

**WORK SHOP MEETING AGENDA  
MAYOR AND COUNCIL  
September 7, 2017**

- **MEETING CALLED TO ORDER**
- **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*
- **FLAG SALUTE:**
- **INVOCATION:**
- **ROLL CALL:**
- **GUEST PRESENTATION:** Brinkerhoff Environmental Services and representatives of 275 Port Au Peck Avenue Associates (known as the Mazza property) will provide a presentation.
- **ADMINISTRATOR'S REPORT:**
- **AGENDA ITEMS FOR 9/21/2017:**
  - Resolution Supporting the Labor Day Drive Sober 2017 Statewide Crackdown
  - Resolution Amending the 2017 Budget for DWI Enforcement Grant
  - Resolution Authorizing Redemption of Tax Sale Certificate #15-00015
  - Resolution Authorizing Redemption of Tax Sale Certificate #16-00024
  - Resolution Authorizing Redemption of Tax Sale Certificate #14-00002
  - Resolution Authorizing Redemption of Tax Sale Certificate #16-00010
  - Resolution Authorizing Redemption of Tax Sale Certificate #14-00021
  - Resolution Authorizing Refund for Overpayment of Property Taxes/Double Payment
  - Resolution Authorizing Refund for Overpayment of Property Taxes/Approval of Veteran Exemption
  - Resolution Authorizing Purchase of Equipment for the Oceanport Fire Department
  - Resolution Authorizing a Special Events Permit to be Issued to Bike New York for an Event to be Held September 24, 2017
  - Resolution Authorizing the Auction of Surplus Equipment
  - Resolution Authorizing the Purchase of HD In-Car Video Systems for the Oceanport Police Department
  - Resolution Designating the Former Borough Municipal Building as an Area in Need of Rehabilitation Ordinance #978 – Adoption – Amending Construction Code Fees
  - Approval of the Workshop Meeting Minutes of August 17, 2017
  - Approval of the Regular Meeting Minutes of August 17, 2017
- **RESOLUTIONS:**
  1. #2017-167 Resolution Authorizing the Payment of Bills
  2. #2017-168 Resolution Submitting a Resolution Designating the Former Borough Municipal Building Property as an Area in Need of Rehabilitation to Planning Bd. for Review & Comment
  3. #2017-169 Resolution Authorizing the Mayor to Execute a Contract with the Oceanport Hook & Ladder Fire Company
  4. #2017-170 Resolution Authorizing the Mayor to Execute a Contract with the Oceanport Volunteer First Aid & Rescue Squad
  5. #2017-171 Resolution Awarding 2016/2017 Road Project
  6. #2017-172 Resolution Denying Request to Vacate Portion of Mohican Avenue
  7. #2017-173 Resolution Authorizing Purchase of 2001 Sterling Cleaner, Sewer, Truck Sewer Jet

**WORK SHOP MEETING AGENDA  
MAYOR AND COUNCIL  
September 7, 2017**

- **DISCUSSION ITEMS:**
  - Fort Monmouth Reuse Plan Amendment #8
  - Noise Ordinance 267 – Councilman Itrace
  - Ordinance Establishing a Sustainable Jersey Green Team Advisory Committee – Introduction
  - Resolution Supporting Participation in the Sustainable Jersey Program
  - Resolution Establishing a Sustainable Jersey Green Team Advisory Committee
  - Resolution Adopting a Sustainable Jersey Land Use Pledge
  
- **MAYOR’S REPORT:**
  
- **PETITIONS FROM THE PUBLIC:**
  
- **ADJOURNMENT:**

**WORK SHOP MEETING MINUTES  
MAYOR AND COUNCIL  
BOROUGH OF OCEANPORT  
September 7, 2017**

The Workshop Meeting of the Oceanport Mayor and Council was called to order on September 7, 2017 at 7:04 P.M. 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 January 2, 2017, 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 Chaplin Stacy Deering gave the invocation

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

**MEMBERS ABSENT:** Councilwoman Cooper

**OFFICIALS PRESENT:** Borough Administrator Raymond Perio, Borough Clerk Donna Phelps, Borough Attorney Scott Arnette

**PROCLAMATION:** Mayor Coffey read a Proclamation in its entirety for the record, commending Oceanport Resident Steven Valinoti for his heroic deed of rescuing a female swimmer in distress in Blackberry Bay.

**GUEST PRESENTATION:** The Mayor introduced Brinkerhoff Environmental Services and representatives of 275 Port Au Peck Associates (the Mazza property) and invited them to make a presentation regarding the remediation of the property. Dominick Mazza, Jr. began by stating there are no definite plans on how the property will be developed. However, the property needs remediation. He provided a brief history of the site remediation. Mr. Mazza explained the owners will apply for a DEP permit to dig test pits to determine what materials are buried there. He introduced Laura Brinkerhoff, Licensed Site Remediation Professional (LSRP), Engineer.

Ms. Brinkerhoff provided her qualifications, described the history of the property, the location of problem areas resulting from construction debris from the 50's and 60s found at the rear of the property, actions taken in conjunction with DEP to cap the impacted area and planned actions going forward to remediate the property including installation of test pits, mapping, monitoring and sampling, lab testing by the NJDEP, full time safety personnel that will monitor the site to ensure no airborne contaminants are released during the process, no work to be performed on windy days with field work taking approximately 1 week. After receiving the data and lab results, the group will prepare a plan to present to the State.

Members of the Governing Body asked questions and discussed the obtaining of required State approvals, provision of data by DEP inspectors, how inspections would be conducted and how often, concerns regarding disturbance of the soil and that contaminants will become airborne, how fallout from the ground would be addressed, provision of silt fencing, only size of 2x4 area will be disturbed at a time, no stockpiling of material, cap material and depth, number of test pits to be opened at approximately 32 pits and type of contamination was identified.

Mayor Coffey then opened the meeting for public comments for this presentation only.

Mike MacStudy, 110 Oceanport Ave., asked about the size of the property in general. Mr. Mazza replied the property is approximately 6 ½ acres. He noted that the front area is not contaminated because that's where a house once sat.

Karen Long, 32 Revere Dr., stated that in 2011, the DEP found tremolite and chrysotile asbestos on the property, ranging from 12 to 45% on all 8 samples. She asked how deep the soil borings were going to be. Ms. Brinkerhoff confirmed that asbestos was on the site and the test pits will be 12 to 15 ft. in order to delineate the vertical extent of the material. Ms. Long stated she didn't understand why the 2 ft. clean cap was being moved. Mr. Mazza advised that the entire property has a 2 ft. cap, but only the 2x4 sections will have the cap disturbed. Ms. Long asked about an application a year ago before the Planning Board. Mr. Mazza stated this is an investigation of the site. The DEP needs to know where the material is. Ms. Long stated that based on past experience, there were numerous violations, and hopes the group is more careful and takes the surrounding community into consideration during this process.

Debra Sharkey, 437 River St., asked if heavy equipment will be brought in to disturb the area. Mr. Mazza replied there would be an excavator with a bucket. Ms. Sharkey asked if the eagle's nest would be affected. In addition, she expressed concern about the effect from excavating on the waterway. Mr. Mazza stated he has contacted Randy Lubischer, the State representative who inspects eagles' nests. The eaglets left the nest in late July. Work is prohibited from January through July. If the eagles returned in January, work would stop. Regarding the impact on the creek, Mr. Mazza stated the land will be re-capped every night so stormwater runoff should not be an issue. Ms. DeFreitas added that there will be no surface water infiltration. The contaminants are immobile, meaning they are not water soluble and will not migrate into the water table or surface water. Mayor Coffey noted that it is known that asbestos is on the property. This investigation will determine if there are any other unknown contaminants there, which would be beneficial.

Stephanie Osgoodby, 60 Comanche Dr., asked questions regarding notice of when the work will be performed. She has a sign in sheet for individuals who would like to be noticed. Councilman Irace stated the timeframe would be posted on the Borough's website and Facebook.

Karen Long, 32 Revere Dr., stated there is more than shingles and building materials on the site. Her neighbor constructed an extension of his home and found a car chassis. Another found water heaters, batteries and other auto parts. She has extensive knowledge of the site. Mayor Coffey asked if those types of items will be discovered through the testing. Ms. Brinkerhoff stated there will be a full investigation of the property, a log of the soil and identify whatever is found. Ms. Long asked if the 2 ft. cap will remain after the test pits are dug. Ms. Brinkerhoff replied that it would. Ms. Long asked if there was construction, would there be additional capping. She expressed concern about runoff. Councilman Irace stated the group would have to appear before the Planning Board. Mr. Mazza stated that the group would be required to obtain a permit from Freehold Soil Conservation District, which monitors runoff and silt fencing.

Arlene Veal, 500 Branchport Ave., asked if there were wetlands on the site and if that would affect testing. Ms. DeFreitas stated the wetlands have been delineated. The current plan does not include any wetlands work.

Councilman Solan asked where the water table was on the property. Ms. Brinkerhoff stated it was about 17 ft. Mr. Mazza noted that historically, there is no knowledge of fill entering the water table.

Mayor Coffey summarized, stating that residents within 200 ft. will receive notice, anyone else wishing notice should enter their name and address on the sign in sheet, the Borough will post information on its website and Councilman Irace will post information on Facebook.

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

At 7:44 pm, the Governing Body adjourned for a 3 minute recess. At 7:47 pm, the Governing Body returned to regular session.

**ADMINISTRATOR’S REPORT:** Mr. Poerio announced that the Borough received a grant from the County in the amount of \$128,718 for paving Milton Ave., which will cover approximately half of the cost. Mr. Poerio reported that the Shore Rd. drainage and bulkhead projects are on time, on budget and essentially complete. Eight prospective contractors participated in a walk-through of old Borough Hall in anticipation of the bids for demolition. Monuments from old Borough Hall have been moved to storage. Mr. Poerio met with representatives regarding utilities at the new municipal complex. The Hook and Ladder Fire Company has volunteered to move the furniture out and back in the buildings. Mr. Poerio thanked FMERA for agreeing to provide a building for furniture storage. Deeds and lots have been recorded. New salt bins are being built.

Mr. Poerio stated that all materials for broadcasting meetings has been received. Councilwoman Cooper is familiarizing herself with the hardware and software. The police server have been replaced. After Council’s approval for purchase, new recording systems for police vehicles will be installed.

Mr. Poerio met with representatives from the Borough’s Library. They presented a proposal to deliver books to housebound individuals. Minor details remain to be worked out before implementation. He also met with Cub Scouts Den Leader Suzie Peto, who proposed installing a bin for a book swap at Blackberry Bay Park. Again, some details remain to be worked out.

The Borough received a \$5500 grant for the DWI checkpoints, and Mr. Poerio will ask Council to approve amending the budget to include that. Mr. Poerio discussed additional items such as air packs for the Fire Department, auction of surplus equipment and designation of old Borough Hall as an area in need of rehabilitation. He explained the process associated with the sale of old Borough Hall and asked the Governing Body to approve a resolution which would refer a separate resolution to the Planning Board for review and consideration. Mayor Coffey explained that by naming old Borough Hall as an area in need of rehabilitation, it allows the Borough to have more control over what can be developed. There was additional discussion regarding types of development and the Borough’s ability to control development.

Mr. Poerio explained that the 2016 road program was delayed because of the shutdown of the Transportation Trust Fund. Therefore, 2016 was combined with the 2017 program. Bids ranged from \$852,727.37 to \$1,021,718.12. The bids included 2 alternate projects for aprons at the Hook & Ladder and First Aid. Bids for Hook & Ladder came in at \$77,000; First Aid’s came in at \$58,687.50. A third alternate project was to pave the rear and side parking lot of the Hook & Ladder. Both the fire department and first aid squad are taking a reduction in funds they receive from the municipal budget as well as a cash contribution by the Hook & Ladder. Furthermore, Mr. Poerio is presently negotiating in-kind services with the Hook for their repayment schedule. Mr. Poerio explained that funds were available from last year’s bond. Councilwoman Kahle expressed concern about not giving the Companies the money normally provided and the impact on their services.

**RESOLUTIONS:**

1. #2017-167 Resolution Authorizing the Payment of Bills
2. #2017-168 Resolution Submitting a Resolution Designating the Former Borough Municipal Building  
Property as an Area in Need of Rehabilitation to Planning Bd. for Review & Comment
3. #2017-169 Resolution Authorizing the Mayor to Execute a Contract with the Oceanport Hook & Ladder Fire Company
4. #2017-170 Resolution Authorizing the Mayor to Execute a Contract with the Oceanport Volunteer First Aid & Rescue Squad
5. #2017-171 Resolution Awarding 2016/2017 Road Project
6. #2017-172 Resolution Denying Request to Vacate Portion of Mohican Avenue

7. #2017-173 Resolution Authorizing Purchase of 2001 Sterling Cleaner, Sewer, Truck Sewer Jet

Councilman Irace made a motion to approve Resolutions #2017-167 through #2017-173, which was seconded by Councilman Proto. The Clerk called roll:

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

The Clerk stated the motion carried.

**DISCUSSION ITEMS:**

- Fort Monmouth Reuse Plan Amendment #8 - Mayor Coffey read Planning Board Member Joseph Foster's comments in their entirety into the record. Mayor Coffey will incorporate Mr. Foster's comments in the response to FMERA. Councilman Irace agreed with Mr. Foster's comments, however, normally the Borough will support another community's project if that's what it approved and vice versa. Mayor Coffey noted that the changes are limited to Eatontown, and does not proscribe any greater powers over Oceanport's ability to review projects. Councilwoman Kahle agrees with maintaining local control. Mayor Coffey noted that amendment affords FMERA with an opportunity to leverage existing assets within the Eatontown reuse area in several points, others do not. He will seek confirmation from the FMERA Executive Director that the amendment will not affect Oceanport. Councilwoman Kahle expressed her pleasure that the walking trail was still included in the amendment.
- Noise Ordinance 267 – Councilman Irace stated that he received more than 2 noise complaints over the last few weeks. The ordinance was amended in 2012. He discussed the current time restrictions. In particular, the complaints were regarding homeowners' landscaper activities on Sunday. He suggested the Governing Body revisit the permitted hours on Sunday. Mr. Poerio will investigate neighboring municipalities' ordinances and provide a report at the next meeting.
- Sustainable Jersey Items – Council President Gallo advised he spoke with other Council members regarding the various resolutions and ordinance regarding Sustainable Jersey Committees and participation in the Sustainable Jersey program. He outlined several changes proposed for the ordinances. There was discussion regarding who the Committee would report to. Mr. Poerio provided some clarification regarding current committee reporting procedures. Mr. Poerio's recommendation is that the committees be established, have a leadership structure with a chair and vice chair and the leadership works with him and the Council Liaison. Councilwoman Kahle withdrew the ordinance. Councilman Proto asked that the ordinance be put on the next meeting's agenda for a vote. Council President Gallo stated that by passing the ordinance, two resolutions could be eliminated. The third resolution would be held until the Committee was formed. Mayor Coffey asked who would be the sponsor of the ordinance. Council President Gallo will sponsor. There was discussion regarding the vote count at the next meeting. Additional discussion regarding the reporting relationship ensued.

**MAYOR'S REPORT:** Mayor Coffey found a book written by Sally Mott Freeman about 3 Oceanport residents, Barton Cross, Benny and Bill Mott. Barton Cross was the youngest brother sent to the Pacific and wasn't supposed to see any action. Benny and Bill Mott were sent to find him. The title is Jersey Brothers by Sally Mott Freeman. He would like to invite her to Oceanport.

**PUBLIC:**

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

Mark Patterson, Oceanport Hook & Ladder, thanked the Governing Body for approving the resolution and expressed his thanks to Mr. Poerio for his contributions to Hook & Ladder and his support at events and fundraisers.

Mike MacStudy, 110 Oceanport Ave., reminded everyone that the Summer's End Festival begins at 5pm on Saturday, and the weather looks to cooperate. There will be fireworks, a band, rock wall, gaming station, blow up rides and face painting to name a few events. He encouraged everyone to attend.

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

As there was no further business, the meeting was adjourned at 8:44 p.m. on a motion by Councilman Itrace seconded by Councilman Proto and approved by Council.

Respectfully submitted,

JEANNE SMITH, RMC  
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
AUTHORIZING PAYMENT OF BILL LIST FOR SEPTEMBER 7, 2017**

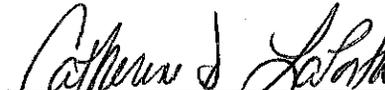
**RESOLUTION #2017-167  
09-07-17**

**WHEREAS**, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of September 7, 2017.

**BE IT RESOLVED**, by the Mayor and Council that the bills be paid as on the attached bill list dated September 7, 2017 totaling \$ 2,006,553.31

**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

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

I certify that the foregoing Resolution #2017-167 was adopted by the Oceanport Governing Body at the Regular Meeting held September 7, 2017.

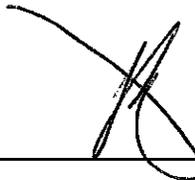
\_\_\_\_\_  
DONNA M. PHELPS, RMC  
BOROUGH CLERK

**BOROUGH OF OCEANPORT  
BILL LIST**

7-Sep-17

PAYEE	AMOUNT
<b>PAYROLL ACCOUNT</b>	\$ 123,145.54 17TH PAY
 <b>2017 EXPENDITURES - MANUAL CHECKS</b>	
SHORE REGIONAL SCHOOL TAXES	\$248,688.00
SHORE REGIONAL SCHOOL TAXES	\$119,701.00
OCEANPORT LOCAL SCHOOL TAXES	\$761,284.75
MCIA 2015 CAPITAL LEASE	\$75,948.56
JP CHASE - DEBT PAYMENT	\$222,093.75
 <b>CAPITAL TRUST TOTAL</b>	 \$205,858.82
<b>DOG REGISTRY TOTAL</b>	\$1,508.80
<b>OFF DUTY</b>	\$0.00
<b>TRUST OTHER TOTAL</b>	\$2,783.00
<b>ESCROW TRUST TOTAL</b>	\$245.00
<b>OPEN SPACE TRUST TOTAL</b>	\$14,590.68
<b>SUI</b>	\$0.00
2016 VOUCHERS PAID THIS MEETING	\$18,000.00
2017 VOUCHERS PAID THIS MEETING	\$212,705.41
 <b>TOTAL</b>	 <b>\$2,006,553.31</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 MAYOR TO EXECUTE A CONTRACT WITH THE OCEANPORT HOOK &  
LADDER FIRE COMPANY**

**Resolution #2017-169  
09-07-17**

**WHEREAS**, the Oceanport Hook & Ladder Fire Company is in need of replacing the concrete apron and milling and paving the rear parking lot at their location on 21 Main Street; and

**WHEREAS**, the Borough of Oceanport, as part of their 2017 Road Program bid documents, included the total of this work at a cost of \$110,303.25 as alternate items; and

**WHEREAS**, the Borough-owned fire trucks and vehicles are housed at the Oceanport Hook & Ladder Fire Company; and

**WHEREAS**, the Borough of Oceanport pays the Oceanport Hook & Ladder Fire Company \$5,000.00 annually to house such equipment; and

**WHEREAS**, the Oceanport Hook & Ladder Fire Company has agreed to waive the annual payment from the Borough of Oceanport of \$5,000.00 for the next 10 (ten) years, beginning in 2018 and concluding in 2027, to pay down the debt associated with the apron replacement and the milling and paving of the rear parking lot; and

**WHEREAS**, the Oceanport Hook & Ladder Fire Company will be making annual payments of \$6,000 for the next 10 (ten) years, beginning with a payment on or before 12/15/2018 and concluding with a payment on or before 12/15/2027 to pay down the debt associated with the apron replacement and the milling and paving of the rear parking lot; and

**WHEREAS**, the Borough of Oceanport has a need for individuals to help move furniture out of old Borough Hall and the newly acquired Borough Hall at Fort Monmouth and into the newly acquired Borough Hall upon completion of the Borough of Oceanport Municipal Project at Fort Monmouth; and

**WHEREAS**, the Oceanport Hook & Ladder Fire Company has agreed to take on this task as a partial offset to the debt owed to the Borough of Oceanport for the costs of the apron replacement and the milling and paving of the rear parking lot; and

**WHEREAS**, upon the conclusion of the move into Fort Monmouth, the Mayor and Council may adjust the repayment schedule accordingly to reflect the estimated value of the moving services provided by the Oceanport Hook & Ladder Fire Company.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Oceanport hereby authorizes the Mayor to execute a contract with the Oceanport Hook & Ladder Fire Company to offset the repayment to the Borough as follows:

1. Eliminating the annual payment of \$5,000.00 by the Borough of Oceanport to the Oceanport Hook & Ladder Company beginning in 2018 and concluding in 2027
2. The Oceanport Hook & Ladder Fire Company will make annual payments of \$6,000 for the next 10 (ten) years, beginning with a payment on or before 12/15/2018 and concluding with a payment on or before 12/15/2027

3. Providing labor services with respect to furniture moving in conjunction with the Oceanport Municipal Complex project.

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 #2017-169 approved by the Oceanport Borough Council at the Regular Meeting held September 7, 2017.

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DONNA M. PHELPS, RMC  
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH THE OCEANPORT VOLUNTEER  
FIRST AID AND RESCUE SQUAD**

**Resolution #2017-170  
09-07-2017**

**WHEREAS**, the Oceanport Volunteer First Aid and Rescue Squad (hereafter “First Aid) is in need of replacing the concrete apron at their location on 2 Pemberton Avenue; and

**WHEREAS**, the Borough of Oceanport, as part of their 2017 Road Program bid documents, included the total of this work at a cost of \$58,687.50 as an alternate item; and

**WHEREAS**, the Borough-owned First Aid vehicles are housed at the First Aid building; and

**WHEREAS**, the Borough of Oceanport pays the First Aid \$15,240.00 annually to house such equipment; and

**WHEREAS**, the aforementioned payments will be reduced to pay down the debt associated with the apron replacement as follows:

	Yearly Budget	Reduction in Budget	New Yearly Budget
2018	\$ 15,240.00	\$ 10,000.00	\$ 5,240.00
2019	\$ 15,240.00	\$ 10,000.00	\$ 5,240.00
2020	\$ 15,240.00	\$ 8,000.00	\$ 7,240.00
2021	\$ 15,240.00	\$ 8,000.00	\$ 7,240.00
2022	\$ 15,240.00	\$ 8,000.00	\$ 7,240.00
2023	\$ 15,240.00	\$ 8,000.00	\$ 7,240.00
2024	\$ 15,240.00	\$ 6,687.50	\$ 8,552.50
		\$ 58,687.50	\$ 47,992.50

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Oceanport hereby authorizes the Mayor to execute a contract with the Oceanport Volunteer First Aid and Rescue Squad to reduce the annual payments made to First Aid beginning in 2018 and continuing through 2024 as provided in the above schedule.

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 #2017-170 approved by the Oceanport Borough Council at the Regular Meeting held September 7, 2017.

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DONNA M. PHELPS, RMC  
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
AWARDING A CONTRACT FOR THE 2016/2017 ROAD PROGRAM**

**Resolution #2017-171  
09-21-2017**

**WHEREAS**, the Borough of Oceanport advertised for bids for the 2016/2017 Road Program; and

**WHEREAS**, the said bid solicitation process was effectuated in accordance with prevailing provision of the Local Public Contracts Law, pursuant to N.J.S.A 40A:11-1 et seq; and

**WHEREAS**, the response to the subject bid solicitations process the Borough of Oceanport received five (5) bids; and

**WHEREAS**, the lowest responsible bid submitted by Fiore Paving Co., Inc. of Oceanport, New Jersey hereinafter referred to as "Contractor" was as follows:

Proposal A & B "Base Bid"	\$852,727.37
Add Alternate #1	\$ 77,000.00
Add Alternate #2	\$ 58,687.50
Add Alternate #3	\$ 33,303.25

**WHEREAS**, the recommendation is to pursue the "Base Bid" and Alternates 1, 2 and 3 for a contract total in the sum of One Million Twenty-One Thousand Seven Hundred Eighteen Dollars and twelve cents (1,021,718.12); and

**WHEREAS**, the Contractor has complied with the mandatory requirements of the N.J.S.A. 40A:11-23.2; and

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

1. That the Borough of Oceanport is hereby authorized to award the 2016/2017 Road Program To Fiore Paving Co., Inc. subject to the conditions set forth herein.
2. That said Contract shall be in the total sum of One Million Twenty-One Thousand Seven Hundred Eighteen Dollars and twelve cents (1,021,718.12).
3. That the within award of Contract shall be contingent upon the Contractor submitting Appropriate Performance Security, which guarantees shall be approved as to form by the Borough Attorney.
4. That the Mayor and Clerk are hereby authorized to sign any and all documents necessary to effectuate the intentions of the within Resolution – including but not limited, to the Contract subject to the review of said Contract by the Borough Attorney.

**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 uncommitted funds available in Account #X-02- -470-001 in the amount of \$713,140.00; Account #X-02- -470-005 in the amount of \$2,117.50; Account #X-02- -470-006 in the amount of \$52,106.97; Account #X-02- -973-B09 in the amount of \$209,250.00; and A/C #X-02- -973-B08 in the amount of \$45,103.65, not to exceed \$1,021,718.12 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 #2017-171 was adopted by the Borough Council of the Borough of Oceanport at their meeting held on September 7, 2017.

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

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
AUTHORIZING THE DENIAL OF REQUEST TO VACATE THE PORTION OF MOHICAN AVENUE  
BETWEEN COMANCHE DRIVE AND THE SHREWSBURY RIVER**

**RESOLUTION #2017-172  
09-07-17**

**WHEREAS**, on April 12, 2017, the Borough received correspondence from Peter S. Falvo, Esq. on behalf of his clients, Joseph and Carol Massaro, contract purchasers of 177 Comanche Drive, Block 40, Lot 21; and

**WHEREAS**, said correspondence requested that the Borough vacate the portion of Mohican Avenue between Comanche Drive and the Shrewsbury River, which is a paper street; and

**WHEREAS**, said correspondence indicated that the vacation of the property will result in Lot 21 to increase from a 75-foot frontage to 100-foot frontage and bring the property more in compliance with zoning requirements; and

**WHEREAS**, the vacation of a portion of Mohican Avenue was an item on the agenda at the August 17, 2017 Workshop Meeting of Mayor and Council; and

**WHEREAS**, at the August 17, 2017 Workshop Meeting of Mayor and Council, members of the public testified that this property was used and continues to be used by all residents, and especially children, for recreational purposes, including fishing, crabbing and kayaking; and

**WHEREAS**, the residents present stated that many of them had purchased their property based on the water views and water access which improves the value of their property.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Oceanport that vacating the portion of Mohican Avenue between Comanche Drive and the Shrewsbury River would not be in the best interests of the residents.

**BE IT FURTHER RESOLVED** by the Mayor and Council of the Borough of Oceanport that the request to vacate that portion of Mohican Avenue is hereby denied.

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 #2017-172 approved by the Oceanport Borough Council at the Regular Meeting held on September 7, 2017.

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

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
AUTHORIZING PURCHASE OF SEWER JET FROM THE  
FORT MONMOUTH ECONOMIC REVITALIZATION AUTHORITY (FMERA)**

**Resolution #2017-173  
09-21-17**

**WHEREAS**, pursuant with N.J.S.A. 40A:11-5(2), any contract, the amount of which exceeds the bid threshold, may be negotiated and awarded by the governing body without public advertising for bids and bidding therefor and shall be awarded by resolution of the Governing Body if it has to be made or entered into with any board, body, officer, agency or authority thereof or any other state or subdivision thereof; and

**WHEREAS**, the Fort Monmouth Economic Revitalization Authority (FMERA) has a 2001 Sterling Cleaner, Sewer, Truck Sewer Jet VIN #2FZAATAK41AJO138;

**WHEREAS**, FMERA has offered the aforementioned vehicle to the Borough of Oceanport for the sum of eighty-five thousand (\$85,000) dollars; and

**WHEREAS**, the Borough of Oceanport entered into a Joint Purchasing Agreement with the Borough of Shrewsbury to share the acquisition, maintenance and operation of this equipment; and

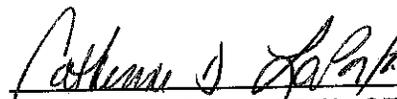
**WHEREAS**, the Borough of Oceanport needs such equipment for the purpose of flushing out dirt, litter, sludge, and any other form of garbage from pipelines; and

**WHEREAS**, funds are available as evidenced by the Chief Financial Officer's certification.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Oceanport that authorization is hereby given for the purchase of a 2001 Sterling Cleaner, Sewer, Truck Sewer Jet FMERA for the purpose of flushing out dirt, litter, sludge, and any other form of garbage from pipelines at a cost of eighty-five thousand (\$85,000.00).

**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 uncommitted funds available in Account #X-02- -973-A05 in the amount of \$66,500.00 and Account #7-01-55-950-240 in the amount of \$18,500.00, not to exceed \$85,000.00 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 #2017-173 was adopted by the Oceanport Governing Body at the Regular Meeting held September 7, 2017.

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