

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

Call to Order.

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

Flag Salute

Invocation

Roll Call

CERTIFICATES OF RECOGNITION: Acknowledging Life Saving Efforts of Oceanport Public Safety Personnel during Snowstorm "Jonas"

LION'S CLUB PRESENTATION

John Bonforte

Engineer's Report:

Administrator's Report:

Clerk's Report:

1. Consent Agenda:

- | | | |
|------------------|------|--|
| #2016-054 | 1.1 | Resolution authorizing the payment of bills. |
| #2016-055 | 1.2 | Resolution authorizing redemption of Tax Sale Certificate #14-00013 |
| #2016-056 | 1.3 | Resolution appointing Jessica Fornarotto as Administrative Assistant for the Zoning Code Enforcement Grant project |
| #2016-057 | 1.4 | Resolution approving Certified LOSAP list(s) for 2015 |
| #2016-058 | 1.5 | Resolution approving temporary waiver of noise ordinance for TRWRA project |
| #2016-059 | 1.6 | Resolution authorizing a contract with Nicholas Teetelli Consulting for administrative services related to the Borough's insurance claims and FEMA's PA projects |
| #2016-060 | 1.7 | Resolution extending the Borough Administrator's employment contract |
| #2016-061 | 1.8 | Resolution authorizing the Purchasing Agent to solicit an RFP for Architectural Services |
| #2016-062 | 1.9 | Resolution appointing a Deputy Court Administrator |
| #2016-063 | 1.10 | Resolution authorizing the use of a trailer for temporary housing |
| #2016-064 | 1.11 | Resolution authorizing acceptance of a NJSP-Emergency Management Assistance Grant |
| #2016-065 | 1.12 | Resolution authorizing budget appropriation transfers |

2. Minutes
- Approval of the Workshop Minutes of December 2, 2015
 - Approval of the Regular Minutes of December 2, 2015
 - Approval of the Workshop Minutes of December 17, 2015
 - Approval of the Regular Minutes of December 17, 2015

3. Ordinances:

- | | | |
|-------------|-----------------|---|
| #961 | 2 nd | Reading & Public Hearing of an Affordable Housing Ordinance |
| #962 | 2 nd | Reading & Public Hearing of an Amendment to Zoning Ordinance Establishing the RMW Dist. |

**REGULAR MEETING AGENDA
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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 #2016-066 authorizing the Governing Body to enter into Executive Session

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

Borough Administrator Position

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

PBA

Adjournment.

REGULAR MEETING MINUTES

Oceanport, New Jersey
February 18, 2016

The Regular Meeting of the Oceanport Mayor and Council was called to order on February 18, 2016 at 7:02 PM with the Statement of Compliance with the Open Public Meetings Act given by Mayor Coffey.

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

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

INVOCATION: Borough Chaplain Stacy Deerin gave the invocation.

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

OFFICIALS PRESENT: Borough Administrator, John Bennett, Borough Clerk, Jeanne Smith, and Borough Attorney, Scott Arnette, Borough Engineer William White, Borough Planner, Elizabeth McManus

CERTIFICATES OF RECOGNITION: Mayor Coffee acknowledged lifesaving efforts of Oceanport First Aid, Fire Department and Police Department members who arrived on the scene of a life threatening episode. The resident was unresponsive and not breathing, but the Public Safety Personnel revived him during Snowstorm "Jonas". Captain Chenoweth provided a summary of events, followed by Mayor Coffey's expressions of gratitude and presentation of certificates of valor to the following individuals: Officer William Resnyk, Officer Matthew Kole and Jerry Bertekap. The following individuals received certificates of recognition: James Gallo, Jr., Jeremy Dalton, John Carroll, III, John Connor, Officer John Weir, Joseph Wolf, Kathy Kenny, Kevin Arban, Mark Patterson, Sgt. Michael Perruli, Lt. Michael Kelly, Mike Lippolis, Mike Patterson, Robert Morley, Stuart Briskey, Officer Thomas Manzo, Jr., and Tom Gallo.

LION'S CLUB PRESENTATION John Bonforte described one of the missions of the Lion's Club is sight preservation. The Lion's Club conducted no-cost sight testing in Borough schools, and several deficiencies were referred to ophthalmologist. The Lion's Club donates to and network with the New Jersey Blind Citizens Association (NJBCA). The NJBCA will provide residents, at no cost, with a magnifying apparatus for reading. The Lion's Club will distribute information through social media. This year, the Lion's Club is resuming a 5 day Strawberry Festival on Monmouth Park grounds. Mr. Bonforte presented a check to the Mayor and Council.

Engineer's Report:

Mr. White stated that by the end of the month, the plans and specifications for the demolition of the former borough hall, Police trailer and Public Works building should be completed, followed by request for authorization from the governing body to go out for bid. Councilman Briskey stated that he and Mr. White have not received any response from Conrail regarding the problem on Main Street and Crescent Place.

Administrator's Report:

Mr. Bennett reported that all committees have met. Chairman Irace will report on the budget and each committee chair will report on their respective committees. He provided updates on Blackberry Bay Pavilion, repairs at the Port-Au-Peck firehouse, the extension of a lease for the Police Department, heaters for the DPW garage, the Borough's COAH obligation, and submission of requests for

reimbursement from FEMA. Councilman Patti had questions regarding Blackberry Bay Pavilion. He stated it is an unpleasant building to sit in. He would like an accounting of everything that was spent, which was somewhere in the \$750,000. The facilities are cold and unattractive. He would like a listing of who performed the work, what was paid, et cetera for the next meeting.

CLERK'S REPORT:

1. Consent Agenda:

- #2016-054** 1.1 Resolution authorizing the payment of bills.
- #2016-055** 1.2 Resolution authorizing redemption of Tax Sale Certificate #14-00013
- #2016-056** 1.3 Resolution appointing Jessica Fornarotto as Administrative Assistant for the Zoning Code Enforcement Grant project
- #2016-057** 1.4 Resolution approving Certified LOSAP list(s) for 2015
- separate** 1.5 Resolution approving temporary waiver of noise ordinance for TRWRA project
- #2016-059** 1.6 Resolution authorizing a contract with Nicholas Teetelli Consulting for administrative services related to the Borough's insurance claims and FEMA's PA projects
- #2016-060** 1.7 Resolution extending the Borough Administrator's employment contract
- #2016-061** 1.8 Resolution authorizing the Purchasing Agent to solicit an RFP for Architectural Services
- #2016-062** 1.9 Resolution appointing a Deputy Court Administrator
- #2016-063** 1.10 Resolution authorizing the use of a trailer for temporary housing
- #2016-064** 1.11 Resolution authorizing acceptance of a NJSP-Emergency Management Assistance Grant
- #2016-065** 1.12 Resolution authorizing budget appropriation transfers

The Clerk advised that there were 12 items on the consent agenda. Ms. Smith advised there was no description when Resolution 61 was issued. Members met with State OEM regarding FEMA funding and Borough Hall issues. Based on that meeting, it was determined that a concept design was needed.

Councilman Briskey asked for Item #1.5 to be taken separately.

The Clerk asked for a motion to approve remainder of consent agenda with #1.5 being taken separately which was moved by Councilwoman Kahle and seconded by Council President Irace.

The Clerk called roll:

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

The Clerk stated motion carried.

- #2016-058** 1.5 Resolution approving temporary waiver of noise ordinance for TRWRA project

The Clerk asked for a motion approving Resolution #2016-058 which was moved by Council President Irace and seconded by Councilman Patti. Councilman Patti mentioned that residents have contacted him and Mr. Bennett regarding runoff. He requested that a condition be added that TRWRA be responsible for any and all steps to retain the soil on site, including by not limited to silt fencing.

The Clerk advised that TRWRA submitted a request to begin working at one a.m. Councilman Briskey noted that last minute changes are not acceptable. Residents in the area were advised that work would be performed two a.m. to six a.m. He requested more information from Mr. White about the project. Mr. White explained that TRWRA will be installing a bypass which will allow access for a backup bypass. Councilman Briskey inquired when the project will be completed. Ms. Smith responded that

TRWRA advised they should have one overnight and everything, including landscaping, will be completed by the middle of next week.

The Clerk called roll:

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

The Clerk stated the amended motion carried.

- 2. Minutes Approval of the Workshop Minutes of December 2, 2015
 Approval of the Regular Minutes of December 2, 2015
 Approval of the Workshop Minutes of December 17, 2015
 Approval of the Regular Minutes of December 17, 2015

The Clerk asked for a motion approving the Workshop and Regular minutes of December 2, 2015 which was moved by Councilwoman Kahle and seconded by Council President Irace.

The Clerk called roll:

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

The Clerk stated motion carried.

The Clerk asked for a motion approving the Workshop and Regular minutes of December 17, 2015, with the regular minutes being amended as requested by Councilman Briskey, which was moved by Councilwoman Kahle and seconded by Council President Irace.

The Clerk called roll:

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

The Clerk stated motion carried.

- 3. Ordinances: Ms. Smith advised that the next items were the 2 ordinances and deferred to Councilwoman Cooper.

#961 2nd Reading & Public Hearing of an Affordable Housing Ordinance

Councilwoman Cooper called for the 2nd Reading and Public Hearing of an Affordable Housing Ordinance. She then asked the clerk to read affidavit of publication on the proposed ordinance by title only. **“AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY AMENDING THE CODE OF THE BOROUGH OF OCEANPORT TO ADDRESS THE REQUIREMENTS OF THE COUNCIL ON AFFORDABLE HOUSING’S RULES”** was published on January 28, 2016.

Mayor Coffey opened the meeting for public comments on this ordinance only. Elizabeth McManus explained that the ordinance is required by every municipality participating in the Council on Affordable Housing. The ordinance outlines the rules and regulations for administration of affordable housing units. It does not designate new sites or creates new units.

John Bonforte, Horseneck Point Rd., asked if an affordable home is introduced into a neighborhood where homes values are high, what would the value of that house be. Elizabeth McManus responded that generally the value of an affordable housing unit could be valued 10 to 15 percent of the other homes. Mr. Bonforte also asked how it is determined where the affordable homes are located. Ms. McManus stated there are general rules about the characteristics a unit must have in order to get credit.

Michael Savarese, 24 Elizabeth Drive, asked how many affordable housing units the Borough is responsible for, how many units does the Borough have and how many sites are possible selections. Mayor Coffey responded that these are general questions regarding COAH that are beyond the scope of this resolution, but the questions are valid and the public should know the answers. Ms. McManus responded by stating that nearly every town asks the question of what their obligation is. As a result of previous litigation, the Borough entered into a settlement with Fair Share Housing Center to determine how the Borough would satisfy the previous obligation and what additional units would be put towards the third round obligation. Discussion continued regarding a previous lawsuit and settlement. Councilman Patti asked what the Borough's obligation is pursuant to the agreement. Ms. McManus outlined the existing and planned affordable housing units in the Borough.

John Bonforte, 111 Horseneck Point Rd., asked whether building could be postponed until the Borough obtains Ft. Monmouth property. Mayor Coffey explained that Ft. Monmouth was excluded due to the previous settlement. Ms. McManus provided further explanation of affordable housing units.

Mr. Savarese asked if the COAH obligation is met, will the COAH fee charged for additions or building new houses would expire. Mr. Arnett replied that it does not. Ms. McManus stated there is no express requirement that it would be eliminated. She explained the Borough is permitted to keep 100 percent of the developer's fees and use the funds toward it's affordable housing.

As no one else from the public wished to be heard Mayor Coffey, closed the public portion. Councilwoman Cooper then made a motion to adopt the Ordinance on second and final reading and advertise same in accordance with the law, which was seconded by Councilwoman Kahle.

The Clerk called roll:

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

The Clerk stated motion carried.

#962 2nd Reading & Public Hearing of an Amendment to Zoning Ordinance Establishing the RMW Dist.

Councilwoman Cooper called for the 2nd Reading and Public Hearing of an Affordable Housing Ordinance. She then asked the clerk to read affidavit of publication on the proposed ordinance by title only. **“AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY TO ESTABLISH THE RMW ZONE DISTRICT”** was published on January 28, 2016.

The Clerk advised that notice was provided to surrounding towns, the County planning board and adjacent property owners. Mayor Coffey opened the meeting for public comments on this ordinance only.

Gordon Gemma, 68 Seneca Place, stated he was concerned if a totally residential project on the Old Wharf site is in the best long term interests of the Borough. He stated there is a lack of a functional downtown. With the development of Ft. Monmouth, there may be two commercial nodal centers. He questioned should or whether they can be linked together to provide a defined, vibrant downtown. Councilwoman Cooper requested clarification regarding the permitted uses for the site. Ms. McManus read a portion of the resolution which permits multi-family dwelling units and accessory uses. Discussion followed regarding whether commercial use is permitted. Ms. McManus advised that the proposed ordinance, which was approved by the Court, permits residential uses only. However, the governing body may be able to amend the resolution at a later time to include commercial use. Any amendments would have to be approved by the Court. Mr. Bennett asked if an overlay ordinance could be prepared in the future to include alternative options. Ms. McManus advised the affordable housing unit portion must be maintained.

Michael Savarese, 24 Elizabeth Drive, agreed with Mr. Gemma that there need to be links and mixed use should be included. It was his understanding from attending Planning Board meetings that that Board received the ordinance that included commercial units on the ground floor. He would prefer not approving the resolution without a mixed use included. Mr. Arnette stated it was the second reading of the resolution, and it must be passed. Mayor Coffey commented that the governing body would not be foreclosed from adding retail at a later date. Council President Irace requested that for the next workshop meeting that an overlay ordinance be prepared.

As no one else from the public or council wished to be heard, Mayor Coffey closed the public portion on a motion by Councilwoman Cooper and seconded by Councilwoman Kahle. Council President Irace made a motion to prepare an overlay ordinance to permit commercial uses on the site. Councilwoman Kahle seconded.

The Clerk called roll:

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

The Clerk stated motion carried.

COMMITTEE REPORTS:

COUNCILMAN BRISKEY: Councilman Briskey reported he attended Public Works meeting to review the road program; status of the fire department's air packs, there was no comment from the fire academy, so the air packs are satisfactory; meeting of the full Public Safety Committee held to review the capital budget requests from the police, fire and first aid; status of the OEM building at Ft. Monmouth; LOSAP changes, replacement parts for the sirens ordered/delivered with installation once the weather improves. Councilman Briskey expressed concern about the inter-departmental communication. As an example, he cited a recent response to a fire alarm at Russel Hall. The fire department responded, but Oceanport Police, State Troopers and the guard at the gate did not. They were unaware of the fire call. Councilwoman Kahle asked what the reason was for miscommunication. Councilman Briskey responded the departments are on different frequencies.

Councilman Briskey, who is also a volunteer firefighter in the Borough, commented on the recent lifesaving event. He expressed his gratitude to Jerry Bertekap for saving the resident's life.

COUNCIL PRESIDENT IRACE: Council President Irace reported on Finance Committee meetings, with a goal to introduce the budget in March and adopt it in April; the employee manual and Borough Clerk's review of several versions to get the correct ones for review; formal and informal meetings with the Police Department regarding their contract, which have been productive; on health benefits, the Committee should have a final decision concurrent with the police contract and the budget.

Regarding Monmouth Park Racetrack and sports wagering, there was an en banc hearing by the Appeals Court regarding legalization of sports wagering. A resolution or notice should be issued in approximately four or five months.

COUNCILWOMAN COOPER: Councilwoman Cooper reported on the last Planning Board meeting and an application for several variances for a home on Pocano which was approved, although not unanimously; presentation by Verizon Wireless regarding placement of ODAS (outdoor digital assistance system), a nodule network which they would like to install on telephone poles. Councilwoman Cooper stated Verizon Wireless doesn't need permission to install them, since they have agreement with the owners of the pole. One location was proposed at 480 Port-Au-Peck Ave., which is across from the basketball courts. There was discussion regarding other towns' ordinances and the number of units installed. The Planning Board had concerns that the initial request for one unit would be fine, but perhaps could rise to 25, which wouldn't be acceptable. The Planning Board recommended that the governing body impose more stringent conditions.

Councilwoman Cooper continued reporting on Planning and Development Committee, the E. Main Street Streetscape project, NJ FRAMES grant, grant for a generator program for the installation of a generator in Maple Place School, status of identifying volunteers to assist residents with snow removal; town hall meetings planned for public input on options for Borough Hall; discussions on the Economic Development Committee forming an ad hoc committee for rezoning/planning for the Borough for business owners and other individuals to provide ideas to renew the economic development of the Borough.

Afterwards discussion ensued on the topic of Verizon Councilman Patti recounted a previous request to install a cell tower which was denied. He was skeptical regarding the information that Verizon Wireless presented. Mayor Coffey suggested researching if the Borough has any agreements with the pole owners and what the terms of the agreements are. Council President Irace asked whether this would be under the purview of the soon to be established Cable and Technology Committee and Mayor Coffey agreed. The first step, however, is to review any agreements in place. Discussion followed regarding installation of the ODAS with no revenue versus a full cell tower that could generate revenue, and what the benefit of the ODAS was to the Borough.

COUNCILMAN GALLO: Reported meeting with Councilman Briskey and Mr. Bennett to review the road program; roads from last year's program that need to be completed are: Whitehall Circle, Bradley Avenue, Pemberton Avenue Phase 2, and Riverside. Itaska will receive a top course. The road program for 2016 includes: Genessee, Main Street Phase 1, Elliot Place, Milton between Belmar and Asbury, Arcana and Bridgewater Drive. The goal is to pave one mile of roads. The proposal will be submitted to the Borough Engineer to provide pricing. Councilman Gallo will speak with the Public Works Department Supervisor to see if he has any specific road concerns. The Public Works Department has nine working trucks this year. Councilman Gallo expressed his thanks for their work during the big snow storm and two smaller storms. He also expressed thanks to Mr. Bennett for saving money by not using outside contractors.

Councilwoman Cooper also remarked that the Teicher property has been divided to four siblings by the estate. One daughter received from Enzo's to TNC. Two other sisters and a brother have received from Circle K to Mia's. There is discord among the siblings so the situation may change.

COUNCILWOMAN KAHLE: Met with Councilwoman Cooper, Councilman Gallo and Mr. Bennett to discuss several Health and Human Services issues. Feral cats are a larger issue than previously thought. The County is not specifically helpful. Several years ago, Mr. Bennett was responsible for establishing the funding source for spay/neuter clinics. Fees from dog licenses fund the clinics. Councilwoman Kahle is hopeful to establish a procedure where the feral cats are trapped, neutered and released.

Also, there is an increase in the abuse of heroin. She attended a meeting several weeks ago, saw a demonstration of Narcan and received a Narcan kit. She presented the contents of the kit and demonstrated how to use it. West Long Branch hosts a support group. All of the Borough's emergency services have been provided with the kits.

Councilwoman Kahle also discussed Water Watch Committee testing of the Borough's waters, the costs, requests to reinstate using the TRWRA's technician through a partnership; discussion regarding the Monmouth County Mosquito Commission and additional spraying because of the Zika virus; provided details on where to obtain more information; Councilwoman Kahle addressed issues regarding the Sustainable Jersey certification including a paper shredding day, an anti-idling campaign, chicken coops in backyards, investigating solar panels on light poles. Councilwoman Kahle reported there was interest in establishing a farmer's market. She will be gathering information and requested anyone interested in volunteering or with any expertise to contact her.

COUNCILMAN PATTI: Councilman Patti reported on Parks and Recreation meeting; preparations for Summer's End Festival; next project reviewing the denial of the grant application for Community Park; revisions to include the tennis courts and the basketball courts and playground area. The Cub Scouts Pack 58 has answered the call to service, and is requesting to build squirrel boxes, which will provide safe homes for squirrels. At the Committee meeting, there was discussion regarding replacing playground fill with a maintenance-free surface. The budget for Parks and Recreation was discussed. Most of the budget is dedicated to debt service and recurring expenses. Capital improvements were also discussed, in particular a gazebo placed in Old Wharf Park. Tables in that same location need to be repaired.

In 2006, the Parks and Recreation Committee prepared a detailed report after a review of all the parks. The analysis is guidance for improvements to the parks, essentially one park per year. Since the Seniors group falls under Parks and Recreation. Councilman Patti will attend the next meeting of the Seniors and will bring their concerns to the Council.

Councilman Patti has been working with resident John Gallagher about twinning between Oceanport and another city. He explained it is a cultural exchange with towns which are like Oceanport in other countries. He would like to establish an ad hoc committee to investigate twinning with a town in France that has similar concerns as Oceanport.

MAYOR COFFEY: The Mayor reported the Oceanport Garden Club is celebrating it's 50th anniversary this year. The club is purchasing a big screen television, stand and DVD player and donating that to the Senior Citizens Club.

The Mayor had a meeting with State representatives who will assist the Borough with FEMA money. Earlier in the meeting, the governing body approved a resolution for an RFP for architectural services to calculate costs for relocating Borough Hall to existing buildings on property at Ft. Monmouth. The analysis is expected in 30 to 45 days.

Ms. McManus provided an update regarding available properties for potential affordable housing sites. She presented a map which identified those sites. She identified three areas for consideration. Pemberton Avenue at the intersection of East Main St. is vacant and has been discussed before. Alternative sites are along Horseneck Point Road, a partially paved road with a cul-de-sac and a "paper street", Block 108, Lots 11, 12 and 13, which are owned by the Borough. She described the topography of the properties, including wetlands and wetlands buffers. Some of the lots are unbuildable and there are significant environmental constraints. Block 105, Lot 10 has the capability of being subdivided for two single family lots. Challenges associated with these properties are the costs to bring access and utilities to the property. Block 108, Lot 10 has a developable area on the western side of the lot and is capable of supporting a single family home. The next property for consideration is the municipal building site. A portion is being considered as a potential affordable housing site. It can

be subdivided into two units for affordable housing. Ms. McManus also reviewed homes currently listed for sale in the Borough. There are houses available ranging from \$250,000 to \$500,000 for the Borough to purchase and resell as affordable housing. Additional discussion regarding affordable housing.

Michael Savarese, 25 Elizabeth Drive, commented that perhaps the Borough could give the property to a developer to build a type of community center on the first floor with apartments on the second level. Mayor Coffey responded that the Borough needs to act before March 30th. Discussion followed regarding options for the Pemberton property.

Ron Sickler, Morris Place spoke about the Pemberton and the old Borough Hall properties. He suggested that the old Borough Hall property would be a prime location for affordable housing. Council Patti disagreed and talked about events and discussions that occurred during the building of the old Borough Hall and proposals to fund the building. He stated that putting affordable housing on the Myrtle Ave. property would devalue the rest of that property. Mr. Sickler made a second request for the Borough to improve its sound system.

Mayor Coffey suggested that the governing body set a date for a special meeting for discussion regarding Habitat for Humanity.

PUBLIC:

Mayor Coffey then opened the meeting to anyone from the public who wished to be heard.

Colin Wible, 67 Wolf Hill Avenue, asked if the plans could be posted on line. He commented on the concept of a town center. He suggested that in light of the redevelopment of Ft. Monmouth, that the Borough needs to revisit its Master Plan. He discussed the Verizon proposal. He requested that Verizon provide an explanation of why the Blackberry Bay location was chosen. He expressed concerns regarding the antennas.

As there were no other comments from the public, at 10:30 p.m. the Mayor asked for a motion authorizing the meeting to enter Executive Session which was moved by Councilman Gallo and seconded by Councilman Patti and approved by Council.

The Clerk called roll:

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

The Clerk stated the motion carried.

At 11:03 p.m. Council returned from Executive Session and the regular meeting was reopened on a motion by Councilwoman Kahle, seconded by Councilman Briskey and approved by Council.

As there was no further business, the meeting was adjourned at 11:04 p.m. on a motion by Councilwoman Kahle seconded by Councilman Gallo and approved by Council.

Respectfully submitted,

JEANNE SMITH
BOROUGH CLERK

ADMINISTRATOR'S REPORT 02-18-2016

BBB BOAT RAMP FACILITY- We have started collecting fees for 2016. The costs are 2x what they were last year. All work is completed and the Engineer is working on the closeout so we can recover the monies from the grant from the County and have it deposited in the Open Space Fund. **Revenues collected to date are \$300.00**

BUDGET – Work continues on the 2016 Budget. All appropriations are ready to be reviewed by the Finance committee scheduled for later this month. Budget Committee met this week and will be meeting next week. Report of the committee action will be given by the Committee Chair. **The CFO, Purchasing Agent and I continue to work on a new purchasing procedure. The Finance committee met on Monday Feb. 8th. We worked on the Capital portion of the budget. CFO and I will be submitting the work to date in PDF form to the Auditor per his request. He will prepare draft budget for review by Finance Committee. Budget Introduction would then be at the Regular meeting in March and Adoption will be in April. Chairman Irace will add budgetary issues with his report.**

BUILDINGS/CAPITAL PROJECTS (ongoing)

1. BBB Pavilion. The railing will have to be a Capital project for next year as it is in excess of \$12,000. The railing for \$12,000 has been included in the first draft of the Capital Budget. This will be reviewed with the Budget committee after the 1st. The cabinets have been delivered and placed on the work schedule for DPW. The electrician and the plumber are also ready to go so we should have the kitchen completed by the end of the month. The Borough Engineer is getting an estimate as to how much it will cost to put the required improvements in as requested by the Planning Board. This Money will be held back and the balance will be paid to the subcontractor as soon as the contractor signs off. When the project is completed the Engineer will do the closeout and seek the payment of the grant from the County. DPW has started doing the kitchen cabinets. The plumber and electrician are doing their work as the cabinets are being installed. We are now waiting on the counter tops and the snack bar will be completed. We also have to purchase an electric stove and ventilation system. **Cabinets have been installed. Counter tops are being prepared for sink installation. I am recommending no stove be purchased at this time as the overhead vent is very expensive and difficult to install in this concrete building.**
2. Port Au Peck Firehouse: The area behind the firehouse is in the process of being cleaned up. This is the anniversary year (100) of the Fire Company and every effort will be made to remove any non-fire department apparatus from the location. The Police Captain has agreed to assist in removing the vehicles and having them disposed. **Councilman Briskey sent a list of required repairs to Port au Peck Chemical Hose Fire House. Nolze Garage door is scheduled to fix the garage door tomorrow. The heat in meeting room has been repaired as has the heater in the rear of the bay. RJ Controls has been contacted with respect to repairs to back up generator.**
3. DPW Facilities. DPW Employees have insulated building 900 and are currently sheet rocking the walls. Quotes are being obtained for heating of the building as the heaters supplied by FMERA/Army are not adequate to heat the building and will result in 7 vents cut into the new roof. Once quotes have been secured they will be reviewed with the Finance Committee. The Borough Clerk is also investigating the ability to use the State's Direct Install Program as done with other Borough buildings. Sheet rocking completed as well as spackling. Cannot paint until the weather is warmer. The heating is in flux as we get the quotes to do the work. **Quotes**

secured for heating and 2 – 400,000 BTU heaters have been ordered from Atlantic Heating for @\$4,000. They will be delivered next week. Plumber and electrician have been secured to do installation.

4. Community Center/Library – This project is to be paid in full by the CD Grant from the County. Contract awarded. The ADA bathroom project has been completed, walk through and punch list were performed this week and close out of the project is being prepared. The architect is seeking an expansion of the project for the outside sidewalk to be improved for ADA accessibility and if it can be covered under our existing grant. Project is closed out. Sidewalk will be done when the weather is warmer. **At the request of Carol and Wayne Smith of Library Committee, a Panic System has been ordered for the Library. The vendor is Security World at a cost of \$900. Installation is scheduled for February 29th.**
5. Police Headquarters: Lease has been signed extending the lease for an additional 6 months until March, 2016. Presently being discussed is an extension of the lease or alternative location. **Request for an extension of the lease has been sent to FMERA.**
6. Old Borough Hall – The Engineer has completed all on site investigations and is in the process of completing reports and preparing specifications for bid.
7. **OEM/FIRE CHIEF building** – The bathrooms need work and the plumber is preparing an estimate. Set work order for replacing the tiles and fixing the heating vents. Heating vents have been repaired and the tiles will be done by next week. We have not received the estimates for the plumbing work as yet. **We've received estimates for the plumbing. Jim of Bob Jensen Plumbing will be doing the work shortly.**
8. **E. MAIN STREET STREETScape IMPROVEMENTS** – The Engineer has completed design 90% and is anticipated to be ready to go out to bid this month. I am meeting with the representatives from Suburban Engineers tomorrow to review the plans and specs. Only remaining issue to resolve is the lighting and the matter will be going out to bid. **All issued resolved. Bids will be advertised on February 25th and contract awarded on March 17th.**

COAH –Planner Affordable Housing discussion is on the agenda for Council meeting tonight and preparation of Round 3 Plan is in progress by the Borough. **Preparation of Round 3 continues. Richard Reading, the regional master in Monmouth County is also the master in Ocean County. He recommended to the Ocean County Judges that the “Gap Period” (1999-2015) represents a distinct and separate component of a municipality’s affordable housing need that was created in a prior period and should NOT be combined within a projection of future needs (2015-2025), but quantified using a discrete methodology. The Court could (and hopefully would) determine there is NO Gap Period obligation and the arguments to that effect are pending before the Court now. Also Judge Perri entered a recent Case Management Order which extended earlier deadlines. The Special Master will give a “draft Final Report “as to calculation of state, regional and municipal fair share housing need and allocation by March 15, 2016. Ultimately there will be a trial on fair share housing need and allocation on June 20, 2016 and after the Court’s decision on this issue, the Borough will have 45 days to adopt its Housing Element (both the Planning Board and Council approvals.).**

CONRAIL REMEDIATION – MAIN STREET – A meeting has been scheduled with representatives from the DEP, Conrail and the Borough Engineer to determine a solution to the flooding and collection of standing water. Meeting held with the Borough Engineer and Representative from Conrail and the DEP. Solution to be proposed and presented.

EMERGENCY ALERT SYSTEM - Repairs have been done to the two inactive sirens and the others have been checked. Eatontown loaned us their bucket truck for the day for this job to be completed. All wiring has been completed so activation can be done by the laptop from Police headquarters. I've been informed by the OEM Director that the estimated cost of repairs is approximately \$3,200 plus cost of bucket truck for 2 days. I have advised the Director to proceed with the work. Batteries have been delivered and the drivers for the speakers have been ordered. We will proceed to have the repairs completed ASAP. Drivers have not been delivered. When they are received we will proceed with the work. ***Drivers will come at same time as company representative who does the install. Job to be scheduled.***

OEM – Department has requested the lot off Port au Peck Avenue from the Sports Authority for vegetative debris following a storm. BA is assisting in getting a response.

FEMA CLAIMS (ongoing) this item need to receive the highest priority for the New Year. We are seeking several hundred thousand dollars in additional reimbursement. A meeting with the OEM Director and the Finance Committee to ascertain the status of the outstanding claims is being coordinated for this month. A consultant is coming on to assist with the filing and follow up of the FEMA claims. We will be applying for reimbursement for their cost. The OEM Director had the interview with the firm and strongly recommends their hire. He will be working with them. Consultant began working this week and has organized our expenses by PW. She is also reviewing any necessary amendments with Buzz. Consultant has identified approximately \$100,000 in materials and \$83,000 in contents to submit on one PW. Consultant and OEM Director have been working diligently to seek reimbursements. I will advise as to continuing status.

FORT MONMOUTH:

Fort Monmouth Marina – The Marina operator has finished construction on the front part of the dining room overlooking the Creek, completing a wraparound dining room. ***Marina is focused on special events such as St. Patrick's Day and continues to be open in the evenings and for brunch on weekends.***

RPM – Building Permits for the South Post have been applied for from the Construction office. The permits are still being processed and awaiting additional information. ***A temporary C.O. was issued for the construction office (for 90 days) located in the first building on the South Post. Building permits have NOT been issued as RPM has not submitted all the necessary information. Permits pending at this time. Temporary CO expires May 9, 2016. This is for Building 233 South, 4 Goesslin Ave.***

McAfee Center Complex – Buildings 600, 601, and 603. FMERA issued two Requests of Proposals for a Sublease of Building 601 and Building 603, respectively, in the McAfee Center Complex. The RFPs called for entities interested in the buildings specifically for research and development activities related to a scientific, engineering and/or information technology related use. FMERA received no responses to the RFP, which were due on January 8, 2016. FMERA subsequently issued an RFP for a Sublease of Building 600, the McAfee Center. The RFP allows for the option of leasing one floor, two floors or the entire building, and offers must include a plan to use the property for scientific, engineering and/or information technology-related uses. ***Proposals are due by February 5, 2016. One proposal was received. FMERA staff is reviewing the proposal to determine the feasibility and will form an Evaluation Committee if needed.***

Fitness Center – The Purchase and Sale agreement has been signed. Due Diligence has begun. It is anticipated the closing will take place on or about ***March 1st***. Building will not open until closing. The property will require a re-use amendment.

Chapel – The property will be going out for bid again. No update.

Dance Hall – This will take an amendment to the reuse plan as this building was originally scheduled for demolition. Contract negotiations have begun with the recommended purchaser soon. The recommended purchaser is a taxable use. For a micro-brewery and café. FMERA staff plans to present a recommendation at its January meeting.

Nursing quarters – Bids were received on this property Evaluation complete. The recommended party is an experienced residential developer. The project is for profit and therefore will be taxable.

Russel Hall – Tether View Property Management, LLC has renovated and occupied the third floor of the building. A certificate of Continued Occupancy has been issued. **Construction Official has inspected the property.**

The following properties will be going out to bid in the near future.

1. **Allison Hall** – Bid to be going out between now and spring of 2016. Ongoing marketing and evaluation taking place as to appropriate use. Allison Hall is a 36,665 sf, circa 1928 building that served as the Fort's first permanent hospital. It was converted to office use when Patterson Hospital was constructed in 1962. The Reuse Plan proposes that Allison Hall be renovated for office use. Staff believes that Allison Hall should be repurposed for an alternate commercial use. One possible option is to incorporate the structure into the vision for a boutique hotel planned for the Parker's Creek waterfront. Staff further recommends combining Allison Hall with the adjacent land and buildings to the north so that Allison Hall would have frontage on the creek and its future waterfront promenade. Since this will be a use different than in the Reuse Plan the RFOTP will alert prospective purchasers that the change in use will be subject to Board Approval of a Reuse Plan amendment or a variance. **No update.**
2. **The Lodging Area**- consists of eight buildings located in Oceanport, adjacent to Parker's Creek in the northeast quadrant of the Main Post. Two of the buildings were used by FEMA in 2013 and 2014 to house families displaced by Sandy. Two others are historic properties. One Building is pledged to the Affordable Housing Alliance for supportive housing under one of FMERS's Legally Binding Agreements. The reuse Plan designates these buildings for reuse as housing and the remainder of the Lodging Area to be replaced by a boutique hotel and spa and a waterfront promenade. Two parties have expressed interest in purchasing the Lodging Area for retention and reuse, one for health, wellness and conference uses, and the other for a non-profit use. Neither would utilize the property for permanent housing. Staff believes that it is appropriate to retain some or all of the existing buildings for one or more of these uses, but specifically excluding permanent residences. Any development of the property must include the planned waterfront promenade. **No update**
3. **Barkers Circle** - .Bid going out between now and spring of 2016. This is in the reuse Plan for residential. The Reuse Plan calls for the renovation of three of the five Barker Circle buildings into 75 units of housing, with the two remaining buildings (Building 206 and 208) adapted as municipal offices for the Borough of Oceanport. The Borough has advised that it does not need either building for public purposes, so staff is proposing to make Buildings 206 and 208 available for private development, preferably for non-residential use. The Fire House is projected for continued use as a fire house in the Reuse Plan, but is no longer needed for that purpose; the Oceanport Police Department is subleasing the Fire House from FMERA on an interim basis through 2016. Kaplan Hall is designated for civic use in the Reuse Plan. Staff proposes to combine Barker Circle, the Fire House and Kaplan Hall in a Request for Offers to

Purchase (RFOTP). A provision will be included to permit the withdrawal of the Fire House if it is needed for continued public use. **No update**

4. **The Commissary-** FMERA was informed that the proposed buyer, Wayside Technology, has decided not to move forward with the purchase. A new RFOTP will be issued in the coming months. **No update.**

5. **Squires Hall – No update**

GRANTS

MC Open Space Grant - Community Center Tennis Courts application was denied.

Fire Prevention & Safety Grant Program - Our Grant Consultant is working with the Fire Chief to apply for a grant for the purchase of breathing apparatus.

GIS Development Grant (Post Sandy Planning Assistance Grant) – To address conditions created by Superstorm Sandy and to identify approaches to rebuilding that will be more resistant to damage from future storms. \$49,800 was awarded for expenditures made on or before December 14, 2016

OEM Matching Grant - \$7,000 awarded toward salary of individuals who work on Superstorm Sandy related projects. We plan funding ½ of OEM Director salary and remaining \$5,000 will go toward consultant stipend.

NJ FRAMES (New Jersey Fostering Regional Adaptation through Municipal Economic Scenarios) Announced today by Governor Christie that nearly \$900,000 has been committed to address impacts of coastal hazards in the Two Rivers Region of Northeast Monmouth County. Oceanport is the lead agency and was responsible for have our grants man prepare the application.

HEALTH BENEFITS: This is scheduled to be discussed at the next Finance & Administration Committee scheduled for later this month. **Will be discussed at tonight's meeting.**

PERSONNEL:

Building Department - All permanent appointments completed. The new Zoning assistant started today. She will be paid completely with a Grant which also includes payment of her health coverage

Personnel Manual – this has been scheduled for discussion at the next Finance and Administration Committee scheduled for later this month. **Personnel manuals to be discussed at the next workshop meeting.**

Public Works- **new interviews to be scheduled.**

Social Security – The Consultant for the Borough has discussed the matter with the IRS who advises that the response will be another 30 days and that our request is under review. We have advised the Consultant to proceed to file the application for the return of the 2015 monies which were deducted prior to the deductions being stopped Some of the Police have seen credits on their respective reports and we are hopeful that the IRS is completing their review. **Application for return of 2015 Social Security has been filed.**

PLANNING & DEVELOPMENT - There is presently an Ordinance that prohibits cars from parking on the front lawns of homes. There have been several long term violations. Before having the Code Enforcement proceed, we need direction if we want the cars off the lawns and placed on the narrow streets. This topic is on for discussion for the next Planning and Development Committee's meeting. ***Planning and Development met on February 15th. Chairwoman Cooper will report on this.***

PORTABLE GENERATOR PROJECT – ***Update from Planning and Development Committee.***

PUBLIC WORKS COMMITTEE – ***Committee met on February 16th. Chairman Gallo will report on this.***

HEALTH AND HUMAN SERVICES COMMITTEE – ***Committee met on February 12th. Chairwoman Kahle will report on this.***

PARKS AND RECREATION COMMITTEE - ***Committee met on February 16th. Chairman Patti will report on this.***

PUBLIC SAFETY QUARTELY MEETING – ***full committee met on February 9th. Chairman Briskey will report on this.***

SHARED SERVICES – I have been notified by the County that we may utilize the County's salt dome and purchase our salt from the County for this year's storms. We have further notified the County of our interest in the acquisition of a front-end loader and truck should they declare such property to be surplus.

VEHICLES:

Approval of the quotes is on the agenda for tonight. The DPW trucks will take 4-5 months to get. The Police vehicles will take less time. ***Vehicles ordered and delivery of cars expected by mid-March. Delivery of DPW trucks anticipated for June.***

WOODBINE CEMETERY: To date, no application filed with Cemetery Board as of ***February 18, 2016.***

MISC. Received a request from a resident who is in the process of lifting his home which was damaged during Sandy. He has requested he be permitted to have a mobile home (RV) in his driveway so he can live in it while the construction is taking place. In the past the Mayor and Council has permitted this with a Resolution setting forth certain timelines and conditions. ***Resolution on for tonight's meeting.***

The recent snow storm created expenses of approximately \$30,000, including overtime and equipment repairs. We have compiled all of the information and we be prepared to file for disaster relief from FEMA if the President declares the State a disaster due to the storm. ***On February 10th, Governor Christi requested President Obama to declare a major disaster in 17 Counties in the State of New Jersey. No response from the President to date.***

Verizon Wireless Proposal – ***At the last Planning Board meeting Verizon Wireless appeared for an informal presentation about VZW's proposal to place small-scale wireless telecommunications equipment on certain telephone poles in the Borough's right of way. Verizon now wants to know if the Borough would entertain putting a cell tower on Municipal property in lieu of this proposal. They are requesting feedback.***

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING PAYMENT OF BILL LIST FOR FEBRUARY 18, 2016**

**RESOLUTION #2016-054
02-18-16**

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated February 18, 2016; and

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

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of February 18, 2016.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill lists dated February 18, 2016 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

CERTIFICATION OF FUNDS

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

Catherine D. LaPorta, CFO

Motion:

Second:

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

I certify this to be a true copy of Resolution #2016-054 approved by the Oceanport Borough Council at the Regular Meeting held February 18, 2016

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #14-00013
FOR BLOCK 86, LOT 4 KNOWN AS 8 SPRING LAKE AVENUE**

**Resolution #2016-055
02-18-16**

WHEREAS, at the Borough Tax Sale held on September 26, 2014, a lien was sold on Block 86 Lot 4, otherwise known as 8 Spring Lake Ave; and

WHEREAS, this lien, known as Tax Sale Certificate 14-00013 was sold to US Bank cust for BV001 Trust at an interest rate of 0% and a premium of \$15,100; and

WHEREAS, the owner has redeemed certificate 14-00013 in the amount of \$ 13,556.69.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$13,556.69 payable to US Bank cust for BV001 Trust, 50 S 16th St Suite 2050, Philadelphia PA 19102-2513 for the redemption of Tax Sale Certificate 14-00013.

BE IN FURTHER RESOLVED, that the CFO be authorized to issue a check in the amount of \$15,100 (Premium) to the aforementioned lienholder.

Motion:

Second:

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

I certify this to be a true copy of Resolution #2016-055 approved by the Oceanport Borough Council at the Regular Meeting held February 18, 2016

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTING AN ADMINISTRATIVE ASSISTANT**

**Resolution #2016-056
02-18-16**

WHEREAS, the Borough of Oceanport was awarded by the NJ Department of Community Affairs a second grant of \$66,950 to continue funding of increased hours of existing staff, employ salaried staff or to engage consultants as needed or for other related costs as may be necessary to operate an efficient Zoning Code Enforcement Office; and

WHEREAS, the impacts of Super Storm Sandy have increased the residents' needs for services from the Borough's Zoning and Construction Office; and

WHEREAS, the grant's allowable costs for reimbursement include but are not limited to salary, pension contributions and benefits; and

WHEREAS, Marygrace Barrett who currently functions in this role has resigned her full time position and has been assisting on a part time basis; and

WHEREAS, there continues to be a need for additional administrative staff to allow the department to function and provide needed services for the Borough's residents; and

WHEREAS, Resolution #2015-214 appointed Catherine Francolino to the position who subsequently had to decline the position for personal reasons.

WHEREAS, the Borough Administrator has recommended Jessica Fornarotto for the position.

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

1. Jessica Fornarotto be and is hereby appointed as an Administrative Assistant assigned to the Zoning Code Enforcement Office at a salary in accordance with the Salary Ordinance.
2. Said employee shall be entitled to benefits in accordance with the Borough's Personnel Ordinance.
3. The term of employment shall be February 4, 2016 to June 30, 2016 – the remaining time covered by the grant awarded, unless otherwise extended.

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 #2016-056 approved by the Oceanport Borough Council at the Regular Meeting held February 18, 2016

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
 APPROVING CERTIFIED LIST(S) FOR THE
 LENGTH OF SERVICE AWARD PROGRAM (LOSAP) FOR CY 2015**

**Resolution #2016-057
 02-18-16**

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.S.A. 40A:14-191, the Local Plan Administrator is in receipt of the certified LOSAP lists for 2015 from:

**Oceanport First Aid
 Oceanport Hook & Ladder Co**

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 Borough Council approval, the certified list will be posted for a period of 30 days for membership review at the office of the Borough 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:

Second:

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

I certify this to be a true copy of Resolution #2016-057 approved by the Oceanport Borough Council at the Regular Meeting held February 18, 2016

 JEANNE SMITH, RMC
 BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING A WAIVER FROM CHAPTER 267 "NOISE" OF THE CODE OF THE
BOROUGH OF OCEANPORT FOR TWO RIVERS WATER RECLAMATION AUTHORITY
FOR THE PURPOSES OF BY-PASS CONSTRUCTION ON PUMP STATION 13**

**RESOLUTION #2016-058
02-18-16**

WHEREAS, Two Rivers Water Reclamation Authority is in the process of installing a by-pass connection for their Pump Station 13 located at the intersection of Werah Place and Shrewsbury Ave which will allow the Authority to continue to provide services in the event of a failure of the existing pumps; and

WHEREAS, the Authority advises that the cut in for the by-pass needs to take place during the a period of low flow which typically occurs overnight; and

WHEREAS, the Borough's Noise Ordinance limits the creation of an audible noise by excavation, demolition, alteration, repair, etc. to the hours of 8:00 a.m. and 6:00 pm Monday through Friday and 9:00 a.m. and 6:00 p.m. on Saturday; and

WHEREAS, the Authority has requested a temporary waiver of the noise ordinance in order to perform necessary overnight work during the week of February 22nd for a maximum of two (2) nights which nights will depend on weather conditions; and

WHEREAS, Chapter 267-4 provides Exceptions from noise prohibitions for any public works projects for construction deemed to be in the public's welfare, safety and public good only with prior approval from the Mayor and Council.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport of the following:

1. That the Two Rivers Water Reclamation Authority be granted a waiver of the noise ordinance for the purposes installing a by-pass connection for Pump Station 13 located at the intersection of Werah Place and Shrewsbury Avenue for a maximum of two (2) overnights during the week of February 22, 2016.
2. That the Two Rivers Water Reclamation Authority provide notification to property owner's within 500 feet of the site.

BE IT FURTHER RESOLVED, that a copy of this resolution be filed with the Borough Clerk, Code Enforcement Officer, Chief of Police and Two River Water Reclamation Authority.

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 #2016-058 approved by the Oceanport Borough Council at the Regular Meeting held February 18, 2016

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AWARDING A NON-FAIR AND OPEN CONTRACT FOR ADMINISTRATIVE SERVICES RELATED
TO INSURANCE CLAIMS AND FEMA PUBLIC ASSISTANCE PROJECTS BETWEEN NICHOLAS
H. TEETELLI CONSULTING AND THE BOROUGH OF OCEANPORT**

**RESOLUTION #2016-059
02-18-16**

WHEREAS, the Borough of Oceanport has a need to retain consulting services related to the Borough's insurance claims and FEMA Public Assistance projects resulting from Superstorm Sandy by means of a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.B; and,

WHEREAS, the Borough has determined that the value of the services will exceed \$17,500.00.

WHEREAS, the anticipated term of this contract is one (1) year and may be extended one (1) time as approved by this governing body; and

WHEREAS, Nicholas H. Teetelli of Nicholas H. Teetelli Consulting Services has completed and submitted a Business Entity Disclosure Certification and Political Contribution Disclosure Form which certifies that Nicholas Teetelli Consulting Services has not made any reportable contributions to a political or candidate committee in the Borough of Oceanport in the previous one year, and the contract will prohibit Nicholas Teetelli Consulting Services from making any reportable contributions through the term of the contract, and;

WHEREAS, Nicholas H. Teetelli Consulting Services has submitted a proposal dated January 25, 2016 to provide said services at a rate of \$65 per hour at a maximum of 14 hours per week; and

WHEREAS, funds are available in the 2016 municipal budget in the Superstorm Sandy account.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport, County of Monmouth, State of New Jersey that:

1. Nicholas H. Teetelli Consulting Services be and is hereby appointed as Consultants for administrative services related to the Borough's insurance claims and FEMA Public Assistance projects for a period of one year beginning January 25, 2016 for an amount not to exceed \$40,000.
2. Nicholas H. Teetelli Consulting Services is prohibited from making any contribution to a political or candidate committee during the term of this appointment.
3. The Mayor and Borough Clerk are hereby authorized to enter into a contract on behalf of the Borough of Oceanport.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and Political Contribution Disclosure Form be placed on file with said contract.

BE IT FURTHER RESOLVED that a summary of the above shall be published in The Link News as required by law within 10 days of its passage.

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 #2016-059 approved by the Oceanport Borough Council at the Regular Meeting held February 18, 2016

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
EXTENDING THE CONTRACT OF THE
BOROUGH ADMINISTRATOR FOR 30 DAYS**

**Resolution #2016-060
02-18-16**

WHEREAS, the Borough Administrator and Public Works Manager, John O. Bennett III, was hired as a contract employee on January 1, 2014 pursuant to Resolution #2014-002; and

WHEREAS, Resolution #2016-032 extended the contract for 60 days to provide additional time for the Borough to complete and interview and hiring process; and

WHEREAS, the Borough of Oceanport now wishes to extend John O. Bennett II's existing contract an additional 30 days through March 30, 2016 in order to allow for the hiring process to be completed; and

WHEREAS, John O. Bennett III has agreed to remain on as the Borough of Oceanport's Borough Administrator and Public Works Manager through March 30, 2016; and

WHEREAS, both the Borough of Oceanport and John O. Bennett III agree that the latter shall remain employed under the same terms, conditions and titles through March 30, 2016 in order to allow for the hiring process to be completed;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Oceanport, that the administrator's contract is hereby extended until March 30, 2016 upon the same terms and conditions as in Mr. Bennett's expired contract.

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 #2016-060 approved by the Oceanport Borough Council at the Reorganization Meeting held February 18, 2016

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE BOROUGH CLERK TO ADVERTISE
REQUESTS FOR QUALIFICATIONS/PROPOSALS FOR PROFESSIONAL ARCHITECTURAL
SERVICES**

**Resolution #2016-061
02-18-16**

WHEREAS, as of January 1, 2006, N.J.S.A. 19:44A-20.1 et. seq. commonly known as the “State Pay to Play” Law, enacted by the New Jersey State Legislature shall become effective; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20. et.seq., a municipality may not award a contract with a value in excess of \$17,500 to a business entity that has made a contribution within one year of the date the contract is to be awarded that is reportable by the recipient under P.L. 1973, c.83 (C.19.44A-1 et seq.) to a municipal political party committee in that municipality if a member of that party is serving in an elective public office when such a contract is awarded or to any candidate committee of any person who is serving in an elective public office of the municipality when such contract is awarded, unless the contract is awarded under a “fair and open process” pursuant to N.J.S.A. 19:44A-20.1 et. seq.; and

WHEREAS, the Borough of Oceanport has need to engage architectural professionals and desires to do so through a fair and open process.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport, County of Monmouth, State of New Jersey that RFQ/RFPs for competitive contracting for professional architectural services is hereby authorized:

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

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 #2016-061 approved by the Oceanport Borough Council at the Regular Meeting held February 18, 2016

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTING A DEPUTY COURT ADMINISTRATOR**

**RESOLUTION #2016-062
02-18-16**

WHEREAS, Deputy Court Administrator Kelly Barrett has resigned and therefore there is a need to appoint a Deputy Court Administrator to assist in call-out duties and any miscellaneous duties that may arise; and

WHEREAS, Patricia White is currently employed as a Deputy Court Administrator for the Borough of Belmar and has been recommended by the Court Administrator Carol Smith.

NOW, THEREFORE, BE IT RESOLVED by the Oceanport Governing Body that Patricia White is hereby appointed Deputy Court Administrator effective immediately at a compensation of \$75 per call out and \$20 per hour for an miscellaneous duties that may be assigned.

BE IT FURTHER RESOLVED that the appointment is subject to the approval of the Assignment Judge of the County of Monmouth.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to both the Chief Financial Officer, Payroll Department, the Court Administrator and the Borough Clerk.

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 #2016-062 approved by the Oceanport Borough Council at the Reorganization Meeting held February 18, 2016

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING TEMPORARY HOUSING ON PROPERTIES WITH DWELLINGS BEING
ELEVATED AS A RESULT OF SUPERSTORM SANDY**

**RESOLUTION #2016-063
02-18-16**

WHEREAS Resolution #2013-53 adopted April 4, 2013 provided for the use of temporary housing for those residents being required or desired to elevate their homes above the mandatory base flood elevations as a result of Super Storm Sandy; and

WHEREAS, during the elevating process, the home cannot be occupied; and

WHEREAS, residents, especially those with pets, are finding it difficult to secure temporary housing during the period of time in which their home is being elevated; and

WHEREAS, it is recognized by the Governing Body that the difficulty presented to its residents is one of extra ordinary circumstances, requiring similar relief.

NOW THEREFORE BE IT RESOLVED Oceanport residents, who require alternative housing as a result of elevating their homes, are hereby exempt from Chapter 390 of the Code of the Borough of Oceanport entitled Zoning, to allow for a trailer to be placed on said property for the purposes of temporary housing, only during the period of time necessary to elevate their home in accordance with the following:

1. No trailer may be placed on said property until such time as all required permitting for the elevation has been applied for.
2. The trailer must be placed within the boundaries of said property and no closer than 10 feet to the property lines.
3. Occupancy of said trailer will be for the period of not more than 60 days.
4. A Certificate of Occupancy will not be issued for said property until such time as the trailer is removed.

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 #2016-063 approved by the Oceanport Borough Council at the Regular Meeting held February 18, 2016

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
 AUTHORIZATION FOR THE BOROUGH OF OCEANPORT TO APPLY FOR AND ACCEPT A
 SUBGRANT AWARD OF THE FEDERAL FISCAL YEAR 2015 DEPARTMENT OF
 HOMELAND SECURITY EMERGENCY MANAGEMENT PERFORMANCE GRANT
 PROGRAM FUNDING**

Resolution #2016-064

02-18-16

WHEREAS, the Borough of Oceanport, Office of Emergency Management has been awarded a Federal Homeland Security Emergency Management Agency Assistance (EMAA) Grant CFDA 97.042, Award #FY15-EMPG-EMAA-1338 from the New Jersey State Police Office of Emergency Management. The Subgrant, consisting of a total amount of \$14,000.00 including \$7,000.00 Federal Award and \$7,000.00 Local Matching Funds, is for the purpose of enhancing the Borough of Oceanport’s ability to plan for, mitigate against, respond to and recover from natural and man-made disasters and other catastrophic events and emergencies; and

WHEREAS, the Borough of Oceanport Office of Emergency Management, as a designated by the New Jersey State Police, Office of Emergency Management, will submit an Application for Subgrant Award as required by the NJ State Police Office of Emergency Management; and

WHEREAS, the Application for Subgrant Award covers the performance period from July 1, 2015 through June 30, 2016, and calls for a match in the amount of up to \$7,000.00 which the Borough of Oceanport adequately satisfies through the approved CY2015 budget and proposed CY2016; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oceanport accepts the award of the FY15 Emergency Management Agency Assistance (EMAA) grant in the amount of \$7,000.00 in Federal funds from the NJ State Police, Office of Emergency Management; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized to sign the appropriate Subgrant award documents; and

BE IT FURTHER RESOLVED, that the Office of Emergency Management is hereby authorized to ensure compliance with the provisions of the Subgrant, including maintaining and updating of the municipal Emergency Operations Plan, coordinating meetings of the Local Emergency Planning Committee, conducting local emergency response exercises, and attending County/State OEM meetings and trainings as required; and

BE IT FURTHER RESOLVED, that copies of this Resolution shall be forwarded to the NJ State Police Office of Emergency Management; the Monmouth County Office of Emergency Management, the Borough Administrator and the municipal Emergency Management Coordinator.

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 #2016-064 approved by the Oceanport Borough Council at the Regular Meeting held February 18, 2016

 JEANNE SMITH, RMC
 BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING BUDGET APPROPRIATION TRANSFERS**

**RESOLUTION #2016-065
02-18-16**

WHEREAS, it shall become necessary to expend for some of the purposes specified in the Budget an excess of the respective sums appropriated, and

WHEREAS, there is an excess in one or more appropriations over and above the amount deemed necessary to fulfill the purposes of such appropriations, and

WHEREAS, the transfers about to be authorized do not affect an appropriation to which or from which transfers are prohibited under the statutes.

NOW, THEREFORE BE IT RESOLVED the following transfers between appropriations be authorized pursuant to N.J.S.A. 40A:4-58:

FROM:		
1	Electric	\$500.00
		\$500.00
TO:		
1	Sewer	\$500.00
		\$500.00

BE IT FURTHER RESOLVED that a copy of this resolution be filed forthwith with the Borough Chief Financial Officer.

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 #2016-065 approved by the Oceanport Borough Council at the Reorganization Meeting held February 18, 2016

JEANNE SMITH, RMC
BOROUGH CLERK

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

**Resolution #2016-066
02-18-16**

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

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

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

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

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

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 #2016-040 approved by the Oceanport Borough Council at the Regular Meeting held February 18, 2016

JEANNE SMITH, RMC
BOROUGH CLERK