

**REGULAR MEETING AGENDA  
MAYOR AND COUNCIL  
August 17, 2017**

- **Call to Order.**
- **Statement of Compliance with Open Public Meetings Act:** *This meeting complies with the Open Public Meetings Act by notification on January 2, 2017 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**
- **Proclamation Declaring September as Pediatric Cancer Awareness Month**
- **Administrator's Report:**
- **Consent Agenda:**

#2017-153	1.	Resolution authorizing payment of bills
#2017-154	2.	Resolution authorizing purchase of 4 x 4 pickup truck with plow through State Contract
#2017-155	3.	Resolution authorizing purchase of an Elgin street sweeper through NJPA Cooperative
#2017-156	4.	Resolution authorizing purchase of 2 Int'l 7400 trucks through NJPA Cooperative
#2017-157	5.	Resolution authorizing purchase of Case Wheel Loader through NJPA Cooperative
#2017-158	6.	Resolution authorizing application for 2017 MC Municipal Open Space Grant
#2017-159	7.	Resolution authorizing applications for use of athletic facilities
#2017-160	8.	Resolution awarding contract for engineering services for demolition of Bldgs. 914, 915, 916 and 917 at the new municipal complex site.
#2017-161	9.	Resolution authorizing waiving hours of operation serving of alcohol for the Haskell
#2017-162	10.	Resolution authorizing the auction of surplus equipment
#2017-163	11.	Resolution awarding contract for engineering services for the Backflow Prevention Project (Stormwater Outfalls)
#2017-164	12.	Resolution authorizing a special event permit to be issued to Triumphant Life Church
#2017-165	13.	Resolution authorizing tax refund due to Court Judgment
#2017-166	14.	Resolution authorizing renewal of membership in the Monmouth Municipal Joint Insurance Fund

- **MINUTES:**  
Approval of the Workshop Meeting Minutes of July 20, 2017  
Approval of the Regular Meeting Minutes of July 20, 2017

- **ORDINANCES:**

#977	2 <sup>nd</sup> Reading and Public Hearing of an Amendment to Flood Damage Prevention Ordinance
#978	Introduction of Ordinance Amending Construction Code Fees
	Introduction of an Ordinance Establishing a Sustainable Jersey Green Team Advisory Committee

- **RESOLUTIONS:** (carried from July 20, 2017)

#2017-149	Resolution supporting participation in the Sustainable Jersey Program
#2017-150	Resolution establishing a Sustainable Jersey Green Team Advisory Committee
#2017-151	Resolution adopting a Sustainable Jersey Land Use Pledge

- **COMMITTEE REPORTS:**

- Public Safety, Councilman Proto, Chair
- Finance & Administration, Councilman Irace, Chair
- Public Works & Engineering, Council President Gallo, Chair
- Planning & Development, Councilwoman Cooper, Chair

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MAYOR AND COUNCIL  
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- Parks & Recreation, Councilman Solan, Chair
- Health & Human Services, Councilwoman Kahle, Chair
- **MAYOR COFFEY'S REPORT:**
- **Petitions from the public.**
- **Adjournment.**

**REGULAR MEETING MINUTES**

Oceanport, New Jersey  
August 17, 2017

The Regular Meeting of the Oceanport Mayor and Council was called to order on August 17, 2017 at 8:58 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 2, 2017 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.*

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

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

**MEMBERS ABSENT:** Councilman Proto

**OFFICIALS PRESENT:** Borough Administrator Ray Poerio, Borough Clerk Donna Phelps, and Borough Attorney Scott Arnette

**ADMINISTRATOR’S REPORT:** Mr. Poerio’s report had been made in the earlier Workshop meeting and he had nothing further report.

**CONSENT AGENDA:**

- #2017-153 1. Resolution authorizing payment of bills
- #2017-154 2. Resolution authorizing purchase of 4 x 4 pickup truck with plow through State Contract
- #2017-155 3. Resolution authorizing purchase of an Elgin street sweeper through NJPA Cooperative
- #2017-156 4. Resolution authorizing purchase of 2 Int’l 7400 trucks through NJPA Cooperative
- #2017-157 5. Resolution authorizing purchase of Case Wheel Loader through NJPA Cooperative
- #2017-158 6. Resolution authorizing application for 2017 MC Municipal Open Space Grant
- #2017-159 7. Resolution authorizing applications for use of athletic facilities
- #2017-160 8. Resolution awarding contract for engineering services for demolition of Bldgs. 914, 915, 916 and 917 at the new municipal complex site.
- #2017-161 9. Resolution authorizing waiving hours of operation serving of alcohol for the Haskell
- #2017-162 10. Resolution authorizing the auction of surplus equipment
- #2017-163 11. Resolution awarding contract for engineering services for the Backflow Prevention Project (Stormwater Outfalls)
- #2017-164 12. Resolution authorizing a special event permit to be issued to Triumphant Life Church
- #2017-165 13. Resolution authorizing tax refund due to Court Judgment
- #2017-166 14. Resolution authorizing renewal of membership in the Monmouth Municipal Joint Insurance Fund

The Clerk advised there were 14 items on the consent agenda. Councilman Irace made a motion to approve the consent agenda, which was seconded by Council President Gallo

The Clerk called roll:

AYES: Cooper, Gallo, Irace, Kahle, Solan  
 NAYS: None  
 ABSTAIN: None  
 ABSENT: Proto

The Clerk stated motion carried.

**MINUTES:**

The Clerk asked for a motion to approve the Workshop and Regular Meeting Minutes of July 20, 2017, which was made by Councilman Irace and seconded by Councilman Solan. The Clerk called roll:

AYES: Cooper, Gallo, Irace, Kahle, Solan  
NAYS: None  
ABSTAIN: None  
ABSENT: Proto

The Clerk stated motion carried.

**ORDINANCES:**

**#977** 2<sup>nd</sup> Reading of an Ordinance Amending Chapter 229 Flood Damage Prevention

Councilwoman Cooper called for the 2<sup>nd</sup> reading and Public Hearing providing for an ordinance to amend the Flood Damage Prevention ordinance. She asked the Clerk to read the affidavit of publication of the proposed ordinance by title only. **“AN ORDINANCE AMENDING CHAPTER 229 OF THE CODE OF THE BOROUGH OF OCEANPORT ENTITLED “FLOOD DAMAGE PREVENTION” OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY”** was published in The LINK News on August 3<sup>rd</sup>, 2017.

The Mayor opened the meeting for public comment on this ordinance only. There being none, the Mayor closed the public hearing on a motion by Councilman Solan, which was seconded by Councilman Irace. Councilwoman Cooper made a motion to adopt the ordinance and advertise in accordance with the law, which was seconded by Councilman Irace.

The Clerk called roll:

AYES: Cooper, Gallo, Irace, Kahle, Solan  
NAYS: None  
ABSTAIN: Proto  
ABSENT: None

The Clerk stated that the motion carried.

**ORDINANCES:**

**#978** Introduction of an Ordinance Amending Construction Fees

Councilwoman Cooper called for the introduction of **“AN ORDINANCE SETTING FORTH AND ADOPTING AMENDMENTS TO CHAPTER 170 ENTITLED ‘CONSTRUCTION CODES, UNIFORM’ OF THE CODE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY”** and then asked the Clerk to read the proposed Ordinance by title only, after which Councilwoman Cooper moved to approve the Ordinance upon first reading and to hold the public hearing on the proposed ordinance at the Council meeting of September 21, 2017 and to advertise same in accordance with the law, which was seconded by Councilman Irace.

The Clerk called roll:

AYES: Cooper, Gallo, Irace, Kahle, Solan  
NAYS: None  
ABSTAIN: Proto  
ABSENT: None

The Clerk stated that the motion carried.

Discussion ensued regarding the removal of proposed Ordinance #979, an Ordinance Establishing a Sustainable Jersey Green Team Advisory Committee. It was agreed that the Ordinance and Resolution 2017-149 Supporting Participation in the Sustainable Jersey Program, Resolution 2017-150 Establishing a Sustainable Jersey Green Team Advisory Committee and Resolution 2017-151 Adopting a Sustainable Land Use Pledge, carried from the July 201, 2017 Regular Meeting, would not be moved.

#### **COMMITTEE REPORTS:**

**PUBLIC SAFETY:** Councilman Proto was absent. No report.

**FINANCE & ADMINISTRATION:** Councilman Irace stated he received an email from Declan O'Scanlon who thanked the Governing Body for supporting the extension of the 2% cap. Councilman Irace also received an email regarding a citizen assisting police activity and asked Chief Kelly to provide the details. Chief Kelly stated the Police Department received a 911 call on August 7<sup>th</sup> about a subject having difficulty in the water at Blackberry Bay. Officers were involved in an arrest, so a mutual aid call went out to Monmouth Beach and West Long Branch. While those units were en route, Mr. Valinoti a nearby resident, heard cries for help. Mr. Valinoti jumped into the water and pulled the endangered person up to the boat ramp. Chief Kelly sent a letter of commendation to Mr. Valinoti acknowledging and thanking him for his actions that prevented a tragedy. Councilman Irace asked that a commendation or proclamation be presented by the Governing Body. Councilman Irace then read his speech for FMERA in its entirety for the record.

**PUBLIC WORKS & ENGINEERING:** Council President Gallo stated that, working with Mr. Poerio, the Borough will be replacing its aging DPW fleet and purchasing new equipment to allow the Department to be more effective and efficient. He thanked the Council members for approving the purchases of a street sweeper and sewer jet, which will be acquired through a shared cost agreement with Shrewsbury. Council President Gallo reminded residents that piles of brush and debris are prohibited and stated that the Code Enforcement Officer has been touring the Borough for violations and issuing summons.

**PLANNING & DEVELOPMENT:** Councilwoman Cooper provided an update on Planning Board activities, which are mostly variances requesting larger homes on smaller lots. The Planning Board has been diligently investigating the applications and tough on approvals. The most recent application involves Market on Main (above Circle K) where the applicant wishes to add 20 apartment units on the second floor. It was not a Use Variance because the property is in the Borough's mixed use commercial zone. She noted that residents are upset about that and the conversion of retail units to residential units at Village Center. She suggested that Council needs to keep residents better informed about the reasons for allowing residential units as part of the Borough's COAH obligation and that, while it may not be our ideal vision, it is more beneficial to have the units occupied than vacant. Additionally, the mixed use would allow for the properties to be lit during the evening when the commercial units are closed.

Councilwoman Cooper reported that she met with Freeholder Tom Arnone regarding Grow Monmouth, a program to encourage businesses to operate in Monmouth County. They talked about forming a committee to help bring businesses to Oceanport. Regarding the new municipal complex, she received a report from Mr. Poerio on technology at that location which she brought to the Technology Committee. That Committee prepared recommendations which will be submitted to Council for review. She thanked Council for the computer for the TV station so that the bulletin board will be up and running shortly.

**PARKS & RECREATION:** Councilman Solan reported that the Borough will be capitalizing on funding available for the municipal complex and seeking grants from the County, which will potentially allow the Borough to double some of those funds. Phase 1 is for acquisition of the property for \$250,000. Phase 2 is for an additional \$250,000 towards the renovation of the Recreation/Senior building. Phase 3 will

occur in 2018, when the Borough intends to apply for an additional \$250,000 grant for the development of a park.

Councilman Solan stated the Recreation Committee plans to install new fencing at Community Center Park, refurbishing the tennis and basketball courts at both Community Center Park and Blackberry Bay Park. Councilwoman Kahle inquired as to the time and Councilman Solan stated it will be within 12 to 24 months. Mr. Poerio advised there were three outstanding Open Space grants, two of which have been completed and is currently under review by the County. The final grant was Blackberry Bay Pavilion and Mr. White, Borough Engineer, is working to complete that application. Basically, the Borough is waiting to receive the funds before it can go out to bid. Councilwoman Kahle requested that experience in resurfacing tennis courts be a requirement for any quote or bid.

Councilman Solan stated Summer's End will be held on Saturday September 9<sup>th</sup>. The Military Recruiting Command in Shrewsbury will provide a rock climbing wall, basketball and football toss, corn hole boards and a gaming trailer. There will be no fire truck rides; however, the Fire Explorers are hosting a celebrity pie in the face fundraiser. There will be a horseshoe tournament, but no corn hole tournament. Instead of the First Aid barbeque, Enzo's Pizza will bring its food trailer. Donations were up from community sponsors this year. He encouraged everyone to attend.

**HEALTH & HUMAN SERVICES:** Councilwoman Kahle stated that the annual chili and salsa contest will be held at the Summer's End Festival. Entry applications will be available on the Borough's website.

**MAYOR'S REPORT:** Mayor Coffey read a letter from Bruce Steadman, FMERA Executive Director, in its entirety for the record. In the letter, Mr. Steadman congratulated Oceanport on its purchase and thanked the Borough for its commitment to FMERA's mission.

Mayor Coffey and Mr. Poerio met with two business owners in the Village Center who expressed their displeasure with the marketing to attract businesses. They explained how the conversion from retail to residential occurred and that there were public and Planning Board hearings. Mayor Coffey noted the Borough has a good relationship with the owner, Mr. Gourkanti, who accommodated the Borough with respect to the affordable housing units. Unfortunately, the business owners found Mr. Gourkanti's team lacking and they were not pleased with his marketing approach. Mayor Coffey recommended that the business owners meet with Mr. Gourkanti and that they Mayor would be willing to broker a meeting between the parties.

Mayor Coffey had further discussions with them about the commercial corridor and how development at the former Fort property or slots and gambling at the racetrack may change the use of those 14 units as residential.

**PETITIONS FROM THE PUBLIC:** Mayor Coffey then opened the meeting to anyone from the public who wished to be heard.

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

As there was no further business, the meeting was adjourned at 9:30 p.m. on a motion by Councilman Irace, seconded by Council President Gallo and approved by Council.

Respectfully submitted,

DONNA M. PHELPS, RMC  
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
AUTHORIZING PAYMENT OF BILL LIST FOR AUGUST 17, 2017**

**RESOLUTION #2017-153  
08-17-17**

**WHEREAS**, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of August 17, 2017.

**BE IT RESOLVED**, by the Mayor and Council that the bills be paid as on the attached bill list dated August 17, 2017 totaling \$3,603,606.74.

**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.

  
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 Catherine D. LaPorta, CFO

Motion:

Second:

I certify that the foregoing Resolution #2017-153 was adopted by the Oceanport Governing Body at the Regular Meeting held August 17, 2017

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Cooper	( )	( )	( )	( )
Gallo	( )	( )	( )	( )
Irace	( )	( )	( )	( )
Kahle	( )	( )	( )	( )
Proto	( )	( )	( )	( )
Solan	( )	( )	( )	( )
Coffey	( )	( )	( )	( )

\_\_\_\_\_  
 DONNA M. PHELPS, RMC  
 BOROUGH CLERK

**BOROUGH OF OCEANPORT  
BILL LIST**

17-Aug-17

PAYEE	AMOUNT
<b>PAYROLL ACCOUNT</b>	
	\$ 142,580.15 15TH PAY
	\$ 138,245.96 16TH PAY
 <b>2017 EXPENDITURES - MANUAL CHECKS</b>	
ACRES LAND TITLE- MUNICIPAL COMPLEX PURCHASE	\$28,323.00
TOWNSHIP OF EAST BRUNSWICK - STREETScape	\$390,000.00
TOWNSHIP OF EAST BRUNSWICK - BAN INTEREST	\$2,600.00
JANNEYMONTGOMERY - BAN ROLLOVER	\$981,012.00
ROOSEVELT & CROSS - BAN ROLLOVER	\$1,594,178.28
<b>CAPITAL TRUST TOTAL</b>	<b>\$173,978.99</b>
<b>DOG REGISTRY TOTAL</b>	<b>\$0.00</b>
<b>OFF DUTY</b>	<b>\$0.00</b>
<b>TRUST OTHER TOTAL</b>	<b>\$4,601.50</b>
<b>ESCROW TRUST TOTAL</b>	<b>\$10,240.00</b>
<b>OPEN SPACE TRUST TOTAL</b>	<b>\$551.56</b>
<b>SUI</b>	<b>\$199.08</b>
2016 VOUCHERS PAID THIS MEETING	\$6,501.36
2017 VOUCHERS PAID THIS MEETING	\$130,594.86
<b>TOTAL</b>	<b>\$3,603,606.74</b>

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

  
\_\_\_\_\_



**RESOLUTION OF THE BOROUGH OF OCEANPORT  
AUTHORIZING THE PURCHASE OF A VEHICLE FROM CHERRY HILL WINNER FORD THROUGH  
STATE CONTRACT #A88758, T2101 FOR THE PUBLIC WORKS DEPARTMENT**

**Resolution #2017-154  
08-17-17**

**WHEREAS**, the Borough of Oceanport Department of Public Works requires a new vehicle that can be used for the variety of tasks performed by that department including but not limited to snow removal; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-12(a) and N.J.A.C. 5:34-7.29(c), the Borough may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

**WHEREAS**, the Borough desires to enter into a contract with Cherry Hill Winner Ford, pursuant to State Contract #A88758, T2101 for the purchase of a 2017 Ford F-350 4WD Pickup Truck; and

**WHEREAS**, the cost for the vehicle under State Contract # T2787-11-X-21999 and its options is \$35,269.00; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for the purchase of this vehicle;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Oceanport, that the Borough Administrator be and hereby is authorized to purchase a 2017 Ford F350 4WD Pick up truck with options for the Department of Public Works from Cherry Hill Winner Ford under State Contract #A88758, T2101 for the price of \$35,269.00, subject to any and all conditions of the individual State contract.

**CERTIFICATION OF FUNDS**

As required by N.J.A.C. 5:34-5.1 et. seq., and any other applicable requirement, I, Catherine D. LaPorta, Chief Financial Officer of the Borough of Oceanport, certify that there are sufficient funds available from the 2017 Capital Bond Ordinance #973, A/C #X-02- -973-A01, not to exceed \$35,269.00 for the stated purpose.

  
\_\_\_\_\_  
CATHERINE D. LAPORTA, CFO

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

I certify that the foregoing Resolution #2017-154 was adopted by the Oceanport Governing Body at the Regular Meeting held August 17, 2017

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DONNA M. PHELPS, RMC  
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
AUTHORIZING THE PURCHASE OF AN ELGIN PELICAN SERIES STREET SWEEPER THROUGH THE  
NATIONAL JOINT POWERS ALLIANCE (NJPA)**

**RESOLUTION #2017-155  
08-17-17**

**WHEREAS**, the Borough of Oceanport has need to acquire a street sweeper; and;

**WHEREAS**, pursuant to Resolution #2017-130, the Borough of Oceanport is a member of the National Joint Powers Alliance (NJPA) Cooperative Purchasing Systems; and,

**WHEREAS**, N.J.S.A. 52:34-6.2, as amended by P.L. 2011, c.139, authorizes the Borough to purchase goods or to contract services through the use of a nationally-recognized and accepted cooperative purchasing system that has been developed utilizing a competitive bidding process by another contracting unit within the State of New Jersey, or within any other state, when available, subject to the submittal and acceptance of certain documentation by Timmerman Equipment Company; and

**WHEREAS**, W.E. Timmerman Co., Inc., 3554 Route 22 West (mailing address is PO Box 71), Whitehouse, NJ 08888, is an authorized dealer for Elgin Sweeper Company under National Joint Powers Alliance contract for Public Utility & Airport Equipment Contract #022014-FSC (maturity date is 03/18/2018); and

**WHEREAS**, under NJPA Contract #022014-FSC, W.E. Timmerman Co., Inc., can provide an Elgin Street Sweeper with options as per their quote dated March 29, 2017 in the amount of \$216,531.50 to the Borough of Oceanport

**WHEREAS**, notice of the within purchase has been published on July 27, 2017 in the LINK News, with a 10-day comment period as required by Local Finance Notice 2012-10 and;

**WHEREAS**, the Borough Administrator has determined that the use of the offered National Cooperative Contract will result in cost savings after all factors, including charges for service, material and delivery have been considered and has verified that such equipment is not available through State Contract awarded by the Division of Purchase and Property in the New Jersey Department of the Treasury pursuant to N.J.S.A. 40A:11-12; and

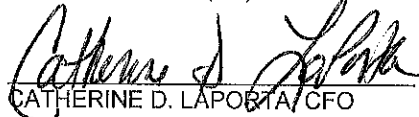
**WHEREAS**, the availability of funds for said purchase to be awarded herein have been certified by the Chief Financial Officer to be charged to Capital Ordinance #973; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Oceanport hereby authorizes the purchase of an Elgin Pelican Series P Street Sweeper from Timmerman Equipment Company, PO Box 71, Whitehouse, NJ 08888, through NJPA Contract #022014-FSC for a price not to exceed \$216,531.50.

**BE IT FURTHER RESOLVED** that the purchase order shall contain a requirement that "the vendor shall maintain all documentation related to products, transactions or services under this contract for a period of five years from the date of final payment. Such records shall be made available to the New Jersey Office of the State Comptroller upon request".

**CERTIFICATION OF FUNDS**

As required by N.J.A.C. 5:34-5.1 et. seq., and any other applicable requirement, I, Catherine D. LaPorta, Chief Financial Officer of the Borough of Oceanport, certify that there are sufficient funds available in Capital Bond Ordinance #973, A/C #X-02- -973-A05 for the amount of \$173,631.50 and A/C #X-02- -973-A06 for the amount of \$42,900.00 not to exceed \$216,531.50 for the stated purpose.

  
CATHERINE D. LAPORTA, CFO

Motion:

Second:

I certify that the foregoing Resolution #2017-155 was adopted by the Oceanport Governing Body at the Regular Meeting held August 17, 2017

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Cooper	( )	( )	( )	( )
Gallo	( )	( )	( )	( )
Irace	( )	( )	( )	( )
Kahle	( )	( )	( )	( )
Proto	( )	( )	( )	( )
Solan	( )	( )	( )	( )
Coffey	( )	( )	( )	( )

\_\_\_\_\_  
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
AUTHORIZING THE PURCHASE OF TWO INTERNATIONAL MODEL 7400 SFA 4X2 TRUCKS THROUGH  
THE NATIONAL JOINT POWERS ALLIANCE (NJPA)**

**RESOLUTION #2017-156  
08-17-17**

**WHEREAS**, the Borough of Oceanport Public Works Department has need to acquire a heavy-duty vehicles necessary for performing the variety of tasks performed by that Department including but not limited to snow removal and salting of streets; and

**WHEREAS**, pursuant to Resolution #2017-130, the Borough of Oceanport is a member (#27891) of the National Joint Powers Alliance (NJPA) Cooperative Purchasing Systems; and,

**WHEREAS**, N.J.S.A. 52:34-6.2, as amended by P.L. 2011, c.139, authorizes the Borough to purchase goods or to contract services through the use of a nationally-recognized and accepted cooperative purchasing system that has been developed utilizing a competitive bidding process by another contracting unit within the State of New Jersey, or within any other state, when available, subject to the submittal and acceptance of certain documentation by Mid-Atlantic Trk Centre; and

**WHEREAS**, Mid-Atlantic Trk Centre, 525 Linden Ave West, Linden, NJ 07036, is an authorized dealer for Navistar, Inc. under National Joint Powers Alliance contract #081716-NVS (maturity date is 11/15/2020); and

**WHEREAS**, under NJPA Contract #081716-NVS, Mid-Atlantic Trk Centre, can provide two (2) International 7400 SFA 4x2 Trucks with options as per their quote dated July 25, 2017 in the amount of \$347,285.56 to the Borough of Oceanport

**WHEREAS**, notice of the within purchase has been published on August 3, 2017 in the LINK News, with a 10-day comment period as required by Local Finance Notice 2012-10 and;

**WHEREAS**, the Borough Administrator has determined that the use of the offered National Cooperative Contract will result in cost savings after all factors, including charges for service, material and delivery have been considered and has verified that such equipment is not available at a better cost savings through State Contract awarded by the Division of Purchase and Property in the New Jersey Department of the Treasury pursuant to N.J.S.A. 40A:11-12; and

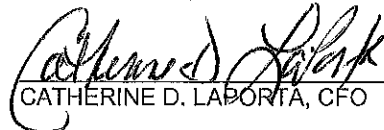
**WHEREAS**, the availability of funds for said purchase to be awarded herein have been certified by the Chief Financial Officer to be charged to Capital Ordinance #973; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Oceanport hereby authorizes the purchase of two (2) International 7400 SFA 4x2 Truck from Mid-Atlantic Trk Centre, 525 Linden Ave West, Linden, NJ 07036, through NJPA Contract #81716-NVS for a price not to exceed \$347,285.56.

**BE IT FURTHER RESOLVED** that the purchase order shall contain a requirement that "the vendor shall maintain all documentation related to products, transactions or services under this contract for a period of five years from the date of final payment. Such records shall be made available to the New Jersey Office of the State Comptroller upon request".

**CERTIFICATION OF FUNDS**

As required by N.J.A.C. 5:34-5.1 et. seq., and any other applicable requirement, I, Catherine D. LaPorta, Chief Financial Officer of the Borough of Oceanport, certify that there are sufficient funds available in Capital Bond Ordinance #973, A/C #X-02- -973-A02, not to exceed \$347,285.56 for the stated purpose.

  
CATHERINE D. LAPORTA, CFO

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

I certify that the foregoing Resolution #2017-156 was adopted by the Oceanport Governing Body at the Regular Meeting held August 17, 2017

\_\_\_\_\_  
DONNA M. PHELPS, RMC  
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
AUTHORIZING THE PURCHASE OF 2017 CASE WHEEL LOADER THROUGH THE NATIONAL JOINT  
POWERS ALLIANCE (NJPA)**

**RESOLUTION #2017-157  
08-17-17**

**WHEREAS**, the Borough of Oceanport Public Works Department has need to acquire a Case Loader with Leaf Claw necessary for performing the variety of tasks performed by that Department including but not limited to leaf and snow removal and emergency responses; and

**WHEREAS**, pursuant to Resolution #2017-130, the Borough of Oceanport is a member (#27891) of the National Joint Powers Alliance (NJPA) Cooperative Purchasing Systems; and,

**WHEREAS**, N.J.S.A. 52:34-6.2, as amended by P.L. 2011, c.139, authorizes the Borough to purchase goods or to contract services through the use of a nationally-recognized and accepted cooperative purchasing system that has been developed utilizing a competitive bidding process by another contracting unit within the State of New Jersey, or within any other state, when available, subject to the submittal and acceptance of certain documentation by Groff Tractor New Jersey, LLC; and

**WHEREAS**, Groff Tractor New Jersey, LLC, 551 N. Harding Hwy., Vineland, NJ 08360, is an authorized dealer for CASE Construction under National Joint Powers Alliance contract #CNH 032515 (maturity date is 11/15/2020); and

**WHEREAS**, under NJPA Contract #CNH 032515, Groff Tractor New Jersey, LLC, can provide a 2017 Case 621G XT Wheel Loader with new Tink 720 Leaf Claw attachment as per their quote dated February 23, 2017 in the amount of \$159,112.45 to the Borough of Oceanport.

**WHEREAS**, notice of the within purchase has been published on August 3, 2017 in the LINK News, with a 10-day comment period as required by Local Finance Notice 2012-10 and;

**WHEREAS**, the Borough Administrator has determined that the use of the offered National Cooperative Contract will result in cost savings after all factors, including charges for service, material and delivery have been considered and has verified that such equipment is not available at a better cost savings through State Contract awarded by the Division of Purchase and Property in the New Jersey Department of the Treasury pursuant to N.J.S.A. 40A:11-12; and

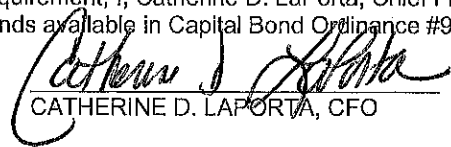
**WHEREAS**, the availability of funds for said purchase to be awarded herein have been certified by the Chief Financial Officer to be charged to Capital Ordinance #973; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Oceanport hereby authorizes the purchase of a 2017 Case 621G XT Wheel Loader with new Tink 720 Leaf Claw attachment from Groff Tractor New Jersey, LLC, 551 N. Harding Hwy., Vineland, NJ 08360, through NJPA Contract #CNH 032515 for a price not to exceed \$159,112.45.

**BE IT FURTHER RESOLVED** that the purchase order shall contain a requirement that "the vendor shall maintain all documentation related to products, transactions or services under this contract for a period of five years from the date of final payment. Such records shall be made available to the New Jersey Office of the State Comptroller upon request".

**CERTIFICATION OF FUNDS**

As required by N.J.A.C. 5:34-5.1 et. seq., and any other applicable requirement, I, Catherine D. LaPorta, Chief Financial Officer of the Borough of Oceanport, certify that there are sufficient funds available in Capital Bond Ordinance #973, A/C #X-02- -973-A03, not to exceed \$159,112.45 for the stated purpose.

  
CATHERINE D. LAPORTA, CFO

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

I certify that the foregoing Resolution #2017-157 was adopted by the Oceanport Governing Body at the Regular Meeting held August 17, 2017

\_\_\_\_\_  
DONNA M. PHELPS, RMC  
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
RESOLUTION AUTHORIZING AN APPLICATION FOR THE 2017 MONMOUTH COUNTY  
MUNICIPAL OPEN SPACE GRANT PROGRAM**

**RESOLUTION #2017-158  
08-17-2017**

**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 development 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, Block 110, Portion of Lot 1; and

**WHEREAS**, the total cost of the project including all matching funds is \$1,487,542 million; and

**WHEREAS**, the Borough of Oceanport is the owner of and controls the project site.

**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
Cooper	( )	( )	( )	( )
Gallo	( )	( )	( )	( )
Irace	( )	( )	( )	( )
Kahle	( )	( )	( )	( )
Proto	( )	( )	( )	( )
Solan	( )	( )	( )	( )
Coffey	( )	( )	( )	( )

I certify this to be a true copy of Resolution #2017-158 adopted by the Governing Body of the Borough of Oceanport at the Regular Meeting held August 17, 2017

\_\_\_\_\_  
DONNA M. PHELPS, RMC  
BOROUGH CLERK

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

**Resolution #2017-159  
08-17-17**

**WHEREAS**, the Parks and Recreation Committee has recommended the following group(s) be approved for use of a Borough athletic facility for the 2017 Fall Term as follows:

Peninsula Soccer Club  
Spanish Soccer League

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

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council that facility usage by the aforementioned group(s) is hereby approved on the dates, fields and times so indicated on the application(s) submitted.

Motion:

Second:

I certify that the foregoing Resolution #2017-159 was adopted by the Oceanport Governing Body at the Regular Meeting held August 17, 2017

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Cooper	( )	( )	( )	( )
Gallo	( )	( )	( )	( )
Irace	( )	( )	( )	( )
Kahle	( )	( )	( )	( )
Proto	( )	( )	( )	( )
Solan	( )	( )	( )	( )
Coffey	( )	( )	( )	( )

\_\_\_\_\_  
DONNA M. PHELPS, RMC  
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
AWARDING CONTRACT FOR PROFESSIONAL SERVICES TO MASER CONSULTING  
FOR ENGINEERING SERVICES FOR THE DEMOLITION OF  
FORT MONMOUTH BUILDINGS 914, 915, 916, AND 917**

**Resolution #2017-160  
08-17-17**

**WHEREAS**, there is a need for the Borough to obtain engineering services for the demolition of the four buildings known as 914, 915, 916 and 917 located on a portion of Lot 1, Block 110 on former Fort Monmouth also known as the site of the Borough's new municipal complex; and

**WHEREAS**, the services to be provided are deemed to be "professional services" pursuant to the Local Public Contracts Law (N.J.S.A. 40:A 11-1, et seq.) and

**WHEREAS**, the Local Public Contracts Law authorizes the awarding of a Contract for "professional services" without public advertising for bids, provided that the Resolution authorizing the Contract and the Contract itself, are available for public inspection in the Office of the Borough Clerk and that notice of the awarding of the Contract is published in a newspaper of general circulation in the Municipality; and


**WHEREAS**, Maser Consulting, P.A. has submitted a proposal dated August 10, 2017 providing for said services totaling \$11,200.00 and having considered the matter, the Borough now wishes to authorize the Borough Engineer, Maser Consulting, PA to perform the engineering services for the demolition of the four buildings known as 914, 915, 916 and 917, located on a portion of Lot 1, Block 110.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Oceanport as follows:

1. That the Borough of Oceanport has awarded a Professional Service Contract to Maser Consulting as Borough Engineer for 2017 and the work to be performed will be consistent with their existing contract and a proposal for engineering services dated August 10, 2017 for the demolition of former Fort Monmouth Buildings 914, 915, 916 and 917.
2. That the compensation associated with the proposal shall not exceed \$11,200.00.
3. That the within Resolution shall be subject to the Borough CFO confirming that funds are available for the stated purpose.
4. That the Borough Clerk shall publish a notice of the award in the LINK News and the resolution and contract shall remain on file in the Borough Clerk's office.

**CERTIFICATION OF FUNDS**

As required by N.J.A.C. 5:34-5.1 et. seq., and any other applicable requirement, I, Catherine D. LaPorta, Chief Financial Officer of the Borough of Oceanport, have that there will be sufficient uncommitted funds in Account #X-02- -474-003, not to exceed \$11,200.00 for the above referenced professional services contract.

  
\_\_\_\_\_  
CATHERINE D. LAPORTA, CFO

Motion:

Second:

I certify that the foregoing Resolution #2017-160 was adopted by the Oceanport Governing Body at the Regular Meeting held August 17, 2017

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Cooper	( )	( )	( )	( )
Gallo	( )	( )	( )	( )
Irace	( )	( )	( )	( )
Kahle	( )	( )	( )	( )
Proto	( )	( )	( )	( )
Solan	( )	( )	( )	( )
Coffey	( )	( )	( )	( )

\_\_\_\_\_  
DONNA M. PHELPS, RMC  
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
AUTHORIZING A WAIVER OF §115-2 ALCHOLIC BEVERAGES/HOURS OF OPERATION  
FOR CERTAIN EVENTS BEING HELD AT MONMOUTH PARK**

**RESOLUTION #2017-161  
08-17-17**

**WHEREAS**, Monmouth Park will be hosting the Haskell Invitational on Sunday, July 30, 2017; and

**WHEREAS**, Monmouth Park has requested that the sale and consumption of alcoholic beverages be permitted to commence prior to the hours established by §115-2(A)-2 Alcoholic Beverages, Hours of Operations *No licensee shall sell, serve or deliver or permit, allow or suffer the sale, service or delivery of any alcoholic beverage or allow the consumption of any alcoholic beverage on the licensed premises except as follows...(2) On Sundays between the hours of 12:00 noon and 2:00 a.m. of the following day*

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Oceanport that this ratifies and affirms Monmouth Park's authorization to commence the sale and consumption of alcoholic beverage no earlier than 9:00 a.m. for the Haskell Invitational on Sunday, July 30, 2017 held at Monmouth Park Racetrack.

Motion:

Second:

I certify that the foregoing Resolution #2017-161 was adopted by the Oceanport Governing Body at the Regular Meeting held August 17, 2017

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Cooper	( )	( )	( )	( )
Gallo	( )	( )	( )	( )
Irace	( )	( )	( )	( )
Kahle	( )	( )	( )	( )
Proto	( )	( )	( )	( )
Solan	( )	( )	( )	( )
Coffey	( )	( )	( )	( )

\_\_\_\_\_  
DONNA M. PHELPS, RMC  
BOROUGH CLERK



**RESOLUTION OF THE BOROUGH OF OCEANPORT  
AUTHORIZING DISPOSAL OF SURPLUS PROPERTY**

**Resolution #2017-162  
08-17-17**

**WHEREAS**, the Borough of Oceanport is the owner of certain surplus property which is no longer needed for public use; and

**WHEREAS**, the Borough is desirous of selling said surplus property in an “as is” condition without express or implied warranties.

**NOW THEREFORE, be it RESOLVED** by the Borough Council of the Borough of Oceanport, County of Monmouth, State of New Jersey as follows:

(1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-83453/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Borough Clerk.

(2) The sale will be conducted online through the auction site govdeals.com

(3) The sale is being conducted pursuant to Local Finance Notice 2008-9.

(4) A list of the surplus property to be sold is as follows:

2007 Ford Crown Victoria, VIN# 2FAFP71W57X153881  
 2008 Ford Crown Victoria VIN# 2FAFP71V18X166331  
 1999 Ford Crown Victoria VIN# 2FAFP71W4YX107184  
 2007 Ford Crown Victoria VIN# 2FAFP711177X153882  
 2000 Ford Expedition VIN# 1FMPU16L7YLB83428  
 2002 Ford Crown Victoria VIN# 2FAFP71W93X174405  
 2002 Ford Crown Victoria VIN# 2FAFP71W33X11306  
 2004 Dodge Durango VIN# 1D4HB38N94F206907  
 TRAILER WITH SMALL RESCUE BOAT-  
 JET SKI GTS, ROTAX MARINE- VIN ZZN81174J697

1969 OEM MILITARY TRUCK, VIN# 04M84269032526266  
 1967 OEM MILITARY TRUCK, VIN# 04A04571052517166  
 2001 Hustler 4500 Lawn Machine, MODEL #924738,  
 SERIAL 00034039  
 ODB Leaf Collector, Model #LCT600CN, Serial #12941769  
 2004 Trailer, Forest River, VIN #4X4TWDE245R333540  
 2005 Trailer, Gulf Stream, VIN# 1NL1GTR2761031507  
 1986 Chevy Blazer, VIN #1G8ED18J8GF177569  
 2002 Ford F-250, VIN# 1FTNX21F63EA49260  
 (4) Generator/Light Towers, Models 6.ODJE-6KW

(5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.

(6) The Borough of Oceanport reserves the right to accept or reject any bid submitted.

Motion:

Second:

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Cooper	( )	( )	( )	( )
Gallo	( )	( )	( )	( )
Irace	( )	( )	( )	( )
Kahle	( )	( )	( )	( )
Proto	( )	( )	( )	( )
Solan	( )	( )	( )	( )
Coffey	( )	( )	( )	( )

I certify that the foregoing Resolution #2017-162 was adopted by the Oceanport Governing Body at the Regular Meeting held August 17, 2017

\_\_\_\_\_  
 DONNA M. PHELPS, RMC  
 BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
AWARDING CONTRACT FOR PROFESSIONAL SERVICES TO  
MASER CONSULTING FOR ENGINEERING SERVICES FOR THE  
BACKFLOW PREVENTION PROJECT (STORMWATER OUTFALLS)**

**Resolution #2017-163  
08-17-17**

**WHEREAS**, there is a need for the Borough to address storm water issues; and

**WHEREAS**, the services to be provided are deemed to be "professional services" pursuant to the Local Public Contracts Law (N.J.S.A. 40:A 11-1, et seq.) and

**WHEREAS**, the Local Public Contracts Law authorizes the awarding of a Contract for "professional services" without public advertising for bids, provided that the Resolution authorizing the Contract and the Contract itself, are available for public inspection in the Office of the Borough Clerk and that notice of the awarding of the Contract is published in a newspaper of general circulation in the Municipality; and

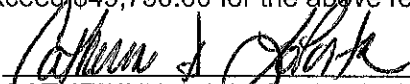
**WHEREAS**, Maser Consulting, P.A. has submitted a proposal dated July 28, 2017 providing for said services totaling \$49,750.00 and having considered the matter, the Borough now wishes to authorize the Borough Engineer, Maser Consulting, PA to perform the engineering services for the Backflow Prevention (Stormwater Outfalls) Project.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Oceanport as follows:

1. That the Borough of Oceanport has awarded a Professional Service Contract to Maser Consulting as Borough Engineer for 2017 and the work to be performed will be consistent with their existing contract and a proposal for engineering services dated July 28, 2017 for the Backflow Prevention (Stormwater Outfalls) Project.
2. That the compensation associated with the proposal shall not exceed \$49,750.00.
3. That the within Resolution shall be subject to the Borough CFO confirming that funds are available for the stated purpose.
4. That the Borough Clerk shall publish a notice of the award in the LINK News and the resolution and contract shall remain on file in the Borough Clerk's office.

**CERTIFICATION OF FUNDS**

As required by N.J.A.C. 5:34-5.1 et. seq., and any other applicable requirement, I, Catherine D. LaPorta, Chief Financial Officer of the Borough of Oceanport, have that there will be sufficient uncommitted funds in Capital Bond Ordinance 973, A/C #X-02- -973-B07, not to exceed \$49,750.00 for the above referenced professional services contract.

  
\_\_\_\_\_  
CATHERINE D. LAPORTA, CFO

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

I certify that the foregoing Resolution #2017-163 was adopted by the Oceanport Governing Body at the Regular Meeting held August 17, 2017

\_\_\_\_\_  
DONNA M. PHELPS, RMC  
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
 AUTHORIZING A SPECIAL EVENTS PERMIT TO BE ISSUED  
 TO TRIUMPHANT LIFE CHURCH FOR A CARNIVAL TO BE HELD AUGUST 9-13, 2017  
 WITHIN THE BOROUGH OF OCEANPORT**

**Resolution #2017-164  
 08-17-17**

**WHEREAS**, Triumphant Life Church made application for a Special Events Permit to hold a Carnival to be held August 9-13, 2017 each night from 6-10 pm on Wednesday and Thursday; 6-11 pm on Friday and Saturday; and 6-9 pm on Sunday on the church property off of Malterer Avenue in Fort Monmouth; and

**WHEREAS**, as required by ordinance the Police Department has reviewed the application and have recommended that the application be approved.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council that a Special Events Permit be issued to Triumphant Life Church in accordance with the application made and recommendation by the Traffic Safety Unit upon receipt of appropriate permit fee to be paid by Applicant.

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

I certify this to be a true copy of Resolution #2017-164 approved by the Oceanport Borough Council at the Regular Meeting held August 17, 2017

\_\_\_\_\_  
 DONNA M. PHELPS, RMC  
 BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
AUTHORIZING TAX REFUND DUE TO STATE TAX COURT JUDGMENT FOR  
BLOCK 39, LOT 4 ALSO KNOWN AS 15 POCANO AVENUE**

**Resolution #2017-165  
08-17-17**

**WHEREAS**, the following property is due a refund due to a successful State Tax Court judgment and an overpayment from the property owner; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Oceanport that the Tax Collector is hereby authorized to refund overpayment due to a successful State Tax Court judgment to the following property owner as follows:

Block 39 Lot 4 Jacobus & Associates, LLC  
Trustee for Ron J Ponder 2008 Living Trust  
301 S Livingston Ave Suite 105  
Livingston NJ 07039

Comparison of assessment which was agreed upon in settlement:

	<u>Old Assessment</u>	<u>New Assessment</u>	<u>Refund</u>
2014	\$1,213,100	\$1,175,000	\$ 779.15
2015	\$1,323,100	\$1,120,000	\$ 4,212.29
2016	\$1,334,700	\$1,250,000	<u>\$ 1,815.12</u>
Total refund			\$ 6,806.56

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

I certify this to be a true copy of Resolution #2017-165 approved by the Oceanport Borough Council at the Regular Meeting held August 17, 2017

\_\_\_\_\_  
DONNA M. PHELPS, RMC  
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
FOR RENEWAL OF MEMBERSHIP IN THE  
MONMOUTH MUNICIPAL JOINT INSURANCE FUND  
January 1, 2018 through December 31, 2020**

**Resolution #2017-166  
08-17-17**

**WHEREAS**, the Borough of Oceanport is a member of the Monmouth Municipal Joint Insurance Fund; and

**WHEREAS**, said renewed membership terminates as of December 31, 2017 unless earlier renewed by agreement between the Municipality and the Fund; and

**WHEREAS**, the Municipality desires to renew said membership;

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council as follows:

1. The Borough of Oceanport agrees to renew its membership in the Monmouth Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Mayor and Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Monmouth Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

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

I certify that the foregoing Resolution #2017-166 was adopted by the Oceanport Governing Body at the Regular Meeting held August 17, 2017

\_\_\_\_\_  
DONNA M. PHELPS, RMC  
BOROUGH CLERK