by the parties in writing.

IN WITNESS WHEREOF, Maureen Williams hereunto signs and agrees to be bound by the terms set forth hereinabove. The Borough of Oceanport has caused this instrument to be signed by its Mayor and attested by its Clerk and does cause its proper corporate seal to be affixed as of the date and year first above written.

PROPERTY OWNER

By: _____

Name: _____

Title: _____

Attest: _____

BOROUGH OF OCEANPORT

By: _____

John F. Coffey, II, Mayor
Borough of Oceanport

Attest: _____

Jeanne Smith
Borough Clerk