REGULAR MEETING AGENDA
MAYOR AND COUNCIL
July 09, 2014

Call to Order.

Statement of Compliance with Open Public Meetings Act: *This meeting complies with the Open Public Meeting Act by notification of this location, date and time to the Asbury Park Press and the Star Ledger on July 2, 2014 and by the posting of same on the municipal bulletin board and Borough Web Site.*

Flag Salute

Roll Call

Administrator's Report:

Clerk's Report:

1. Consent Agenda:

#2014-132	1.	Resolution authorizing the payment of bills.
#2014-133	2.	Resolution awarding the contract for Summer's End fireworks to Garden State
#2014-134	3.	Resolution authorizing fireworks display for Summer's End at Blackberry Bay Park
#2014-135	4.	Resolution authorizing a waiver of the street opening permit fees for residents connecting to certain NJ American Water Main Extensions
#2014-136	5.	Resolution authorizing a waiver of the street opening permit fee for NJ American Water Co. installation of fire hydrant on Riverside Drive
#2014-137	6.	Resolution authorizing use of athletic facilities
#2014-138	7.	Resolution authorizing redemption of Tax Sale Certificate #13-00006
#2014-139	8.	Resolution authorizing redemption of Tax Sale Certificate #13-00003
#2014-140	9.	Resolution authorizing redemption of Tax Sale Certificate #13-00013
#2014-141	10.	Resolution amending the 2014 Budget to add an item of revenue: Alcohol Education
#2014-142	11.	Resolution authorizing a tax refund for overpayment, Block 76, Lot 14
#2014-143	12.	Resolution extending the grace period for 3rd Quarter Tax payments
#2014-144	13.	Resolution approving the certified lists for the 2013 Length of Service Award Program
#2014-145	14.	Resolution authorizing a Lease Agreement with the Lions Swim Club
	15.	Approval of the Regular Meeting Minutes of June 5, 2014
	16.	Approval of the Workshop Minutes of June 19, 2014
	17.	Approval of the Regular Meeting Minutes of June 19, 2014
	18.	Approval of the Executive Session Minutes of June 19, 2014

2. Police Report, May 2014

COMMITTEE REPORTS:

Parks & Recreation, Councilman Bertekap, Chair

Public Works & Engineering, Councilman Gallo, Chair

Public Safety, Councilman Irace, Chair

Health & Human Services, Council President Kahle, Chair

Finance & Administration, Councilman Lynch, Chair

1. **Introduction of an Ordinance Fixing the Salary Ranges for Certain Borough Officials, Officers and Employees**

Planning & Development, Councilman Paglia, Chair

1. **Introduction of an Ordinance Amending Chapter 295 – Parks and Playgrounds**
2. **Introduction of an Ordinance Amending Chapter 390 – Zoning**

MAYOR MAHON'S REPORT:

1. Fort Monmouth

Petitions from the public.

Executive Session:

#2014-146 1. Resolution authorizing the Governing Body to enter into Executive Session for:

Potential Property Acquisitions or Sales – N.J.S.A. 10:4-12(b)(5)
Fort Monmouth
Borough Hall Proposed Sites for Relocation

Contract Negotiations – N.J.S.A. 10:4-12(b)(4)
Fort Monmouth – Officer's Housing

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

Adjournment.

REGULAR MEETING MINUTES

Oceanport, New Jersey
July 9, 2014

The Regular Meeting of the Oceanport Mayor and Council was called to order on July 9, 2014 at 8:25 P.M. with the Statement of Compliance with the Open Public Meetings Act given by Mayor Mahon.

"Adequate notice of this meeting has been provided by notice to the Asbury Park Press and The Link News on January 9, 2014, and by the posting of same on the municipal bulletin board and Borough Web Site."

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

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

MEMBERS ABSENT: Councilman Bertekap and Council President Kahle

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

ADMINISTRATOR'S REPORT: Borough Administrator, John Bennett, reported on several ongoing projects in town.

With regard to the Marina at Fort Monmouth, Mr. Bennett reported that the opening was on July 4th with full bar service and light snacks. They are currently operating under a tent on weekends only and are making significant progress towards opening the restaurant by the end of the month.

With respect to Blackberry Bay Pavilion, there have been a few minor setbacks however, progress is being made. The foundation for the slab has been poured and the modular building is scheduled for delivery on Monday. We hope to get things hooked up next week and begin moving items from storage trailers into the building.

Regarding the Police Building, final cleaning will be completed Monday and Tuesday of next week. Furniture will be moved in Thursday and Friday. Walls are expected to go up the week after followed by the electric and computers. We are making good progress here.

Regarding Acute Care, demolition has been completed and they are pulling their permits so they can move ahead with interior renovation at what was the Patterson Army Hospital.

CLERK'S REPORT

1. CONSENT AGENDA:

The Mayor stated there were 18 items on the consent agenda. Items #15, #16, #17 and #18 were taken separately. Councilman Lynch asked that items #16, #17 & #18 be taken together as they were all the same meeting.

#2014-132	1.	Resolution authorizing the payment of bills.
#2014-133	2.	Resolution awarding the contract for Summer's End fireworks to Garden State
#2014-134	3.	Resolution authorizing fireworks display for Summer's End at Blackberry Bay Park
#2014-135	4.	Resolution authorizing a waiver of the street opening permit fees for residents connecting to certain NJ American Water Main Extensions

#2014-136	5.	Resolution authorizing a waiver of the street opening permit fee for NJ American Water Co. installation of fire hydrant on Riverside Drive
#2014-137	6.	Resolution authorizing use of athletic facilities
#2014-138	7.	Resolution authorizing redemption of Tax Sale Certificate #13-00006
#2014-139	8.	Resolution authorizing redemption of Tax Sale Certificate #13-00003
#2014-140	9.	Resolution authorizing redemption of Tax Sale Certificate #13-00013
#2014-141	10.	Resolution amending the 2014 Budget to add an item of revenue: Alcohol Education
#2014-142	11.	Resolution authorizing a tax refund for overpayment, Block 76, Lot 14
#2014-143	12.	Resolution extending the grace period for 3rd Quarter Tax payments
#2014-144	13.	Resolution approving the certified lists for the 2013 Length of Service Award Program
#2014-145	14.	Resolution authorizing a Lease Agreement with the Lions Swim Club
	15.	Approval of the Regular Meeting Minutes of June 5, 2014
	16.	Approval of the Workshop Minutes of June 19, 2014
	17.	Approval of the Regular Meeting Minutes of June 19, 2014
	18.	Approval of the Executive Session Minutes of June 19, 2014

The Clerk stated that the consent agenda as amended has 14 items and asked for a motion. Councilman Lynch made a motion to approve which was seconded by Councilman Paglia.

The Clerk called roll:

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

The Clerk asked for a motion on Item #15, Approval of the Regular Meeting Minutes of June 5, 2014, which was moved by Councilman Lynch and seconded by Councilman Irace.

The Clerk called roll:

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

The Clerk asked for a motion on Item #16, #17 and #18, Approval of the Workshop, Regular and Executive Session minutes, which was moved by Councilman Gallo and seconded by Councilman Lynch.

The Clerk called roll:

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

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

COMMITTEE REPORTS:

COUNCILMAN GALLO: Councilman Gallo reported on events of the June 8th Planning Board meeting. The planning board subcommittee updated the full board with respect to their meeting with FMERA and Kiely Construction concerning the redevelopment of Russell Hall. John Kiely presented a history of the company. Kiely's intent is for 1 ½ to 2 floors of Russell Hall to house their administrative and engineering functions. Any remaining space in the building will be used for professional/medical offices requiring an amendment to the redevelopment plan. The Subcommittee and full Board have concerns regarding proposed uses including a cell tower and commuter heliport and requested Councilman Gallo to bring their concerns and oppositions to Council. The Planning Board urges Council to oppose any plan changes that would allow those two uses. Concerns include health, safety and noise in residential areas. FMERA's position is that a heliport would not be considered a plan change; however a cell tower would need a plan amendment.

A discussion regarding plan change amendment procedures followed. Any Plan Change Amendment proposed by FMERA would be referred to the planning board of the host municipality which would have a 45 day review period and make their recommendations and forward back to FMERA. The only absolute veto the municipality has is with regard to density.

COUNCILMAN IRACE: Councilman Irace reported on sports wagering and casinos in the state of New Jersey. The bill allowing sports wagering in the state of New Jersey has passed in both the Senate and the Assembly and currently awaits the Governor's signature. Dennis Drazin, Monmouth Park, is interested in pursuing sports wagering as quickly as September. Councilman Irace further commented on updates regarding casinos in the state that will affect racetracks including Monmouth Park. Senator Cody has taken the position that horsemen should be included in any conversations regarding casinos that are to go in elsewhere in the state in an effort to make sure that horsemen get a share of the money to go into purses and to be used for maintenance and infrastructure of racetracks. Thomas Luchento, President of the Standardbred Breeders and Owners Association of New Jersey, has also said that a percentage of the tax from sports wagering should be put back into the horse racing industry.

COUNCILMAN LYNCH: Councilman Lynch reported that the Finance and Administration Committee has had meetings with the Borough Administrator regarding FEMA reimbursements and Insurance reimbursements. They are looking into this further as there is a potential to increase our insurance reimbursements which may end up being more than the reimbursements we would get from FEMA.

Councilman Lynch has had discussions with our insurance broker, Ted Wardell, regarding health care and awaits additional information. We need to follow up regarding alternatives as the councilman believes that the borough can save money on health insurance while providing at least as good benefits to the employees.

He also plans a second quarter review of financial performance of the borough with the Finance and Administration Committee and the CFO before the August meeting.

Connecting the reports of Councilman Gallo and Councilman Irace, Councilman Lynch reported that he sent a letter to the Planning Board suggesting that they petition the state to take control of the planning for the racetrack. If the items discussed by Councilman Irace come to pass, our interest is reinforced as to what goes in at Monmouth Park. The State has given its rights for the development of Monmouth racetrack to private enterprise. As such, there is no logical reason that the State should maintain control over that property or enterprise. If we don't get

the DCA to agree to giving us land use, planning and zoning approvals, we should take the next step to pursue legislation to make this happen.

#933 Introduction of an Ordinance Fixing the Salary Ranges for Certain Borough Officials, Officers and Employees

Councilman Lynch called for the introduction of "**AN ORDINANCE OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, SETTING THE SALARY RANGES OF CERTAIN BOROUGH OFFICERS AND BOROUGH EMPLOYEES**" and then asked the Clerk to read the proposed Ordinance by title only, after which Councilman Lynch moved to approve the Ordinance upon first reading and to hold the public hearing on the proposed ordinance at the Council meeting of August 7, 2014 and to advertise same in accordance with the law. It was seconded by Councilman Irace.

The Clerk called roll:

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

COUNCILMAN PAGLIA: Councilman Paglia spoke about the July 8th Site Selection Kick-off meeting with Borough architects, Sonnenfeld & Trocchia. Mayor Mahon, Councilmen Irace and Paglia, Borough Administrator Bennett and Andy Trocchia and other members from the firm of Sonnenfeld & Trocchia were in attendance. These architects were chosen to help us weigh out potential sites for the new borough municipal center. Andy Trocchia spoke about an open and transparent process which will include and engage the public as we determine where the center of our Borough activities will occur for years to come. Sites being considered include the Teicher Property on Main Street, Maria Gatta Park on Port au Peck Avenue and property at Fort Monmouth. As Congressman Palone reported, the existing borough hall is to be demolished and replaced. It served this town well for the last 50 years. We are excited to move forward in this process. He will keep everyone updated regarding future meetings.

Councilman Paglia also reported that Administrator Bennett and Dave Nuse, FMERA took him and Council President Kahle on a tour of Fort Monmouth. Councilman Paglia found the tour very helpful in seeing and determining what we will be dealing with in the future.

#932 1. Introduction of an Ordinance Amending Chapter 279 – Parks and Playgrounds

Councilman Paglia called for the introduction of **"AN ORDINANCE AMENDING CHAPTER 279 OF THE CODE OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY ENTITLED "PARKS AND PLAYGROUNDS"** and then asked the Clerk to read the affidavit of publication by title only after which Councilman Paglia moved to approve the Ordinance upon first reading and to hold the public hearing on the proposed ordinance at the Council meeting of August 7, 2014 and to advertise same in accordance with the law. It was seconded by Councilman Gallo and approved by council with the exception of Councilman Lynch who abstained.

The Clerk called roll:

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

#934 2. Introduction of an Ordinance Amending Chapter 390 – Zoning

Councilman Paglia called for the introduction of **"AN ORDINANCE AMENDING CHAPTER 390 OF THE CODE OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY ENTITLED "ZONING"** and then asked the Clerk to read the affidavit of publication by title only after which Councilman Paglia moved to approve the Ordinance upon first reading and to hold the public hearing on the proposed ordinance at the Council meeting of September 4, 2014 and to advertise same in accordance with the law. It was seconded by Councilman Irace and approved by Council.

The Clerk called roll:

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

MAYOR MAHON: Mayor Mahon had some information to add to Councilman Paglia's Borough Hall report. There has been some interest in having a Back-up Emergency Operation Center that will service neighboring municipalities forced to evacuate their town in the event of an emergency. The Mayor will be attending a meeting set up by NJ Future at the suggestion of Mayor Dina Long of Sea Bright between Highlands, Monmouth Beach, Sea Bright and Oceanport. Each of these municipalities needs to rehabilitate or replace their municipal facilities as a result of Sandy. To the extent that we can coordinate, support, back up, etc. as we go through the same process, we may be able to provide features in one municipality that may save $ in another. He will keep everyone informed.

The Kortney Rose Foundation will be hosting Kortney's Challenge on August 10th. The two mile fun walk and run begins at 8:30AM at Monmouth Park Racetrack followed by a "Day at the Races." Members of Council have participated in the past. The Mayor encourages all residents to come out and support.

Environmental testing goes on each and every month from the end of winter to the beginning of fall; the period of time just prior the stables opening at Monmouth Park and just after they close for the season. The Oceanport Water Watch Committee has been doing this for several decades. Their testing resulting in information that led to a successful project for containing storm water runoff and contamination from Monmouth Park and other sources around the borough. They test at several sites along our waterways including Charles Park, Gooseneck Point, Cayuga Point, Pocano Point, Pleasure Bay Marina, Itaska Place, Old Wharf Park, Oceanport Landing, and Turtle Mews Creek. While the numbers are acceptable in most areas, they used to very high on the Monmouth Park side and Branchport Creek. We can judge the success of the project by understanding that the testing at Turtle Mews location which is in the waterway before Monmouth Park is higher; the water is actually cleaner when it enters Branchport Creek after Monmouth Park and gets cleaner as it flows toward Sea Bright. The highest numbers are at Old Wharf Park which can be linked to the geese population there. The status of the water around the borough is relatively clean and the committee continues to do some very good work on a volunteer basis. Water, in Oceanport, is key tour quality of life. The Mayor wishes to thank the Water Watch Committee for their work in the borough year after year.

Councilman Irace reminded everyone that the Haskell is coming up on the 27th of July. The race is preceded by the Oceanport Stakes.

PUBLIC:

Mayor Mahon then opened the meeting to anyone from the public who wished to be heard. As no one else from the public wished to be heard that portion of the meeting was closed.

Mayor Mahon stated that based upon a workshop discussion, with Council consent, a personnel matter would be added to the Executive Session Agenda as an employee from Department of Public Works had received a RICE notice.

Additionally, there is a potential action item after Executive Session regarding Fort Monmouth Officers' Housing and Code Red.

#2014-146 Resolution authorizing the Governing Body to enter into an Executive Session

At 8:57 p.m. the Mayor asked for a motion on **Resolution #2014-146** authorizing the meeting to enter Executive Session for the purposes of matters required by law to be Confidential, Potential Land Acquisition or Sales (Fort Monmouth; Borough Hall Proposed Sites for Relocation), Contract Negotiations (Fort Monmouth Officers' Housing), Litigation / Potential Litigation (Fort Monmouth). Motion was made by Councilman Lynch and seconded by Councilman Gallo and approved by Council.

At 9:57 p.m. Council returned from Executive Session and re-opened the Regular Meeting on a motion by Councilman Gallo which was seconded by Councilman Paglia and approved by Council.

#2014-147 Resolution authorizing Execution of the Memorandum of Understanding between The Borough of Oceanport, FMERA and RPM Development LLC, and The Borough of Oceanport and FMERA

The Mayor read resolution #2014-147 into the record in its entirety and asked for a motion. Motion was made by Councilman Lynch and seconded by Councilman Irace.
The Clerk called roll:

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

#2014-148 Resolution of the Borough of Oceanport RPM Development, LLC Resolution of Need

The Mayor read resolution #2014-148 into the record in its entirety and asked for a motion. Motion was made by Councilman Lynch and seconded by Councilman Irace.

The Clerk called roll:

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

#2014-149 Resolution authorizing Contract with Emergency Communications Network, Inc. for CodeRED Emergency Notification System.

The Clerk asked for a motion to approve a resolution authorizing Contract with Emergency Communications Network, Inc. for Codered Emergency Notification System. Motion was made by Councilman Irace and seconded by Councilman Gallo.

The Clerk called roll:

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

#2014-150 Resolution promoting Michael Sanchez to DPW Helper

Mayor Mahon stated the next item was a Resolution authorizing the Business Administrator and Public Works and Engineering Committee to promote from temporary status to permanent status existing employee, Michael Sanchez, to fill a vacancy.

The Clerk asked for a motion. Motion made by Councilman Gallo and seconded by Councilman Paglia. Councilman Irace called for a discussion on the matter. In light of Councilman Lynch's recent discussion regarding costs associated with full time employees, we are hiring a full time employee which will cost the borough a lot more money and are losing a temporary employee. In effect, we will be losing an employee and spending a lot more money.

The Clerk called roll:

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

As there was no further business, the meeting was adjourned at 10:01 p.m. on a motion made by Councilman Irace seconded by Councilman Gallo and approved by Council.

Respectfully submitted,

JEANNE SMITH
BOROUGH CLERK

RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING PAYMENT OF BILL LIST FOR JULY 9, 2014

RESOLUTION #2014-132
07-09-14

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated July 9, 2014.

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

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of July 9, 2014.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated July 9, 2014 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

CERTIFICATION OF FUNDS

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

Gregory Mayers, CFO

Motion: Lynch Second: Paglia

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

I certify this to be a true copy of Resolution #2014-132 approved by the Oceanport Borough Council at the Regular Meeting held July 9, 2014

JEANNE SMITH, RMC
BOROUGH CLERK

BOROUGH OF OCEANPORT
BILL LIST

JULY

PAYEE	AMOUNT	
PAYROLL	$ 112,153.00	14th Pay
Postmaster (Bulletin)	$ 500.00	
NJ Motor Vehicle	$ 120.00	
2014 EXPENDITURES		
CAPITAL TRUST TOTAL	$ 21,543.00	
Catel, Inc.	$ 115,409.73	
DOG TRUST	$ 12.00	
ESCROW TRUST	$ 1,190.00	
OFF DUTY TRUST TOTAL	$ 251.72	
OPEN SPACE TRUST TOTAL	$ 6,125.50	
RECREATION TRUST TOTAL	$ 2,911.19	
SUI TRUST TOTAL	$ 159.00	
2013 VOUCHERS PAID	$ 254,186.78	
2013 VOUCHERS PAID THIS MEETING		
TOTAL	$ 254,186.78	
2014 VOUCHERS PAID	$ 11,349,531.67	
2014 VOUCHERS PAID THIS MEETING	$ 155,560.65	
TOTAL	$ 11,505,092.32	

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

John O Bennett

RESOLUTION OF THE BOROUGH OF OCEANPORT
AWARDING A CONTRACT FOR FIREWORKS
FOR THE 2014 SUMMER'S END FESTIVAL

RESOLUTION #2014-133
07-09-14

WHEREAS, the Borough holds an annual summer's end festival in the Blackberry Bay Park which concludes with a fireworks display; and

WHEREAS, the Borough has determined that the cost to perform such services would be below the public bidding threshold of Thirty Six Thousand ($36,000.00) Dollars, as provided by law with a Qualified Purchasing Agent (N.J.S.A. 40A:11-3); and

WHEREAS; the Borough's Recreation Coordinator solicited proposals for performance of said work; and

WHEREAS, the Borough has received proposals from Pyro Engineering, Inc. and Garden State Fireworks, Inc.; and

WHEREAS, the recommendation of the Parks and Recreation Committee after review was to award to Garden State Fireworks as they provided the lowest cost and the better display; and

WHEREAS, the said contract sum is below the statutory threshold amount and therefore there is no requirement to publicly advertise for bids as provided in the Local Public Contracts Law (N.J.S.A. 40A:11-3); and

WHEREAS, there is no negative history associated with the contractor, which would necessitate the reasons not to award said contract to Garden State Fireworks.

WHEREAS, funds are available in the Fireworks Trust Fund established for this event.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport, County of Monmouth and State of New Jersey that the contract for fireworks display at the 2014 Summer's End Festival in the total sum of Seven Thousand Five Hundred Dollars ($7,500.00) be awarded to Garden State Fireworks.

BE IT FURTHER RESOLVED that the Borough Administrator and Borough Clerk are hereby authorized to execute any documents necessary to effectuate this resolution.

Motion: Lynch Second: Paglia

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

I certify this to be a true copy of Resolution #2014-133 approved by the Oceanport Borough Council at the Regular Meeting held July 9, 2014

JEANNE SMITH, RMC
BOROUGH CLERK

RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING A FIREWORKS DISPLAY
TO BE HELD AT THE 2014 SUMMER'S END FESTIVAL

Resolution #2014-134
07-09-14

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 6, 2014 or on September 7, 2014, if a rain date is needed; and

WHEREAS, Garden State Fireworks, Inc. 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 Garden State Fireworks, Inc. securing the necessary permits and that a copy of this resolution be forwarded to the Fire Marshal and the Parks and Recreation Committee.

Motion: Lynch Second: Paglia

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

I certify this to be a true copy of Resolution #2014-134 approved by the Oceanport Borough Council at the Regular Meeting held July 09, 2014

JEANNE SMITH, RMC
BOROUGH CLERK

RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING A WAIVER OF THE STREET OPENING PERMIT FEE
FOR CERTAIN PROPERTIES CONNECTING TO CERTAIN
NJ AMERICAN WATER MAIN EXTENSIONS

RESOLUTION #2014-135
07-09-14

WHEREAS, Super Storm Sandy impacted those properties within the Borough of Oceanport whose water source was from a well; and

WHEREAS, when the power was lost during Super Storm Sandy those residents with wells lost access to their water source; and

WHEREAS, at the request of the Borough, NJ American Water Co. has agreed to install main extensions along portions of Shrewsbury Avenue, Iroquois Avenue and Tohicon Place by which residents with wells can connect; and

WHEREAS, the Mayor and Council have reviewed this matter and have determined that the fees associated with a street opening permit for connection to said water main extensions should be waived.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport that the street opening permit fee be waived for those property owners who will be connecting to the new water main extensions located along the Borough owned portion of Shrewsbury Avenue, the portion of Iroquois Avenue between Port Au Peck and Tohicon Place and Tohicon Place.

BE IT FURTHER RESOLVED, that this waiver will expire November 30, 2014.

BE IT FURTHER RESOLVED, that a copy of this resolution be filed with the Borough Clerk, Borough Construction offices and NJ American Water Co.

Motion: Lynch Second: Paglia

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

I certify this to be a true copy of Resolution #2014-135 approved by the Oceanport Borough Council at the Regular Meeting held July 9, 2014

JEANNE SMITH, RMC
BOROUGH CLERK

RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING A WAIVER OF THE STREET OPENING PERMIT FEE
FOR THE INSTALLATION OF A FIRE HYDRANT ON RIVERSIDE AVENUE

RESOLUTION #2014-136
07-09-14

WHEREAS, the Borough's Fire Marshal has made a recommendation that a fire hydrant be installed in front of 40 Riverside Avenue; and

WHEREAS, NJ American Water Co. has agreed to install the fire hydrant with no installation charge but subject to the standard monthly maintenance fee; and

WHEREAS, the Mayor and Council have reviewed this matter and have determined that the fees associated with a street opening permit for installation of the fire hydrant should be waived.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport that the street opening permit fee associated with the installation of a fire hydrant by NJ American Water Co. in front of 40 Riverside Avenue be and is hereby waived.

BE IT FURTHER RESOLVED, that a copy of this resolution be filed with the Borough Clerk and NJ American Water Co.

Motion: Second:

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

I certify this to be a true copy of Resolution #2014-136 approved by the Oceanport Borough Council at the Regular Meeting held July 9, 2014

JEANNE SMITH, RMC
BOROUGH CLERK

RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING USE OF ATHLETIC FACILITIES

Resolution #2014-137
07-09-14

WHEREAS, the Parks and Recreation Committee has recommended the following groups be approved for use of a Borough Field as follows:

Jersey Shore Thunder: Blackberry Bay Park
Spanish Soccer Club: Maria Gatta Community Park

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

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

Motion: Lynch Second: Paglia

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

I certify this to be a true copy of Resolution #2014-137 approved by the Oceanport Borough Council at the Regular Meeting held July 9, 2014.

JEANNE SMITH, RMC
BOROUGH CLERK

RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #13-00006 FOR
BLOCK 53, LOT 2 ALSO KNOWN AS ITASKA PLACE

Resolution #2014-138
07-09-2014

WHEREAS, at the Borough Tax Sale held on November 15, 2013, a lien was sold on Block 53, Lot 2, otherwise known as Itaska Pl; and

WHEREAS, this lien, known as Tax Sale Certificate 13-00006 was sold to Tower Fund Serv as Cust for Ebury Fund 1 NJ LLC at an interest rate of 18%; and

WHEREAS, the mortgage company for the owner, has redeemed certificate 13-00006in the amount of $ 11,482.72.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of $11,482.72 payable to Tower Fund Serv as Cust for Ebury Fund 1 NJ LLC, PO Box 37695, Baltimore MD 21297-3695 for the redemption of Tax Sale Certificate 13-00006.

Motion: Lynch Second: Paglia

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

I certify this to be a true copy of Resolution #2014-138 approved by the Oceanport Borough Council at the Regular Meeting held July 9, 2014

JEANNE SMITH, RMC
BOROUGH CLERK

RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #13-00003 FOR
BLOCK 27, LOT 26 ALSO KNOWN AS 51 CAYUGA AVE

Resolution #2014-139
07-09-2014

WHEREAS, at the Borough Tax Sale held on November 15, 2013, a lien was sold on Block 27 Lot 26, otherwise known as 51 Cayuga Ave; and

WHEREAS, this lien, known as Tax Sale Certificate 13-00003 was sold to Tower Fund Serv as Cust for Ebury Fund 1 NJ LLC at an interest rate of 0% and a premium of $23,000; and

WHEREAS, the owner has redeemed certificate 13-00003in the amount of $ 20,317.56.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of $20,317.56 payable to Tower Fund Serv as Cust for Ebury Fund 1 NJ LLC, PO Box37695, Baltimore MD 21297 for the redemption of Tax Sale Certificate 13-00003.

BE IN FURHRER RESOLVED, that the CFO be authorized to issue a check in the amount of $23,000 (Premium) to the aforementioned lienholder.

Motion: Lynch Second: Paglia

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

I certify this to be a true copy of Resolution #2014-139 approved by the Oceanport Borough Council at the Regular Meeting held July 9, 2014

JEANNE SMITH, RMC
BOROUGH CLERK

RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #13-00013 FOR
BLOCK 110, LOT 13 ALSO KNOWN AS 47 MAIN STREET

Resolution #2014-140
07-09-2014

WHEREAS, at the Borough Tax Sale held on November 15, 2013, a lien was sold on Block 110 Lot 13, otherwise known as 47 Main St; and

WHEREAS, this lien, known as Tax Sale Certificate 13-00013 was sold to U S Bank Cust for FNA Jersey BOI LLC at an interest rate of 0% and a premium of $600; and

WHEREAS, the mortgage company for the owner, has redeemed certificate 13-00013in the amount of $ 161.99.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of $161.99 payable to U S Bank Cust for FNA Jersey BOI LLC, 50 S 16th St Suite 1950, Philadelphia PA 19102 for the redemption of Tax Sale Certificate 13-00013.

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

Motion: Lynch Second: Paglia

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

I certify this to be a true copy of Resolution #2014-140 approved by the Oceanport Borough Council at the Regular Meeting held July 9, 2014

JEANNE SMITH, RMC
BOROUGH CLERK

Requesting approval of the Director of the Division of Local Government Services Amending the 2014 Municipal Budget per NJSA 40A:4-87 for Alcohol Education & Rehabilitation

Resolution #2014-141
07-09-14

WHEREAS, N.J.S.40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oceanport hereby request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum of $1,713.32 which item is now available as a revenue from Alcohol Education & Rehabilitation pursuant to the provisions of statute; and

BE IT FURTHER RESOLVED, that a like sum of $1,713.32 be and the same is hereby appropriated under the caption of Alcohol Education & Rehabilitation, $1,713.32.

BE IT FURTHER RESOLVED, that the Borough Clerk forward two copies of this resolution with enclosures to the Director of Local Government Services.

Motion: Lynch Second: Paglia

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

I certify this to be a true copy of Resolution #2014-141 approved by the Oceanport Borough Council at the Regular Meeting held July 9, 2014.

JEANNE SMITH, RMC
BOROUGH CLERK

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

Resolution #2014-142
07-09-2014

WHEREAS, the following property is due a refund due an overpayment from the property owner; and

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

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

Block 76 Lot 14	473 Driveway Paid by property owner	2014	$3,645.32

Motion: Lynch Second: Paglia

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

I certify this to be a true copy of Resolution #2014-142 approved by the Oceanport Borough Council at the Regular Meeting held July 09, 2014

JEANNE SMITH, RMC
BOROUGH CLERK

RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING AN EXTENSION OF THE GRACE PERIOD
FOR THE THIRD QUARTER 2014 TAXES

Resolution #2014-143
07-09-14

WHEREAS, the State of New Jersey has not released all information needed for striking a rate, and

WHEREAS, this information is needed to produce the Final 2014/Preliminary 2015 tax bills, and

WHEREAS, as a result, the County of Monmouth could not release the tax rate, and

WHEREAS, the Tax Collector must allow 25 calendar days for payment from the date of mailing pursuant to NJSA 54:4-66.3,

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Oceanport that the Tax Collector be authorized to extend the grace period for the third quarter 2014 up to and including the 25th day after the actual bills are mailed; and

BE IT FURTHER RESOLVED, by the Borough Council of the Borough of Oceanport that any payments received after that date, for the third quarter 2014 will be charged interest from the original due date of August 1, 2014 by the guidelines set by N.J.S.A. 54:4-67 and Resolution #2014-012 passed by the Oceanport Borough Council on January 1, 2014.

Interpretive Statement: Extension of the grace period may be needed to allow the mandated 25 days prior to payment due date. If payment for the third quarter 2014 is not received by the 25th calendar day after the delivery of the tax bills to the post office, interest will be charged back to the August 1 due date.

Peggy Warren, Tax Collector

Motion: Lynch Second: Paglia

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

I certify this to be a true copy of Resolution #2014-143 approved by the Oceanport Borough Council at the Regular Meeting held July 09, 2014

JEANNE SMITH, RMC
BOROUGH CLERK

RESOLUTION OF THE BOROUGH OF OCEANPORT
APPROVING CERTIFIED LISTS FOR THE
LENGTH OF SERVICE AWARD PROGRAM (LOSAP) FOR CY 2013

Resolution #2014-144
07-09-14

WHEREAS, Ordinance #780 created a Length of Service Award Program (LOSAP) to reward the members of the Oceanport Volunteer Fire Department, the Oceanport Fire Police and the Oceanport Volunteer First Aid Squad for their loyal, diligent and devoted service to the residents of the Borough of Oceanport; and

WHEREAS, the program shall provide for funding of a fixed contribution annually by the Borough to a deferred income account for each volunteer member that meets the criteria set forth in Ordinance #780; and

WHEREAS, pursuant to N.J.SA. 40A:14-191, the Local Plan Administrator is in receipt of the certified LOSAP lists for 2013 from:

Oceanport First Aid
Oceanport Hook and Ladder Fire Company
Port-Au-Peck Chemical Hose Company

WHEREAS, the Governing Body has reviewed the certified lists for accuracy as per N.J.A.C. 5:30-14.10 and approves the lists presented; and

WHEREAS, after Township Council approval, the certified list will be posted for a period of 30 days for membership review at the office of the Township Clerk and the squad facility; and

WHEREAS, following the 30-day period for filing an appeal, and subject to holding the payment of any members being appealed, payment shall be made by the Borough of Oceanport to the approved contractor for deposit in the LOSAP account in the deferred income program.

NOW THEREFORE BE IT RESOLVED, be it resolved by the Mayor and Council of the Borough of Oceanport that said certified lists are hereby approved and will be posted for thirty days in the Borough Hall and their respective houses.

Motion: Lynch Second: Paglia

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

I certify this to be a true copy of Resolution #2014-144 approved by the Oceanport Borough Council at the Regular Meeting held July 9, 2014

JEANNE SMITH, RMC
BOROUGH CLERK

RESOLUTION OF THE BOROUGH OF OCEANPORT AUTHORIZING A LEASE AGREEMENT BETWEEN THE BOROUGH OF OCEANPORT AND THE OCEANPORT LIONS SWIM CLUB

Resolution #2014-145
07-09-14

WHEREAS, the Borough of Oceanport is a municipal corporation having offices at 315 E. Main Street, Oceanport, Monmouth County, New Jersey; and

WHEREAS, the Borough of Oceanport entered into a lease agreement with the Oceanport Lions Swim Club for the use of the pool and its facilities located in Blackberry Bay Park which has since expired; and

WHEREAS, the Governing Body desires to continue the lease agreement; and

NOW, THEREFORE, BE IT RESOLVED that Borough Council of the Borough of Oceanport authorizes the Mayor and Borough Clerk to execute said lease agreement subject to the following:

1. The term of the lease is for 5 years commencing on August 1, 2014.
2. The submission of annual financial statements within 30 days following the end of the calendar year.
3. Subject to review of the Lease Agreement by the Borough Attorney
4. Any Party may terminate this agreement, for breach or any other good cause shown, upon thirty (30) days written notice to the other party.

Motion: Lynch Second: Paglia

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

I certify this to be a true copy of Resolution #2014-145 approved by the Oceanport Borough Council at the Regular Meeting held July 9, 2014

JEANNE SMITH, RMC
BOROUGH CLERK

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

Resolution #2014-146
07-09-2014

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

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

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

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

Fort Monmouth
Borough Hall Proposed Sites for Relocation

2) **Contract Negotiations – N.J.S.A. 10:4-12(b)(4)**

Fort Monmouth – Officer's Housing

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

Fort Monmouth

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

Motion: Lynch Second: Gallo

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

I certify this to be a true copy of Resolution #2014-146 approved by the Oceanport Borough Council at the Regular Meeting held July 9, 2014

JEANNE SMITH, RMC
BOROUGH CLERK

RESOLUTION OF THE BOROUGH OF OCEANPORT AUTHORIZING EXECUTION OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE BOROUGH OF OCEANPORT, FMERA AND RPM DEVELOPMENT LLC, AND THE BOROUGH OF OCEANPORT AND FMERA

Resolution #2014-147
07-09-14

WHEREAS, FMERA has entered into exclusive negotiations with RPM Development, LLC, a New Jersey Limited Liability Company having its principal office at 77 Park Street, Montclair, NJ 07006 ("RPM") to acquire and develop the Fort Monmouth Main Post Historic Housing site ("the Property"); and

WHEREAS, the preliminary discussions and negotiations concerning the redevelopment of the property have made it clear that RPM redevelopment of the property will create a need for greater municipal services which will likely include, but not be limited to schools, infrastructure, policing, fire protection, code enforcement, public works and other municipal services; and

WHEREAS, the Fort Monmouth Main Post Historic Housing Site (the "Property") is located within the Borough of Oceanport; and

WHEREAS, as part of the redevelopment of the property by RPM, a plan favored and supported by FMERA, RPM is seeking a PILOT Agreement from Oceanport; and

WHEREAS, the parties desire to enter into this MOU which sets forth their duties, obligations and understandings under this agreement, which benefits all parties and which will allow for the redevelopment of those areas of Fort Monmouth contained within the Borough of Oceanport into a functioning and sustainable community; and

WHEREAS, FMERA has indicated to Oceanport its desire to have the RPM project move forward, and has confirmed its recognition and understanding that the RPM project will increase the need for Municipal services in that area including schools, police and public safety, code enforcement and fire and first aid; and

WHEREAS, in accordance with discussions between the Governing Body of the Borough of Oceanport and representatives from FMERA and RPM Development LLC, two (2) Memoranda of Understanding, separate in signature parts but linked for purposes of the global understanding of duties, obligations promises and reliances of the parties have been developed; and

NOW THEREFORE BE IT RESOLVED, that Borough Council of the Borough of Oceanport authorize the Mayor and Clerk to sign and effectuate said documents in concert with the approval and signature of the Memoranda by FMERA and RPM Development LLC, which are conditions precedent to the Borough signing the Memoranda of Understanding.

Motion: Lynch Second: Gallo

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

I certify this to be a true copy of Resolution #2014-147 approved by the Oceanport Borough Council at the Regular Meeting held July 9, 2014

JEANNE SMITH, RMC
BOROUGH CLERK

Resolution of the Borough of Oceanport
RPM Development, LLC Resolution of Need

Resolution #2014-148
07-09-14

WHEREAS, **RPM Development, LLC** (hereinafter referred to as the "Sponsor") proposes to redevelop a 48-unit mixed-income housing development comprised of 24 market and 24 affordable units for families (hereinafter referred to as the "project") pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.), the rules promulgated thereunder at N.J.A.C. 5:80-1.1 et seq., and all applicable guidelines promulgated thereunder (the foregoing hereinafter collectively referred to as the "HMFA Requirements") within the Borough of Oceanport (hereinafter referred to as the "Municipality") on a site described as a to be subdivided portion of the Fort Monmouth Historic Housing South Post site which is about to be shown as a designated Block and Lot on the Official Assessment Map of the Borough of Oceanport and is now commonly known as Officer's Housing South Post; and

WHEREAS, the Project will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the "Agency"); and

WHEREAS, pursuant to the HMFA Requirements, the governing body of the Municipality hereby determines that there is a need for this housing project in the Municipality.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Oceanport (the "Council") that:

(1) The Council finds and determines that the 48-unit mixed-income Project proposed by the Sponsor meets or will meet an existing housing need;

(2) The Council does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in conformity with the provisions of the HMFA Law to enable the Agency to process the Sponsor's application for Agency funding to finance the Project.

Motion: Lynch Second: Irace

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

I certify this to be a true copy of Resolution #2014-148 approved by the Oceanport Borough Council at the Regular Meeting held July 9, 2014

JEANNE SMITH, RMC
BOROUGH CLERK

RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING CONTRACT WITH EMERGENCY COMMUNICATIONS NETWORK INC.
FOR CODERED EMERGENCY NOTIFICATION SYSTEM

Resolution #2014-149
07-09-14

WHEREAS, the Borough of Oceanport has been utilizing an emergency notification system known as "CodeRED"; and

WHEREAS, such utilization has been in conjunction with an Inter-Local Services Agreement with the Oceanport Board of Education; and

WHEREAS, the Oceanport Board of Education has notified the Borough that they no longer wish to continue the Inter-Local Services Agreement; and

WHEREAS, a quote for the utilization of the CodeRED system without the Oceanport Board of Education has been furnished with a recommendation from the Borough's Office of Emergency Management; and

WHEREAS, it is determined that it is in the best interest of the Borough of Ocenaport to continue said service

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that the CodeRED Emergency Notification System shall be furnished by the Emergency Communications Network pursuant to the quote submitted and subject to the following:

1. That the Mayor and Borough Clerk are authorized to execute any documents necessary to effectuate the contract subject to review by the Borough Attorney as to legal form
2. That the said Contract shall be in the total sum of $5,510.00 annually
3. That the term of the Contract shall be for the period commencing July 1, 2014 – June 30, 2017
4. That the within award of Contract shall be subject to the Borough's Chief Financial Officer certifying in writing that funds are available for the stated purpose.

CERTIFICATION OF FUNDS

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

GREGORY S. MAYERS, CPA, CFO, QPA

Motion: Irace Second: Gallo

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

I certify this to be a true copy of Resolution #2014-149 approved by the Oceanport Borough Council at the Regular Meeting held July 9, 2014

JEANNE SMITH, RMC
BOROUGH CLERK