

**REGULAR MEETING AGENDA
MAYOR AND COUNCIL
June 18, 2015**

Call to Order.

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

Flag Salute

Invocation

Roll Call

Administrator's Report:

Clerk's Report:

1. Consent Agenda:

- | | | |
|------------------|-----|--|
| #2015-116 | 1.1 | Resolution authorizing the payment of bills. |
| #2015-117 | 1.2 | Resolution endorsing the Amended Third Round Housing & Fair Share Plans |
| #2015-118 | 1.3 | Resolution amending the 2015 budget to add an item of revenue: Alcohol Education |
| #2015-119 | 1.4 | Resolution of intent to fund spending plan short fall for affordable housing programs in Housing Element and Fair Share Plan |
| #2015-120 | 1.5 | Resolution authorizing use of athletic facilities |
| #2015-121 | 1.6 | Resolution setting compensation for 2015 Action Camp staffing |
| #2015-122 | 1.7 | Resolution renewing participation in the Long Branch Commodity Resale System |

2. Minutes Approval of the Workshop Minutes of June 4, 2015
 Approval of the Regular Meeting Minutes of June 4, 2015

COMMITTEE REPORTS:

- Public Works & Engineering, Councilman Gallo, Chair

#2015-123 Resolution authorizing hiring of 2 seasonal employees to permanent status

- Public Safety, Councilman Irace, Chair
- Finance & Administration, Council President Lynch, Chair
- Health & Human Services, Councilwoman Kahle, Chair
- Planning & Development, Councilman Paglia, Chair

#952 1. 2nd Reading and Public Hearing of an Amendment to the Special Events Ordinance

#953 2. 2nd Reading and Public Hearing of an Amendment to the Salary Ordinance

- Parks & Recreation, Councilman Patti, Chair

MAYOR MAHON'S REPORT:

Petitions from the public.

#2015-124 Resolution authorizing the Governing Body to enter into Executive Session

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

Block 88, Lot 35 – 265 E. Main Street

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

Block 88, Lot 35 – 265 E. Main Street

Adjournment.

REGULAR MEETING MINUTES

Oceanport, New Jersey
June 18, 2015

The Regular Meeting of the Oceanport Mayor and Council was called to order on June 18, 2015 at 8:05 PM with the Statement of Compliance with the Open Public Meetings Act given by Mayor Mahon.

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

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

INVOCATION: Reverend Wayne Smith, Retired Colonel, gave the invocation. Reverend Smith asked everyone to remain standing for a moment of silence in honor of Ward Coles, long time Oceanport resident, who passed on Wednesday, June 17th.

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

MEMBERS ABSENT: Councilman Lynch

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

ADMINISTRATOR'S REPORT: Borough Administrator, John Bennett, reported that the Borough is in receipt of a Tort Claim that has been filed against the Borough and individuals within the Borough. It has been forwarded to the insurance company and the Borough Attorney and will be sent to council under separate cover. Mr. Bennett explained that a Tort Claim is a notice of intent to file suit against the Borough as well as individual members of Council and Staff. It is not on the agenda for executive session at this meeting.

CLERK'S REPORT:

1. Consent Agenda:

- | | | |
|-----------|-----|--|
| #2015-116 | 1.1 | Resolution authorizing the payment of bills. |
| #2015-117 | 1.2 | Resolution endorsing the Amended Third Round Housing & Fair Share Plans |
| #2015-118 | 1.3 | Resolution amending the 2015 budget to add an item of revenue: Alcohol Education |
| #2015-119 | 1.4 | Resolution of intent to fund spending plan short fall for affordable housing programs in Housing Element and Fair Share Plan |
| #2015-120 | 1.5 | Resolution authorizing use of athletic facilities |
| #2015-121 | 1.6 | Resolution setting compensation for 2015 Action Camp staffing |
| #2015-122 | 1.7 | Resolution renewing participation in the Long Branch Commodity Resale System |
| #2015-125 | 1.8 | Resolution authorizing participation in shared service municipal defense group. |

The Clerk advised that there were 7 items on the consent agenda. Resolution #2015-125 authorizing participation in shared service municipal defense group was added during workshop. The Clerk asked for a motion which was made by Councilman Patti and seconded by Councilman Irace.

The Clerk called roll:

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

ABSENT: Lynch

The Clerk stated that the motion carried

2. Approval of the Workshop Meeting Minutes of June 4, 2015
Approval of the Regular Session Minutes of June 4, 2015

The Clerk reported that Councilwoman Kahle requested a correction to the workshop minutes regarding the DPW discussion. Councilman Kahle wants her comments to reflect that she would like to be provided more information in order to make a decision. She would also like to have a plan put in place for the Department of Public Works. There being no further comments, the Clerk then asked for a motion which was made by Councilwoman Kahle and seconded by Councilman Irace.

The Clerk called roll:

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

The Clerk stated that the motion carried.

COUNCILMAN GALLO:

At the last meeting, Council asked for information regarding moving the 2 seasonal DPW employees from seasonal employees to permanent status. Councilman Gallo presented a comparison of expenses for three seasonal vs two full time permanent employees.

Councilwoman Kahle asked what the plan was for the Public Works Department moving forward; specifically regarding Fort Monmouth and extra duties that would be required.

Borough Administrator Bennett informed the Council that the duties of the Public Works department have increased over this past year. Specifically, Public Works is now taking care (storm drains, curbs, mowing, etc.) of several areas within Fort Monmouth which were previously maintained by the Fort, itself. These areas include the beginning of Riverside Drive and Hazen Drive (between Oceanport Avenue and Horseneck Point and Park Roads.) They also mow the grass in the Flag Pole area in front of Russel Hall (entrance way to Oceanport section of the Fort), Barkers Circle (Police Department), and in front of the 2 buildings in the Historic compound and the roads in the 900 area (new Public Works location.) Additionally, as the hospital, athletic center and RPM entranceways to developments are added to the tax rolls, public works will be responsible for road maintenance there as well. Lastly, we are hoping to acquire the parade grounds which will result in a significant added area (including 10 athletic fields.)

He also provided comparative staffing and salary information from the public works departments of neighboring towns. Oceanport is the smallest force yet we have more public space, including 8 parks, than the other towns have. We will have increased duties and increased areas as we go forward. In order to maintain a stabilized force, we need people who will continue to be there performing their duties rather than frequently changing seasonal employees.

Councilman Paglia asked about additional hours being spent on the Fort. Borough Administrator stated that the number of hours spent continues to grow as responsibilities increase.

Councilman Irace stated that we would be keeping the same staff and doing the same amount of work but it will cost the Borough more by way of benefits and pension. The Borough Administrator believes that we will now have stabilized employees that won't require costly training every 6 months. The Mayor stated that the work force will actually drop from 9 public works employees (6 permanent and 3 seasonal) to 8 full time permanent. The vacation of the 9th position is actually helping to fund the additional cost for the 2 additional full time permanent positions. Councilman Irace questioned the effect this would have on productivity and why this wasn't included in the

Budget discussions. He then read a prepared statement from Council President Lynch, Finance and Administration Committee Chairperson, who is opposed to hiring two full time workers.

Councilman Irace feels that saddling the Borough with two additional full time employees who, after three years, will be entitled to the family benefit package at a cost of over \$30,000 when the private sector is doing more with less, is a mistake. He feels that we will have less manpower and higher taxes. He asked that the Council wait on this until we come up with a plan for this. It will be a killer in the outlying years and he is opposed to it.

Councilman Paglia considered hiring Oceanport residents who know the town and take personal pride in their work versus the turnover of hiring people we don't know requiring background checks. He agrees with Councilman Irace and understands the position however Councilman Paglia is trying to think of the good of the town. Councilman Paglia had an opportunity to talk to DPW during Sr. Day and morale is not quite there. There are certain cuts that can be made, but when talking about people's lives and livelihoods, the decision is not an easy one.

#2015-123 1.10 Resolution authorizing hiring of 2 Seasonal Employees to permanent status

Resolution #2015-123 moving 2 seasonal employees to permanent full time status was moved by Councilman Gallo and seconded by Councilman Patti.

The Clerk called roll:

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

COUNCILMAN IRACE: Councilman Irace had nothing further to report regarding Public Safety.

HEALTH AND HUMAN SERVICES: Councilwoman Kahle has no report under Health and Human Services.

Councilwoman Kahle publically thanked Councilman Paglia, the Shore Regional High School Seniors, Department of Public Works, in particular, Max, who was at the Community Garden, Borough Administrator, John Bennett and Katie LaPorta for a successful Senior Day. Public Works and Administration provided support, snacks, hydration and equipment for the event. The Student volunteers assisted at Trinity Park, Community Garden, Community Center Park and Old Wharf Park. They participated in many projects including park clean up, planting, and painting the Bocce Court. The Borough really needed their help and their efforts were very much appreciated.

COUNCILMAN PAGLIA: Councilman Paglia also spoke about the 2nd Annual Volunteer Day. He expressed his thanks to the student volunteers, Councilwoman Kahle, Public Works department (Rich Arlt was at his location) and Borough Administration. The student group included 5 Eagle Scouts who spoke about the individual service projects performed within their local communities. Overall, the day was a big success as students participated in one of 5 jobs throughout the town. The seniors also participated in Volunteer days in two other sending districts. One of the seniors reported that "Oceanport Day" was, by far, the best of the Community Service Days they attended.

Councilman Paglia reported that FMERA recently voted to temporarily extend the Ebola quarantine at Fort Monmouth despite the concerns of the surrounding communities. He is disappointed that there was not an opportunity for more public input. He commended Mayor Mahon for his "no vote" and expressed his concern for the lack of transparency within the process.

#952 2nd Reading and Public Hearing of an Amendment to the Special Events Ordinance

Councilman Paglia called for the 2nd Reading and Public Hearing of an ordinance providing for an Amendment to the Special Events Ordinance. He then asked the clerk to read the proposed ordinance by title only. **"AN ORDINANCE AMENDING CHAPTER 326, SPECIAL EVENTS, AND**

CHAPTER 204, FEES, OF THE CODE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, ESTABLISHING A CHARGE TO SPONSORS OF NON-MUNICIPAL SPECIAL EVENTS FOR NECESSARY FIRST AID AND FIRE SERVICES AND SETTING FORTH A FEE FOR SAME" was published in the Link News on June 11, 2015. The Mayor opened the meeting for public comments on this ordinance only. There being none, the Mayor closed the public hearing on a motion by Councilwoman Kahle with no objections from Council. Councilman Paglia made a motion to adopt this ordinance and advertise in accordance with law. Motion was seconded by Councilwoman Kahle.

The Clerk called roll:

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

The Clerk stated that the motion carried.

#953 2nd Reading and Public Hearing of an Amendment to the Salary Ordinance

Councilman Paglia called for the 2nd Reading and Public Hearing of an ordinance providing for an Amendment to the Salary Ordinance. He then asked the clerk to read the proposed ordinance by title only. **"AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AMENDING THE SALARY RANGES OF CERTAIN BOROUGH OFFICERS AND BOROUGH EMPLOYEES"** was published in the Link News on June 11, 2015. The Mayor opened the meeting to public comments on this ordinance only. There being none, the Mayor closed the public hearing on a motion by Councilwoman Kahle with no objections from Council. Councilman Paglia made a motion to adopt this ordinance and advertise in accordance with law. Motion was seconded by Councilwoman Kahle.

The Clerk called roll:

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

The Clerk stated that the motion carried.

In closing, Councilman Paglia stated that he intends to follow up and get some meeting set regarding the former Borough Hall. He also plans to meet with the new Construction Official, Django Weigers and Code Enforcement Officer, Frank Van Brunt.

Administrator Bennett discussed the code enforcement function and some of the issues currently being addressed. He also discussed the construction inspection process.

Councilman Paglia expressed his thanks for the many kindnesses and condolences, including the Police Escort, he and his family received on the passing of his Mother.

COUNCILMAN PATTI: Councilman Patti reported on his attendance at the June Recreation Committee Meeting. One of the issues Councilman Patti discussed was the fertilization of the fields and proper notification of same. Tru Green flags indicate that fertilization has occurred however there is no way to know when the fields are safe for use after fertilization. Councilman Patti asked if the flags could include a safe reentry date. Borough Administrator Bennett replied that he intends to improve communication with regard to the notice requirement.

Another issue of concern is the lights at the tennis court at Blackberry Bay Park. The current system, a photo cell - timer system, is not providing adequate light in the evening. Councilman Patti suggested a wind-up system. The Borough used to have a crank system in the past which resulted

in lights being on at all hours and excessive vandalism. Neither system is without its drawbacks. Borough Clerk, Jeanne Smith, will have the electrician perform any necessary repairs to current system so that it works properly.

MAYOR MAHON: Mayor Mahon reported his attendance at the June meeting of The Shore Regional Municipal Drug Alliance. The Committee is headed into summer break however, the program remains in place and daily information is displayed on participating web-sites providing support and services regarding drug addiction. Red Ribbon is October 23rd through October 31th. There will be a cross section of interested participants, advocates and four municipalities and school districts.

The Mayor reported on the June 17th FMERA meeting. Three of the four items up for Board action had a direct impact on the Borough of Oceanport.

The first item was the Purchase and Sale agreement of the Officer's Housing parcel, the second was the lease of the Fitness Center and third was the issuance of RFOTPs for Barkers Circle Complex, Lodging area, Allison Hall and the Commissary.

The Mayor also discussed the extension to September 15, 2015 of the Use and Occupancy Memorandum of Understanding for Megill Housing to be used for quarantine of asymptomatic individuals exposed to EBOLA. This item passed despite a "no vote" from each of the three Fort Monmouth Mayors. The Mayor offered further discussion. Council commented on the lack of transparency with regard to this and other issues at FMERA.

The Mayor addressed the concerns of the Bizzacos and Chaleckis, residents of Hedge Drive regarding code violations with respect to sidewalks and driveways. They requested the Borough consider an amended parking ordinance preventing the overnight parking of commercial vehicles in residential areas. The Mayor referred this to the Borough Administrator for discussion with Chief Barcus and Lt. Kelly. Amended ordinance should be prepared and ready for movement by September.

Ms. Karen Long, 32 Revere Drive, spoke during Workshop about the potential development of 275 Port au Peck Avenue. She expressed her concerns and objections to proposed senior affordable housing on that site. She would like to be kept aware of any future discussion so she and her neighbors can participate in the process.

PUBLIC:

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

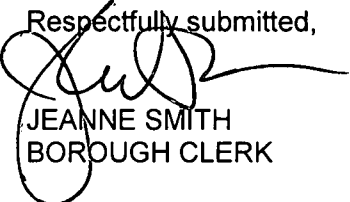
#2015-124 Resolution authorizing the Governing Body to enter into an Executive Session

At 8:56PM the Mayor asked for a motion on **Resolution #2015-124** authorizing the Governing Body to enter Executive Session. Motion was made by Councilman Patti seconded by Councilwoman Kahle and approved by Council.

At 9:11 PM Council returned from Executive Session. The Mayor asked for a motion to return from Executive Session. Motion was made by Councilman Irace, seconded by Councilwoman Kahle and approved by Council.

As there was no further business, the meeting was adjourned at 9:12 p.m. on a motion by Councilman Irace seconded by Councilwoman Kahle and approved by Council.

Respectfully submitted,


JEANNE SMITH
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING PAYMENT OF BILL LIST FOR JUNE 18, 2015**

**RESOLUTION #2015-116
06-18-15**

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated June 18, 2015; and

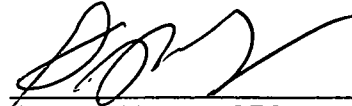
WHEREAS, the Governing Body has determined that the bill list as prepared comports with the vouchers submitted by various vendors; and

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of June 18, 2015.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill lists dated June 18, 2015 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: *ash*

Second: *Ma*

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

I certify this to be a true copy of Resolution #2015-116 approved by the Oceanport Borough Council at the Regular Meeting held June 18, 2015



JEANNE SMITH, RMC
BOROUGH CLERK

**BOROUGH OF OCEANPORT
BILL LIST**

JUNE 18 2015

PAYEE	AMOUNT
PAYROLL ACCOUNT	\$ 107,959.05 13th Pay

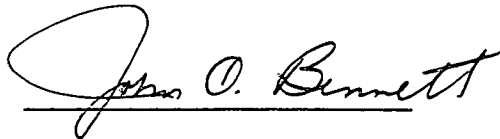
2014 EXPENDITURES

CAPITAL TRUST TOTAL	\$ 206,446.74
ESCROW TRUST TOTAL	\$ 6,476.25
OFF DUTY TRUST TOTAL	\$ 44.41
OPEN SPACE TRUST TOTAL	\$ 240,948.07
OTHER TRUST TOTAL	\$ 250.00

2014 VOUCHERS PAID	\$ 228,774.41
2014 VOUCHERS PAID THIS MEETING	\$ -
TOTAL	\$ 228,774.41

2015 VOUCHERS PAID	\$ 10,291,094.35
2015 VOUCHERS PAID THIS MEETING	\$ 892,502.17
TOTAL	\$ 11,183,596.52

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
COUNTY OF MONMOUTH, STATE OF NEW JERSEY, ENDORSING AN
AMENDMENT TO THE BOROUGH'S 2012 HOUSING ELEMENT AND FAIR SHARE
PLAN AND APPROVING A SETTLEMENT AGREEMENT WITH FAIR SHARE
HOUSING CENTER**

**Resolution #2015-117
06-18-2015**

WHEREAS, in 2012, the Borough prepared a Housing Element and Fair Share Plan, which the Planning Board adopted on December 5, 2012, and which the Borough's Governing Body endorsed that same day (the "2012 Affordable Housing Plan"); and

WHEREAS, the Borough brought a Declaratory Judgment action on December 29, 2012, and submitted its 2012 Affordable Housing Plan for review and approval by the Court; and

WHEREAS, the Court scheduled a Compliance Hearing for August 26, 2013 to entertain approval of the 2012 Affordable Housing Plan; and

WHEREAS, on July 12, 2013, Fair Share Housing Center ("FSHC") submitted an objection to the 2012 Affordable Housing Plan; and

WHEREAS, on August 26, 2013, the Court conducted a Compliance Hearing during which the Borough provided testimony in support of the 2012 Affordable Housing Plan and FSHC provided testimony and set forth the basis for its objection to the 2012 Affordable Housing Plan; and

WHEREAS, following the August 26, 2013 compliance hearing, the Borough and FSHC submitted additional expert reports; and

WHEREAS, the Court scheduled a continuation of the August 26, 2013 Compliance hearing for February 12, 2014; and

WHEREAS, on February 12, 2014, the Borough and FSHC agreed to attempt to amicably resolve their disputes; and

WHEREAS, the Borough's professionals and FSHC have subsequently agreed to a form of Settlement Agreement, which is attached hereto as Exhibit A, and have also agreed on the form of an Amendment to the 2012 Housing Element and Fair Share Plan (the "Plan Amendment"), which is attached hereto as Exhibit B; and

WHEREAS, the Planning Board of the Borough of Oceanport adopted the Plan Amendment after a public hearing on June 5, 2015; and

WHEREAS, a true copy of the resolution of the Planning Board adopting the Plan Amendment is attached hereto pursuant to COAH regulations; and

WHEREAS, the Plan Amendment addresses at least the Borough's rehabilitation and prior round obligations, and also provides a surplus to help address whatever third round obligation is assigned to the Borough by COAH or a court in the future.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE BOROUGH OF OCEANPORT:

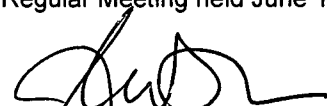
1. That it hereby approves the Settlement Agreement attached hereto as Exhibit A, and authorizes the Mayor to sign same; and
2. That it hereby endorses the Plan Amendment attached hereto as Exhibit B as adopted by the Planning Board of the Borough of Oceanport on June 5, 2015; and
3. That it hereby authorizes and directs its professionals to seek approval of the Settlement Agreement at a properly noticed Fairness Hearing.

Motion: *Patti*

Second: *Irace*

I certify this to be a true copy of Resolution #2015-117 approved by the Oceanport Borough Council at the Regular Meeting held June 18, 2015

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



JEANNE SMITH, RMC
BOROUGH CLERK

**Requesting approval of the Director of the Division of Local Government Services
Amending the 2015 Municipal Budget per NJSA 40A:4-87 for
Alcohol Education & Rehabilitation**

**Resolution #2015-118
06-18-15**

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 2015 in the sum of \$1,355.46 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 \$1,355.46 be and the same is hereby appropriated under the caption of Alcohol Education & Rehabilitation, \$1,355.46.

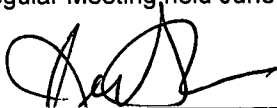
BE IT FURTHER RESOLVED, that the Chief Financial Officer file this resolution electronically with the Director of Local Government Services.

Motion: *Patti*

Second: *Trace*

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Gallo	(☒)	()	()	()
Trace	(☒)	()	()	()
Kahle	(☒)	()	()	()
Lynch	(☒)	()	()	()
Paglia	(☒)	()	()	()
Patti	(☒)	()	()	()
Mahon	(☒)	()	()	()

I certify this to be a true copy of Resolution #2015-118 approved by the Oceanport Borough Council at the Regular Meeting held June 18, 2015



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
MONMOUTH COUNTY, NEW JERSEY, OF INTENT TO FUND SPENDING
PLAN SHORTFALL FOR AFFORDABLE HOUSING PROGRAMS IN THE
BOROUGH'S HOUSING ELEMENT & FAIR SHARE PLAN**

**Resolution #2015-119
06-18-2015**

WHEREAS, pursuant to the substantive regulations of the New Jersey Council On Affordable Housing (COAH), certain portions of the Borough's 2015 Housing Plan Element and Fair Share Plan as adopted by the Oceanport Borough Planning Board on June 5, 2015 and endorsed by the Governing Body of the Borough of Oceanport on June 18, 2015 may require a financial commitment by the Borough; and

WHEREAS, COAH requires a municipality to resolve to address any shortfall in the funding of its affordable housing programs as set forth in the Spending Plan and the Fair Share Plan, including its willingness to incur bonded indebtedness, if necessary, to provide the funds required for the timely implementation of the Fair Share Plan;

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

1. To the degree that the funds required for the implementation of the Borough's Fair Share Plan, as will be more particularly set forth in the Borough's approved Spending Plan, are not available at the time they are needed from all available affordable housing funding sources, the Borough will provide the funding needed to cover any shortfall through appropriations in the Borough's annual budget, bonding, or any other legal means, with the understanding that any future affordable housing funding which becomes available may be used to reimburse the Borough for the costs incurred.

Motion: *Pat* Second: *Ilene*

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

I certify this to be a true copy of Resolution #2015-119 approved by the Oceanport Borough Council at the Regular Meeting held June 18, 2015



JEANNE SMITH, RMC
BOROUGH CLERK

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

**Resolution #2015-120
06-18-15**

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

Frozen Ropes Training Center – Blackberry Bay 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: *[Signature]* Second: *[Signature]*

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

I certify this to be a true copy of Resolution #2015-120 approved by the Oceanport Borough Council at the Regular Meeting held June 18, 2015.

[Signature]

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
FIXING THE COMPENSATION OF CERTAIN EMPLOYEES
OF THE BOROUGH OF OCEANPORT FOR 2015 SUMMER ACTION CAMP**

**Resolution #2015-121
06-18-2015**

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 compensation for the positions set forth; and

WHEREAS, the Recreation Coordinator has made recommendation for the specific salaries for employees for the 2015 Summer Action Camp.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport hereby adopts the following titles and compensation for the 2015 Summer Action Camp program pursuant to the Recreation Coordinator's recommendations:

SECTION 5. Recreation and Education.

Director	Kate MacDonald	\$2,850.00	Recreation Aide	Zach Arlt	\$8.50/hr
Assistant Director	Ryan Boyd	\$12.00/hr	Recreation Aide	Emzo Mignone	\$8.50/hr
Recreation Aide	Christine McArdle	\$8.75/hr	Recreation Aide	Jon Amador	\$8.75/hr
Recreation Aide	Kate Brown	\$10.25/hr	Recreation Aide	Emma Foster	\$8.50/hr
Recreation Aide	Becky Crawford	\$10.00/hr	Recreation Aide	Jesse Vinegra	\$9.50/hr
Recreation Aide	Gianna LaPorta	\$8.50/hr	Recreation Aide	Lauren Harrigan	\$8.75/hr
Recreation Aide	Shannon Deady	\$10.00/hr	Recreation Aide	Brooke Harrigan	\$8.50/hr
Recreation Aide	Ben Hall	\$10.50/hr	Recreation Aide	Austin Paglia	\$8.50/hr
Recreation Aide	Jon Hall	\$10.50/hr	Recreation Aide	Lauren Wollman	\$8.50/hr
Recreation Aide	Abby Arlt	\$8.50/hr	Recreation Aide	Meagan Williamson	\$9.00/hr
Recreation Aide	Jessica Layton	\$10.00/hr	Recreation Aide	Anne Rittman	\$8.25/hr
Recreation Aide	Jason Rittman	\$9.25/hr			

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

Motion: *Patti*

Second: *Trace*

I certify this to be a true copy of Resolution #2015-121 approved by the Oceanport Borough Council at the Regular Meeting held June 18, 2015

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Gallo	(☒)	()	()	()
Trace	(☒)	()	()	()
Kahle	(☒)	()	()	()
Lynch	()	()	()	(☒)
Paglia	(☒)	()	()	()
Patti	(☒)	()	()	()
Mahon	()	()	()	()



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING RENEWAL OF THE BOROUGH'S PARTICIPATION
IN THE LONG BRANCH CITY COMMODITY RESALE SYSTEM**

**RESOLUTION #2015-122
06-18-15**

WHEREAS, the City of Long Branch has previously established the Long Branch Commodity Resale System, and acting as the lead agency, allows other certain other government entities, as members, to purchase gasoline, diesel fuel, snow removal materials, and public works materials (asphalt, gravel, sand, crushed concrete), for each agency's use; and

WHEREAS, the term of the Long Branch Commodity Resale System was set to expire and in accordance with N.J.A.C. 5:34-7 et seq, the City has applied to New Jersey State Department of Community Affairs, Division of Local Government Services to renew said system; and

WHEREAS, the Borough of Oceanport, in the county of Monmouth has determined that it would be a benefit to the taxpayers of the Borough to continue participating in the Long Branch City Commodity Resale System.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Oceanport hereby authorizes a renewal of participation in the Long Branch City Commodity Resale System for the purpose of purchasing unleaded gasoline and diesel fuel for use in its vehicles and equipment, in accordance with the terms and conditions of the agreement annexed hereto, for a term through April 25, 2020.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute any and all necessary documents relative to said Long Branch Commodity Resale System.

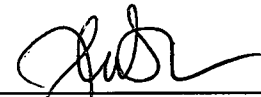
BE IT FURTHER RESOLVED that the Borough Clerk shall forward a certified copy of this resolution, along with the executed copies of the agreement, to the City Clerk of the City of Long Branch.

Motion: *Patti*

Second: *Irace*

I certify this to be a true copy of Resolution #2015-122 approved by the Oceanport Borough Council at the Regular Meeting held June 18, 2015

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



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE HIRING OF TWO SEASONAL PUBLIC WORKS TO PERMANENT
STATUS IN THE PUBLIC WORKS DEPARTMENT**

**RESOLUTION #2015-123
06-18-15**

WHEREAS, there currently exists 6 full time permanent positions within the Department of Public Works; and

WHEREAS, in addition thereto there have been 3 seasonal positions; and

WHEREAS, two individuals have been serving as seasonal employees for 8 months; and

WHEREAS, it is in the best interest of the Borough of Oceanport to have a stabilized, trained Public Works staff; and

WHEREAS, moving 2 of the seasonal positions to permanent status will accomplish stabilization within the Department; and

WHEREAS, the Borough Administrator has recommended that Anthony Panduri and Richard Stephens be moved from seasonal status to permanent status.

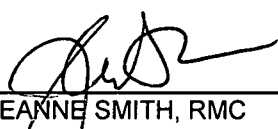
NOW, THEREFORE, BE IT RESOLVED by the Oceanport Governing Body that Anthony Panduri and Richard Stephens be hereby appointed Laborer for the Public Works Department at an annual salary in accordance with the salary ordinance and that a certified copy of this resolution be forwarded to both the Chief Financial Officer and the Payroll Department.

Motion: *Gallo*

Second: *Patti*

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

I certify this to be a true copy of Resolution #2015-123 approved by the Oceanport Borough Council at the Regular Meeting held June 18, 2015



JEANNE SMITH, RMC
BOROUGH CLERK

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

**Resolution #2015-124
06-18-2015**

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:

Potential Property Acquisitions or Sales – N.J.S.A. 10:4-12(b)(5)
Block 88, Lot 35 – 265 E. Main Street

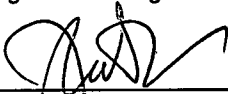
Contract Negotiations – N.J.S.A. 10:4-12(b)(4)
Block 88, Lot 35 – 265 E. Main Street

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

Motion: *Patti* Second: *Kahle*

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

I certify this to be a true copy of Resolution #2015-124 approved by the Oceanport Borough Council at the Regular Meeting held June 18, 2015.



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING PARTICIPATION IN THE
MUNICIPAL SHARED SERVICES DEFENSE GROUP**

**RESOLUTION #2015-125
06-18-15**

WHEREAS, in accordance with the decision of the Supreme Court, municipalities within the State of New Jersey are obligated to file a Declaratory Judgment Action for determination of the municipality's obligation to provide a realistic opportunity for its' fair share of the region's affordable housing needs in accordance with the Mt. Laurel Doctrine as set forth in the decision; and

WHEREAS, numerous municipalities are joining together as a Municipal Group (collectively, "the MG") for the purposes of sharing certain expenses connected to the filing of the individual Declaratory Judgment actions; and

WHEREAS, the MG has determined it is in the best interest of the respective municipality to enter into an Agreement with Rutgers University to assist in this matter and

WHEREAS, Rutgers employs Dr. Robert Burchell and various other Rutgers' experts with whom he will work (hereinafter collectively "Burchell"); and

WHEREAS, Burchell will prepare a report of the housing need for each region and determine the allocation of that need for each individual municipality; and

WHEREAS, Burchell may be called as a witness in determining a Member's affordable housing obligation.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Oceanport agrees to become a member of the MG who will be executing the Shared Services Defense Agreement and that the Mayor and Borough Clerk are authorized to execute any and all documents necessary to effectuate same.

BE IT FURTHER RESOLVED that the Borough Council of the Borough of Oceanport agrees to retain Rutgers the State University for the purposes of conducting a housing analysis on behalf of the MG.

BE IT FURTHER RESOLVED that the Borough authorizes the payment of \$2,000.00 to secure the services of Rutgers University

BE IT FURTHER RESOLVED that the Borough designates Andrew Bayer of GluckWalrath LLP as the designated Counsel to represent the borough of Oceanport in this action.

BE IT FURTHER RESOLVED that Borough Clerk shall forward a certified copy of this resolution, along with the executed copies of the agreement, to Jeffrey Surenian & Associates, Andrew Bayer, Esq. and Rutgers University.

Motion: *Patti*

Second: *Irace*

I certify this to be a true copy of Resolution #2015-125 approved by the Oceanport Borough Council at the Regular Meeting held June 18, 2015

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


JEANNE SMITH, RMC
BOROUGH CLERK