

**SPECIAL MEETING AGENDA  
MAYOR AND COUNCIL  
Borough of Oceanport  
September 1, 2016**

**Call to Order.**

**Statement of Compliance with Open Public Meetings Act:** *This meeting complies with the Open Public Meeting Act by notification on August 26, 2016 of this location, date and time to the Asbury Park Press and the LINK News and by the posting of same on the municipal bulletin board and Borough Web Site.*

**Flag Salute**

**Invocation**

**Roll Call**

**EXECUTIVE SESSION:**

**Resolution #2016-172 authorizing the Governing Body to enter into Executive Session**

**Litigation, Negotiations and the Attorney Client Privilege N.J.S.A. 10:4-12(b)(7)**

Fort Monmouth municipal complex – potential acquisition  
Chief Daniel Barcus Retirement/Separation Agreement

**Resolutions**

**#2016-173** Authorizing application for the 2016 Monmouth County Municipal Open Space Grant

**#2016-174** Approving the Corrective Action Plan for the 2015 Annual Audit

**Petitions from the public**

**Adjournment**

## SPECIAL MEETING MINUTES

Oceanport, New Jersey  
September 1, 2016

The Special Meeting of the Oceanport Mayor and Council was called to order on September 1, 2016 at 8:00 PM with the Statement of Compliance with the Open Public Meetings Act given by Mayor Coffey.

"Adequate notice of this meeting has been provided by notice to the Asbury Park Press and The Link News on August 26, 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.

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

**MEMBERS ABSENT:** Councilperson Kahle and Patti

**OFFICIALS PRESENT:** Borough Administrator Ray Poerio, Deputy Borough Clerk, Katie LaPorta, and Borough Attorney, Scott Arnette.

Mayor Coffey stated first item of the Agenda was Executive Session, however, as there were no objections took the Agenda out of order and opened the meeting to Petitions from the Public.

### **PETITIONS FROM THE PUBLIC:**

As no one from the public wished to be heard, Mayor Coffey closed that portion of the meeting.

### **EXECUTIVE SESSION:**

#### **Resolution #2016-172 authorizing the Governing Body to enter into Executive Session**

At 8:03 PM Mayor Coffey asked for a motion authorizing the Governing Body to enter into Executive Session for the purposes of Litigation, Negotiations, and the Attorney/Client Privilege specifically to discuss Fort Monmouth municipal complex – potential acquisition and Chief Daniel Barcus Retirement/Separation agreement, which was made by Councilman Briskey, seconded by Councilwoman Cooper. The Deputy Clerk called the roll.

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

The Deputy Clerk stated the motion carried.

At 8:50 PM, Council returned from Executive Session and the regular meeting was reopened on a motion by Council President Irace and seconded by Councilman Briskey and approved by the Council.

### **RESOLUTIONS:**

#### **#2016-173 Authorizing application for the 2016 Monmouth County Municipal Open Space Grant**

Mr. Poerio briefly explained that the Board of Freeholders sponsors annually the Monmouth County Municipal Open Space Grant. Oceanport is applying for a \$250,000 matching grant towards the acquisition of Building 918 on former Fort Monmouth which is one of the parcels being pursued by the Borough for a new municipal complex. Mayor Coffey called for a motion approving the resolution, which

was made by Councilwoman Cooper and seconded by Council President Irace. The Deputy Clerk called roll:

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

The Deputy Clerk stated the motion carried.

**#2016-174** Approving the Corrective Action Plan for the 2015 Annual Audit.

Mr. Poerio briefly explained that after the audit process, there was one recommendation. The resolution outlines the correction and how it will be corrected. Councilman Briskey asked if the auditor would check to see if the correction was made next year. Mr. Poerio advised they would ask the auditor next year. Mayor Coffey called for a motion approving the resolution, which was made by Council President Irace and seconded by Councilwoman Cooper. The Deputy Clerk called roll:

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

The Deputy Clerk stated the motion carried.

As there was no further business, at 8:55 PM Mayor Coffey called for a motion to adjourn, which was made by Council President Irace and seconded by Councilwoman Cooper and approved by Council.

Respectfully submitted,

CATHERINE LaPORTA  
DEPUTY BOROUGH CLERK

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

**Resolution #2016-172  
09-01-16**

**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:

**Litigation, Negotiations and the Attorney Client Privilege N.J.S.A. 10:4-12(b)(7)**

Fort Monmouth municipal complex – potential acquisition  
Chief Daniel Barcus Retirement/Separation Agreement

**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 #2016-172 approved by the Oceanport Borough Council at the Special Meeting held September 1, 2016

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JEANNE SMITH, RMC  
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
RESOLUTION AUTHORIZING AN APPLICATION FOR THE 2016 MONMOUTH COUNTY  
MUNICIPAL OPEN SPACE GRANT PROGRAM**

**RESOLUTION #2016-173  
09-01-16**

**WHEREAS**, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

**WHEREAS**, the Governing Body of the Borough of Oceanport desires to obtain County Open Space Trust Funds in the amount of \$250,000 to fund the acquisition of Building 918 at the former Fort Monmouth Property, to be used as a new Oceanport Recreation Center at 918 Murphy Drive, Oceanport NJ 07757, Lot 2, Block 110 and yet to be subdivided federal property; and

**WHEREAS**, the total cost of the project including all matching funds is \$638,000; and

**WHEREAS**, the Borough of Oceanport will be holder of any interest acquired with County Open Space Trust Funds; and

**NOW, THEREFORE, BE IT RESOLVED BY** the Oceanport Borough Council **THAT:**

1. The Borough Administrator, Raymond Poerio, or his successor is authorized to (A) make an application to the County of Monmouth for Open Space Trust Funds, (B) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (C) act as the municipal contact person and correspondent of the above named municipality; and
2. The Borough of Oceanport is committed to this project and will provide the balance of funding necessary to complete the project as described in the grant application in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and
3. If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program and the Policy and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state, and local government rules, regulations and statutes thereto; and
4. Mayor John F. Coffey, II is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Monmouth for the approved Open Space Trust Fund; and
5. This resolution shall take effect immediately.

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  
APPROVING THE CORRECTIVE ACTION PLAN**

**Resolution #2016-174  
09-01-16**

**WHEREAS**, the Division of Local Government Services has promulgated a regulation that each municipality shall prepare and submit a Corrective Action Plan that “shall cover all findings and recommendations in the audit report, including state, federal, and general findings, as well as the status of all prior year findings and recommendations” and that the governing body shall approve the Corrective Action Plan, and

**WHEREAS**, the members of the governing body have reviewed the Corrective Action Plan for the 2014 Audit submitted by the Chief Financial Officer, as evidenced by the group affidavit form of the governing body, and

**WHEREAS**, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board, and

**WHEREAS**, all members of the governing body have approved the Corrective Action Plan submitted by the Chief Financial Officer, and

**WHEREAS**, failure to comply with the promulgation’s of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 to wit:

R.S. 52:27BB-52 - “A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provision of the Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.”

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Oceanport hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

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JEANNE SMITH, RMC  
BOROUGH CLERK