

**REGULAR MEETING AGENDA
MAYOR AND COUNCIL
January 7, 2016**

Call to Order.

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

Flag Salute

Invocation

Roll Call

Resolution #2016-038 authorizing the Governing Body to enter into Executive Session
Litigation/Potential Litigation – N.J.S.A. 10:4-12(b)(7)
Affordable Housing

Borough Planner – Clark Caton Hintz

1. Review of Affordable Housing
2. Resolution #2016-039 Committing to Move Forward with Habitat for Humanity

Administrator's Report:

Clerk's Report:

1. Consent Agenda:

- | | | |
|------------------|-----|--|
| #2016-035 | 1.1 | Resolution authorizing the payment of bills. |
| #2016-036 | 1.2 | Resolution rescinding 2015-201 and refunding payment to bank |
| #2016-037 | 1.3 | Resolution adopting OEM DDD plan for 2016 |

Committee Reports:

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

Mayor Coffey's Report:

Petitions from the public.

Resolution #2016-040 authorizing the Governing Body to enter into Executive Session
Personnel Matters – N.J.S.A. 10:4-12(b)(8)
Borough Administrator Position

Adjournment.

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

**Resolution #2016-038
01-07-2016**

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

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

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

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

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

Motion:

Second:

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

I certify this to be a true copy of Resolution #2016-038 approved by the Oceanport Borough Council at the Regular Meeting held January 7, 2016

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT,
COUNTY OF MONMOUTH, STATE OF NEW JERSEY
COMMITTING TO MOVING FORWARD WITH HABITAT FOR HUMANITY
FOR THE CONSTRUCTION OF TWO AFFORDABLE HOUSING UNITS WITHIN
THE BOROUGH OF OCEANPORT**

**Resolution #2016-039
01-07-16**

WHEREAS, the Borough of Oceanport was involved in litigation captioned *In the Matter of the Application of the Borough of Oceanport*, docketed under MON-L-96-13, under Civil Action/Mt. Laurel, in the Superior Court of New Jersey, Law Division, Monmouth County Vicinage; and

WHEREAS, the Borough of Oceanport had received an Order granting Prior Round Judgment of Compliance and Repose, signed by the Honorable Jamie S. Perri, JSC, on December 1, 2015; and

WHEREAS, the Borough of Oceanport was required to take certain actions including adopting a Resolution committing to moving forward with the Habitat for Humanity in the construction of two affordable units in the Borough of Oceanport; and

WHEREAS, it is the Borough's intention to comply with its obligations outlined in the Order granting Prior Round Judgment of Compliance and Repose, specifically, moving forward with Habitat for Humanity or a replacement developer for two affordable housing units within the Borough of Oceanport; and

WHEREAS, at the time that the two affordable units were suggested to be built on a lot located on the corner of Pemberton Avenue and Main Street, it was not made known that the location is poorly suited for the development of any housing given traffic patterns, parking and congestion issues that will result by the development of that property which is currently utilized by the First Aid Department, the Borough offices and Senior Citizens for parking;

NOW THEREFORE BE IT RESOLVED, that the Borough of Oceanport hereby commits to moving forward with Habitat for Humanity for the construction of two affordable units on Borough owned property within the Borough; and

BE IT FURTHER RESOLVED, that regardless of whether or not Habitat for Humanity will be the developer of the two affordable unit project, the Borough will enter into a Developer's Agreement with either Habitat for Humanity or a replacement developer within the time parameters set forth by the Court; and

BE IT FURTHER RESOLVED, that the Borough of Oceanport will require that the developer of the project initiate construction of the project within two years of the entry of the Judgment of Repose and will provide proof of the initiation of the project to the Court.

Motion:

Second:

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

I certify this to be a true copy of Resolution #2016-039 approved by the Oceanport Borough Council at the Regular Meeting held January 7, 2016

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING PAYMENT OF BILL LIST FOR JANUARY 7, 2016**

**RESOLUTION #2016-035
01-07-16**

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated January 7, 2016; and

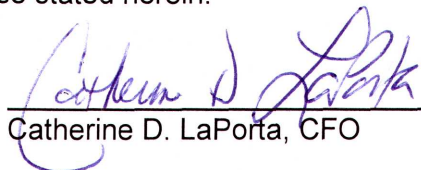
WHEREAS, the Governing Body has determined that the bill list as prepared comports with the vouchers submitted by various vendors; and

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of January 7, 2016.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill lists dated January 7, 2016 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

CERTIFICATION OF FUNDS

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



Catherine D. LaPorta, CFO

Motion:

Second:

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

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JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
 RESCINDING RESOLUTION #2015-201 DUE TO INCORRECT LIEN REDEMPTION
 AMOUNT AND AUTHORIZING A RETURN OF PAYMENT
 BLOCK 139, LOT 9 ALSO KNOWN AS 124 S. PEMBERTON AVE**

**Resolution #2016-036
 01-07-2016**

WHEREAS, the following property had a lien number 14-00022 attached for non-payment of sewer charges, and

WHEREAS, the Tax Collector notified the lienholder of the redemption, and

WHEREAS, the lienholder notified the Tax Collector of additional charges that should be collected.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that the Tax Collector is hereby authorized to refund the mortgage company the amount below since the amount is incorrect for the proper redemption of lien 14-00022:

Block 139 Lot 9	Wells Fargo Home Mortgage 1 Home Campus F2302-032 MAC F2302-032 Des Moines IA 50328	\$3,093.78
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Motion:

Second:

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

I certify this to be a true copy of Resolution #2016-036 approved by the Oceanport Borough Council at the Regular Meeting held January 7, 2016

 JEANNE SMITH, RMC
 BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
RECOGNIZING PARTICIPATION IN THE DOD 1033 PROGRAM**

**Resolution #2016-037
01-07-2016**

WHEREAS, Federal law permits the Secretary of the United States Department of Defense to transfer to federal and State agencies personal property of the Department of Defense that the secretary determines is suitable for use by agencies in law enforcement activities, under a program know as the 1033, through the Law Enforcement Support Office of the Defense Logistics Agency; and

WHEREAS, this initiative allows local law enforcement agencies to obtain, at little or no cost, equipment originally intended for use by the United States Armed Forces; and

WHEREAS, In this era of fiscal constraint, participation in the 1033 program allows local units to obtain equipment that they might not otherwise be able to afford, and to prepare for, respond to, and recover from incidents of terrorism and natural disasters, such as hurricanes and severe floods; and

WHEREAS, the equipment is provided through the 1033 program at no cost to municipal law enforcement agencies, these entities are responsible for costs associated with the maintenance, fueling , and upkeep of this equipment, and for specialized training for its operation; and

WHEREAS, taxpayers are the primary consumers and financiers of services provided by county and municipal law enforcement agencies and have the right to be assured that their money is being spent in an efficient and effective manner and the right to know the purposes for which public funds are utilized; and

WHEREAS, Civilian officials are also responsible for the acquisition of equipment necessary for local law enforcement agencies to carry out their responsibilities, yet current law does not require that they formally approve such acquisitions through the 1033 program. It is therefore appropriate to establish a system of local oversight for municipal law enforcement agencies that participate in and acquire equipment through the 1033 program and guidelines for the use of this equipment by those entities; and

WHEREAS, An application for the enrollment of a municipal law enforcement agency in any program established by the United States Department of Defense pursuant to 10 U.S.C. s.2576a shall be approved by a resolution adopted by a majority of the full membership of the governing body of a local unit prior to the transmittal of any such application to the State Coordinator of any such program.

WHEREAS, the acquisition of any property by a municipal law enforcement agency enrolled in any program established by the United States Department of Defense pursuant to 10 U.S.C. s.2576a shall be approved by a resolution adopted by a majority of the full membership of the governing body of a local unit.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Oceanport, in accordance with NJSA 40A:5-30.1, recognizes the value of this program and authorize it's participation and acquisition of property for the current year ending 12/31/2016 and that the Chief of Police and/or his designees is authorized to make acquisitions necessary to accomplish the public safety mission.

Motion:

Second:

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

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JEANNE SMITH, RMC
BOROUGH CLERK

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

**Resolution #2016-040
01-07-2016**

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.

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

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JEANNE SMITH, RMC
BOROUGH CLERK