

**REGULAR MEETING AGENDA  
MAYOR AND COUNCIL  
October 19, 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**
- **Administrator's Report:**
- **Consent Agenda:**
  - #2017-201** 1. Resolution authorizing payment of bills
  - #2017-202** 2. Resolution submitting Best Practices 2017
  - #2017-203** 3. Resolution recommending construction of a Monmouth County recycling facility
  - #2017-204** 4. Resolution expressing opposition for Legislative bills amending OPMA and OPRA
  - #2017-205** 5. Resolution amending the 2017 budget for an item of revenue (body armor repl. grant)
  - #2017-206** 6. Resolution authorizing solicitation of RFQ/RFPs for 222 Monmouth Boulevard property
  - #2017-207** 7. Resolution authorizing redemption of Tax Sale Certificate #17-00020
  - #2017-208** 8. Resolution authorizing redemption of Tax Sale Certificate #17-00016
  - #2017-209** 9. Resolution authorizing redemption of Tax Sale Certificate #16-00028
- **RESOLUTIONS:**
  - #2017-210** Resolution amending the Borough's 2017 MC Open Space Grant Application
- **MINUTES:**
  - Approval of the Workshop Meeting Minutes of September 7, 2017
  - Approval of the Regular Meeting Minutes of September 21, 2017
- **ORDINANCES:**
  - #979** 2<sup>nd</sup> Reading and Public Hearing - Ordinance Establishing a Green Team Advisory Committee
  - #980** 2<sup>nd</sup> Reading and Public Hearing - Ordinance Adopting the Borough Hall Site Redev. Plan
  - #** Introduction of an Ordinance amending Alcoholic Beverage Ordinance
  - #** Introduction of an Ordinance Amending the Street Excavation Ordinance
- **COMMITTEE REPORTS:**
  - Public Safety, Councilman Proto, Chair
  - Finance & Administration, Councilman Irace, Chair
  - Public Works & Engineering, Council President Gallo, Chair
  - Planning & Development, Councilwoman Cooper, Chair
  - 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  
October 19, 2017

The Regular Meeting of the Oceanport Mayor and Council was called to order on October 19, 2017 at 7:02 PM with the Statement of Compliance with the Open Public Meetings Act given by Mayor Coffey.

**Statement of Compliance with Open Public Meetings Act:** *This meeting complies with the Open Public Meeting Act by notification on January 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.

**INVOCATION:** Borough Chaplin Stacy Deerin gave the invocation.

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

**OFFICIALS PRESENT:** Acting Borough Administrator, Katie LaPorta, Borough Clerk, Jeanne Smith, and Borough Attorney, Andy Bayer for Scott Arnette

**ADMINISTRATOR’S REPORT:** Ms. LaPorta asked if anyone had any questions about the consent agenda. Council President Gallo asked for **Resolution #2017-206** to be taken separately. Ms. LaPorta advised **Resolution #2017-210** was required because the County had asked to remove some incidental items, but the dollar amount does not change. She stated the Borough received and distributed Fort Monmouth Amendment #9 for review and comment.

**Consent Agenda:**

- #2017-201** 1. Resolution authorizing payment of bills
- #2017-202** 2. Resolution amending the 2017 Budget for DWI Enforcement Grant
- #2017-203** 3. Resolution Supporting the Labor Day Drive Sober 2017 Statewide Crackdown
- #2017-204** 4. Resolution authorizing Redemption of Tax Sale Certificate #15-00015
- #2017-205** 5. Resolution authorizing Redemption of Tax Sale Certificate #16-00024
- SEPARATE** 6. Resolution authorizing Redemption of Tax Sale Certificate #14-00002
- #2017-207** 7. Resolution authorizing Redemption of Tax Sale Certificate #16-00010
- #2017-208** 8. Resolution authorizing Redemption of Tax Sale Certificate #14-00021
- #2017-209** 9. Resolution authorizing Refund for Overpayment of Property Taxes, B65, L4

The Clerk stated there were 9 items on the Consent Agenda with #6 being taken separately and asked for a motion on the remaining 8 items. 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, Proto, Solan  
 NAYS: None  
 ABSTAIN: None  
 ABSENT: None

The Clerk stated motion carried.

The Clerk asked for a motion to approve **Resolution #2017-206** which was made by Councilman Irace and seconded by Councilman Proto. The Clerk called roll:

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

The Clerk stated motion carried.

**RESOLUTION:**

**#2017-210** Resolution Amending the Borough's 2017 MC Open Space Grant Application

The Clerk asked for a motion to approve **Resolution #2017-210**, which was made by Councilman Irace and seconded by Councilman Solan. The Clerk called roll:

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

The Clerk stated motion carried.

**MINUTES:**

The Clerk asked for a motion to approve the Workshop Minutes of September 7, 2017, which was made by Councilman Solan and seconded by Councilman Irace. The Clerk called roll:

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

The Clerk stated motion carried.

The Clerk asked for a motion to approve the Regular Minutes of September 19, 2017, which was made by Councilman Proto and seconded by Councilman Irace. The Clerk called roll:

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

The Clerk stated motion carried.

**ORDINANCES:**

- #979** 2<sup>nd</sup> Reading and Public Hearing - Ordinance Establishing Greet Team Committee
- #980** 2<sup>nd</sup> Reading and Public Hearing - Ordinance Adopting the Borough Hall Site Redev. Plan
- #981** Introduction of an Ordinance Amending "Alcoholic Beverages"
- #982** Introduction of an Ordinance Amending the Street Excavation Ordinance

Councilwoman Cooper called for the 2<sup>nd</sup> Reading and Public Hearing providing for an ordinance to amend construction code fees. She asked the Clerk to read the affidavit of publication of the proposed ordinance by title only. **"AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY, ESTABLISHING THE OCEANPORT BOROUGH GREEN TEAM AS A PERMANENT ADVISORY COMMITTEE"** was published in the LINK News on September 28, 2017.

**PUBLIC HEARING:** 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 Irace, which was seconded by Councilman Proto. 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, Proto, Solan  
NAYS: Kahle  
ABSTAIN: None  
ABSENT: None

The Clerk stated motion carried.

Councilwoman Cooper called for the 2<sup>nd</sup> Reading and Public Hearing providing for an ordinance to amend construction code fees. She asked the Clerk to read the affidavit of publication of the proposed ordinance by

title only. **“AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AUTHORIZING THE ADOPTION OF THE REDEVELOPMENT PLAN FOR THE PROPERTY COMMONLY KNOWN AS BLOCK 65, LOT 1 ON THE TAX MAP OF THE BOROUGH OF OCEANPORT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A—1 et. seq.”** was published in the Asbury Park Press on October 9, 2017, and distributed to neighboring municipalities and the Monmouth County Planning Board.

**PUBLIC HEARING:** 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 Proto, which was seconded by Council Irace. Councilwoman Cooper made a motion to adopt the motion and advertise in accordance with the law, which was seconded by Councilman Irace. The Clerk called roll:

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

The Clerk stated motion carried.

Councilwoman Cooper called for the introduction of **“AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY, AMENDING CHAPTER 115 OF THE CODE OF THE BOROUGH OF OCEANPORT ENTITLED “ALCOHOLIC BEVERAGES”** 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 November 2, 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, Proto, Solan  
NAYS: None  
ABSTAIN: None  
ABSENT: None

The Clerk stated motion carried.

Councilwoman Cooper called for the introduction of **“AN ORDINANCE AMENDING CHAPTER 331 (STREETS & SIDEWALKS) 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 November 2, 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, Proto, Solan  
NAYS: None  
ABSTAIN: None  
ABSENT: None

The Clerk stated motion carried.

**COMMITTEE REPORTS:**

**PUBLIC SAFETY:** Councilman Proto congratulated the first responders on their inaugural First Responders Day, which was a success. He requested that residents slow down and obey the posted speed limit.

**FINANCE & ADMINISTRATION:** Councilman Irace reported that the CFO and Borough Administrator have been working on 2018 and 2019 budgets. He stated that he lost a bet on a Jets football game, so he had to wear a New England Patriot’s jersey and hat

**PUBLIC WORKS & ENGINEERING:** Council President Gallo advised that concrete work has begun on Elizabeth Drive and Eliot Place. Arcana Ave. and Main St. will be next. After the concrete work, the paving will take place. He reminded residents that fall leaf pick up has started. The schedule is posted on the Borough's website and listed in the calendar. Council President Gallo attended the FMERA meeting on behalf of the Mayor. He reported that FMERA received 5 proposals for Barker Circle, which are under review. He also stated that all of Tinton Falls' parcels have been sold or accounted for. Councilman Irace asked if the Amazon headquarters issue was discussed. Council President Gallo stated that the State chose Newark as the location. Mayor Coffey read a statement from FMERA in its entirety for the record. He explained that despite that, FMERA is still involved because of its obligations to the federal government.

**PLANNING & DEVELOPMENT:** Councilwoman Cooper reported that the Planning Board approved Market on Main's amended plans to add 20 residential units on the second floor, adding new lighting, entryway and realigned parking. She stated that FMERA Amendment #8 was reviewed by the Planning Board. William White, Borough Engineer, prepared comments for submission to FMERA. The Board was concerned that lot sizes were not specified. Councilwoman Cooper reported that the equipment for the PEG station was repaired and should be ready no later than January 2018. There was additional discussion on the Market on Main project about parking, updating the façade and increased traffic. The Governing Body also talked about the increased number of apartments and how it will affect the Borough. Mayor Coffey will meet with the owner of the Village Center and his commercial tenants to address their issues. Councilman Irace expressed his concern about the number of apartments that will be created, not only at these locations, but more on former Ft. Monmouth property. He dislikes the transient population and doesn't want Oceanport to become an "apartment town".

**PARKS & RECREATION:** Councilman Solan advised the Halloween Parade and Costume Contest will be held Sunday, October 29<sup>th</sup> at 11 a.m. from Charles Park to the Port-Au-Peck firehouse and invited residents to attend.

**HEALTH & HUMAN SERVICES:** Councilwoman Kahle advised that Monmouth County Board of Health published a directory of services, many of which are free or at a reduced cost. Monmouth County will also provide flu shot clinics, the link will be posted on the Borough's website.

**MAYOR'S REPORT:** Mayor Coffey reported that oral argument in support of sports betting will be presented to the Supreme Court on December 4<sup>th</sup>. Old Timers Night will be held on October 23<sup>rd</sup> at the Port Au Peck firehouse, honoring Al DeSantis. Mayor Coffey read a proclamation praising and commending Mr. DeSantis for his service as well as Mr. Slattery and Mr. Brocklebank. Mayor Coffey stated that the environmental work had commenced at 275 Port-Au-Peck (Mazza property). Next month Workshop and Regular Meetings will be held on November 2<sup>nd</sup>.

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

Jeff Oakes, 60 Pemberton Ave., asked if any portion of Pleasant Place has been vacated or made any improvements to the street or barricade. Mayor Coffey described the area. Mr. Oakes stated a neighbor put hinges and a wheel on the barricade so he could store his boat there. Councilman Irace stated the Borough would investigate. Councilwoman Cooper used to live there and thought it might have been wetlands. Mr. Oakes stated it's a liability and safety issue. Mr. Oakes also stated that signage in the Borough is not legible. He expressed concern about speeding. Mayor Coffey replied that the Borough is addressing speeding with the Police Department. Mayor Coffey replied that most offenders are residents. Mayor Coffey stated the Borough is investigating speed radar signs, which post speeds in real time. Mr. Oakes asked if the Borough had communicated with Eatontown regarding speed bumps. Councilman Irace replied that those residents are divided on that. Mayor Coffey said there are numerous reports about the problems speed bumps cause.

Matt Zeniewicz, Turf Drive, attended the FMERA meeting. He spoke with Dr. Scharfenberger, who told him individual communities could submit their own proposals, but wouldn't receive State support. Mr. Zeniewicz said Oceanport should form its own ad-hoc marketing committee to promote the McAfee Center, which has

unique characteristics such as the anechoic chamber. Mayor Coffey advised that the Borough's schools expressed interest in the McAfee Center and were denied access. He would like to form the ad-hoc marketing committee and market McAfee Center and Barker Circle to good corporate clients and not have an apartment community. Mayor Coffey said he would like to appoint Mr. Zeniewicz to that committee. Councilman Irace called FMERA "government at its worst". Oceanport doesn't even know what the 5 proposals are for Barker Circle. Mayor Coffey stated the Barker Circle buildings are in the historic area and cannot be modified.

Rosanne Letson, 37 Morris Place, agreed with the suggestion of forming an ad hoc committee to find and present to FMERA. She said FMERA is not doing everything possible. Amazon was an opportunity that was dropped in their lap and they dropped it. Ms. Letson suggested doing research to find companies to purchase the properties. Mayor Coffey replied that many companies are aware of the property available and have researched it. The companies know that the utilities are outdated. Mayor Coffey advised that FMERA is responsible for build outs.

Mr. Oakes, 60 Pemberton Ave., reappeared and commented on attracting tenants for the former Ft. Monmouth property. He suggested a state regulated medical cannabis dispensary. Council President Gallo noted that it's a regulated industry and there is a limit to the number of dispensaries permitted.

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

**EXECUTIVE SESSION:**

**#2017-211** Resolution authorizing the Governing Body to enter Executive Session.

At 8:26 p.m., the Mayor read **Resolution #2017-211** in its entirety, authorizing Council to enter Executive Session to discuss COAH and the judgment of propose, which was moved by Councilman Proto and seconded by Council President Gallo. The Clerk called roll:

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

The Clerk stated motion carried.

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

As there was no further business, the meeting was adjourned at 8:51 p.m. on a motion by Councilman Proto, seconded by Councilman Solan and approved by Council.

Respectfully submitted,

JEANNE SMITH  
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
AUTHORIZING PAYMENT OF BILL LIST FOR OCTOBER 19, 2017**

**RESOLUTION #2017-201  
10-19-17**

**WHEREAS**, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of October 19, 2017.

**BE IT RESOLVED**, by the Mayor and Council that the bills be paid as on the attached bill list dated October 19, 2017 totaling \$1,225,457.85.

**CERTIFICATION OF FUNDS**

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

  
\_\_\_\_\_  
Catherine D. LaPorta, CFO

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

I certify that the foregoing Resolution #2017-201 was adopted by the Oceanport Governing Body at the Regular Meeting held October 19, 2017.

\_\_\_\_\_  
JEANNE SMITH, RMC  
BOROUGH CLERK

**BOROUGH OF OCEANPORT  
BILL LIST**

19-Oct-17

PAYEE	AMOUNT
PAYROLL ACCOUNT	\$ 114,764.32 20TH PAY
<b>2017 EXPENDITURES - MANUAL CHECKS</b>	
SHORE REGIONAL SCHOOL TAXES	\$248,688.00
OCEANPORT LOCAL SCHOOL TAXES	\$761,284.75
<b>CAPITAL TRUST TOTAL</b>	<b>\$17,419.50</b>
<b>DOG REGISTRY TOTAL</b>	<b>\$709.00</b>
<b>OFF DUTY</b>	<b>\$0.00</b>
<b>TRUST OTHER TOTAL</b>	<b>\$0.00</b>
<b>ESCROW TRUST TOTAL</b>	<b>\$6,567.00</b>
<b>OPEN SPACE TRUST TOTAL</b>	<b>\$0.00</b>
<b>SUI</b>	<b>\$0.00</b>
2016 VOUCHERS PAID THIS MEETING	\$0.00
2017 VOUCHERS PAID THIS MEETING	\$76,025.28
<b>TOTAL</b>	<b>\$1,225,457.85</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  
ACKNOWLEDGING REVIEW AND AUTHORIZING SUBMITTAL OF THE  
2017 BEST PRACTICES INVENTORY**

**RESOLUTION #2017-202  
10-19-17**

**WHEREAS**, the State’s Fiscal Year Appropriations Act (P.L. 2011, c.85) requires the Division of Local Government Services to determine how much of each municipality’s allocation of its CMPTRA and ETR aid will be disbursed based upon the results of Best Practices Inventory to be completed by each municipality; and

**WHEREAS**, the Inventory is a constructive way to encourage municipalities to consider and embrace a range of best practices that will help improve financial accountability and transparency; and

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Oceanport that the best practices inventory was discussed publicly at the Mayor and Council meeting of October 5, 2017, and shall be submitted to the Division of Local Government Services and certified by the Chief Administrative Officer and Chief Financial Officer and a certification by the Municipal Clerk that the Inventory was discussed publicly.

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

I certify that the foregoing Resolution #2017-202 was adopted by the Oceanport Governing Body at the Regular Meeting held October 19, 2017.

\_\_\_\_\_  
JEANNE SMITH, RMC  
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
SUPPORTING CONSTRUCTION OF A MONMOUTH COUNTY RECYCLING FACILITY**

**RESOLUTION #2017-203  
10-19-17**

**WHEREAS**, the Monmouth County Reclamation Center does not have a Recycling Facility to which municipalities may transport its recycling materials; and

**WHEREAS**, Monmouth County is the only large-population county in New Jersey that does not have an in-county facility to process recyclables resulting in increased costs to transport recyclables outside Monmouth County; and

**WHEREAS**, were Monmouth County to have its own facility to process recyclables, the Borough would likely benefit from a lower service rate; and

**WHEREAS**, Monmouth County has long indicated its intention to have a private entity build and operate such a facility at the County's Reclamation Center in Tinton Falls. Monmouth County's intention was to publish a RFP in July of this year for the building of a processing facility in Tinton Falls, however, to date this has not happened; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Governing Body of the Borough of Oceanport urges the Monmouth County Freeholders to act expeditiously to publish the construction and operation RFP that will place Monmouth County in the forefront of recycling advancement and environmental protection.

Motion:

Second:

I certify that the foregoing Resolution #2017-203 was adopted by the Oceanport Governing Body at the Regular Meeting held October 19, 2017.

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

\_\_\_\_\_  
JEANNE SMITH, RMC  
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
 EXPRESSING OPPOSITION TO LEGISLATIVE PROPOSALS REGARDING THE OPEN PUBLIC  
 MEETINGS ACT AND OPEN PUBLIC RECORDS ACT**

**Resolution #2017-204  
 10-19-2017**

**WHEREAS**, the New Jersey Senate Budget and Appropriations Committee took action on Senate Bill Nos. 1045 and 1046, which amend the Open Public Meetings Act and Open Public Records Act, respectively, on June 29, 2017; and

**WHEREAS**, the Committee released the bills to the full Senate without recommendation because the bills are unnecessary, unpopular with the public, and would result in significant financial and administrative burdens on municipalities; and

**WHEREAS**, the bills fail to adequately protect taxpayers, municipalities and, especially, municipal clerks from abusive, harassing, and purposefully confrontational individuals who submit voluminous requests for no legitimate reason; and

**WHEREAS**, the legislation would expand the Open Public Meeting Act to create impractical and burdensome requirements with respect to subcommittees and working groups established by the entire governing body, which would effectively limit the ability of small groups of local officials discussing issues of public concern for the purposes of informing the governing body; and

**WHEREAS**, under the bills, the responsibilities of municipal clerks, who the Legislature has already loaded with responsibilities beyond the scope of their office, would be stretched even further than current law requires without a single dollar of additional resources provided to, or authorized to be collected by, municipalities; and

**WHEREAS**, the bills would impose a financial burden on municipalities that would not be offset by a revenue source other than the property tax, making the bills unfunded mandates prohibited by the New Jersey Constitution; and

**WHEREAS**, some municipalities are more equipped than others to meet the burdens that would be imposed by Senate Bill Nos. 1045 and 1046, however, without assistance of any kind from the States or the courts, every municipality would be on its own to meet the myriad new requirements of the law.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Oceanport, that the Legislature is strongly urged to reject Senate Bill Nos. 1045 and 1046 and draft new legislation to modernize OPRA and OPMA while providing municipalities and clerks with the resources to effectuate these changes for the benefit of the public.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be filed with the legislative sponsors of Senate Bill Nos. 1045 and 1046 and Assembly Bill Nos. 2697 and 2699, the Speaker of the General Assembly, the President of the Senate, and the Governor, and all parties are urged to listen to the concerns of local officials and prevent Senate Bill Nos. 1045 and 1046 from becoming law.

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 #2017-204 approved by the Oceanport Borough Council at the Regular Meeting held October 19, 2017.

\_\_\_\_\_  
 JEANNE SMITH, RMC  
 BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT**  
**Requesting approval of the Director of the Division of Local Government Services**  
**Amending the 2017 Municipal Budget per NJSA 40A:4-87 for**  
**Body Armor Replacement Fund Program**

**Resolution #2017-205**  
**10-19-17**

**WHEREAS**, N.J.S.40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount, and

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Oceanport hereby request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$1,624.83 which item is now available as a revenue from Body Armor Replacement Fund Program pursuant to provisions of statute, and

**BE IT FURTHER RESOLVED**, that a like sum of \$1,624.83 be and the same is hereby appropriated under the caption of Body Armor Replacement Fund Program, \$1,624.83.

**BE IT FURTHER RESOLVED**, that the Chief Financial Officer file this resolution electronically with the Division of Local Government Services.

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

I certify that the foregoing Resolution #2017-205 was adopted by the Oceanport Governing Body at the Regular Meeting held October 19, 2017.

\_\_\_\_\_  
 JEANNE SMITH, RMC  
 BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT, COUNTY OF  
MONMOUTH, NEW JERSEY, AUTHORIZING THE ISSUANCE OF A  
REQUEST FOR PROPOSALS/REQUEST FOR QUALIFICATIONS FOR  
THE DEVELOPMENT OF BLOCK 65, LOT 1 ON THE BOROUGH TAX  
MAP**

**Resolution #2017-206  
10-19-17**

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the "**Redevelopment Law**"), authorizes a municipality to determine whether certain parcels of land in the municipality constitute areas in need of rehabilitation; and

**WHEREAS**, in accordance with the Redevelopment Law, the Municipal Council (the "**Municipal Council**") of the Borough of Oceanport (the "**Borough**") determined to investigate whether that certain area of the Borough commonly known as 222 Monmouth Boulevard and identified as Block 65, Lot 1 on the tax map of the Borough (the "**Rehabilitation Area**") satisfies the criteria to be designated as an "area in need of rehabilitation"; and

**WHEREAS**, Clarke Caton Hintz (the "**Planning Consultant**"), submitted a report dated September 1, 2017, (the "**Rehabilitation Report**"), which confirmed that the Rehabilitation Area meets the criteria set forth in Sections 14(a)(1) of the Redevelopment Law, as the structures located within the Rehabilitation Area are vacant and in a deteriorated or substandard condition, and stated that a program of rehabilitation may be expected to prevent further deterioration and to promote the overall development of the Borough; and

**WHEREAS**, *N.J.S.A. 40A:12A-14* provides that prior to the adoption of a resolution designating portions of the Borough as an area in need of rehabilitation, the Municipal Council must first submit a copy of the proposed designating resolution to the Planning Board of the Borough (the "**Planning Board**") for review and recommendation; and

**WHEREAS**, on September 7, 2017 the Municipal Council, acting by resolution, referred a copy of the Rehabilitation Report and the resolution designating the Rehabilitation Area as an "area in need of rehabilitation" to the Planning Board for review and comment; and

**WHEREAS**, on September 12, 2017, the Planning Board held a public hearing at which it reviewed the findings of the Rehabilitation Report, and adopted a resolution which endorsed the findings of the Planning Consultant and recommended to the Municipal Council, pursuant to *N.J.S.A. 40A:12A-14*, that the Rehabilitation Area be designated as an "area in need of rehabilitation"; and

**WHEREAS**, on September 21, 2017, by Resolution #2017-190, the Municipal Council accepted the recommendation of the Planning Board, and that of the Planning Consultant, and designated the Rehabilitation Area as an area in need of rehabilitation, in accordance with the Redevelopment Law; and

**WHEREAS**, pursuant to *N.J.S.A. 40A:12A-4(a)(3)* and *N.J.S.A. 40A:12A-7* the Municipal Council is empowered to adopt a redevelopment plan pursuant to which redevelopment projects are to be undertaken or carried out within an area in need of rehabilitation; and

**WHEREAS**, on October 19, 2017, in accordance with the provisions of N.J.S.A. 40A:12A-7, the Municipal Council duly adopted the “*Borough Hall Site Redevelopment Plan* (the “**Redevelopment Plan**”) for the Rehabilitation Area; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-4, the Borough has determined to act as the “redevelopment entity” (as such term is defined at N.J.S.A. 40A:12A-3) for the Rehabilitation Area, to exercise the powers contained in the Redevelopment Law; and

**WHEREAS**, the Redevelopment Law authorizes the redevelopment entity to arrange or contract for the planning, construction or undertaking of any development project or redevelopment work in an area designated as an area in need of rehabilitation; and

**WHEREAS**, the Borough desires to explore the potential redevelopment of the Rehabilitation Area; and

**WHEREAS**, toward that end, the Borough has prepared a Request for Qualifications/Request for Proposals (the “**RFQ/RFP**”) for the purpose of identifying prospective redevelopers and potential uses of the Rehabilitation Area.

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

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Mayor, Municipal Council members and any necessary professional advisors or counsel are authorized and directed to circulate, in coordination with the Borough, the RFQ/RFP.

Section 3. This resolution shall take effect immediately.

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

I certify that the foregoing Resolution #2017-206 was adopted by the Oceanport Governing Body at the Regular Meeting held October 19, 2017.

\_\_\_\_\_  
JEANNE SMITH, RMC  
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #17-00020  
FOR BLOCK 117, LOT 27.235 KNOWN AS 119 CARRIAGE LANE**

**Resolution #2017-207  
10-19-17**

**WHEREAS**, at the Borough Tax Sale held on September 14, 2017, a lien was sold on Block 117 Lot 27.235 otherwise known as 119 Carriage Ln; and

**WHEREAS**, this lien, known as Tax Sale Certificate 17-00020 was sold to Trystone Capital Assets LLC at an interest rate of 0% and a premium of \$900, and;

**WHEREAS**, the owner has redeemed certificate 17-00020 in the amount of \$ 386.40.

**NOW, THEREFORE, BE IT RESOLVED** that the CFO be authorized to issue a check in the amount of \$386.40 payable Trystone Capital Assets LLC, PO Box 1030, Brick NJ 08723 for the redemption of Tax Sale Certificate 17-00020.

**BE IT FURTHER RESOLVED**, that the CFO be authorized to issue a check in the amount of \$900 (Premium) to the aforementioned lienholder.

Motion:

Second:

I certify that the foregoing Resolution #2017-207 was adopted by the Oceanport Governing Body at the Regular Meeting held October 19, 2017.

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

\_\_\_\_\_  
JEANNE SMITH, RMC  
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #17-00016  
FOR BLOCK 101, LOT 14 KNOWN AS 7 LAKE DRIVE**

**Resolution #2017-208  
10-19-17**

**WHEREAS**, at the Borough Tax Sale held on September 14, 2017, a lien was sold on Block 101 Lot 14 otherwise known as 7 Lake Dr; and

**WHEREAS**, this lien, known as Tax Sale Certificate 17-00016 was sold to Trystone Capital Assets LLC at an interest rate of 0% and a premium of \$4,000, and;

**WHEREAS**, the owner has redeemed certificate 17-00016 in the amount of \$ 160.50.

**NOW, THEREFORE, BE IT RESOLVED** that the CFO be authorized to issue a check in the amount of \$160.50 payable Trystone Capital Assets LLC, PO Box 1030, Brick NJ 08723 for the redemption of Tax Sale Certificate 17-00016.

**BE IT FURTHER RESOLVED**, that the CFO be authorized to issue a check in the amount of \$4,000 (Premium) to the aforementioned lienholder.

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

I certify that the foregoing Resolution #2017-208 was adopted by the Oceanport Governing Body at the Regular Meeting held October 19, 2017.

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JEANNE SMITH, RMC  
BOROUGH CLERK



**RESOLUTION OF THE BOROUGH OF OCEANPORT  
AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #16-00028  
FOR BLOCK 142, LOT 12 KNOWN AS 153 S. PEMBERTON AVE**

**Resolution #2017-209  
10-19-17**

**WHEREAS**, at the Borough Tax Sale held on August 22, 2016, a lien was sold on Block 142 Lot 12 otherwise known as 153 S Pemberton Ave; and

**WHEREAS**, this lien, known as Tax Sale Certificate 16-00028 was sold to US Bank as cust for Actlien Holding Inc at an interest rate of 0% and a premium of \$1,400, and;

**WHEREAS**, the owner has redeemed certificate 16-00028 in the amount of \$ 465.87.

**NOW, THEREFORE, BE IT RESOLVED** that the CFO be authorized to issue a check in the amount of \$465.87 payable US Bank as cust for Actlien Holding Inc, 50 S 16<sup>th</sup> St Suite 2050, Philadelphia PA 19102 for the redemption of Tax Sale Certificate 16-00028.

**BE IT FURTHER RESOLVED**, that the CFO be authorized to issue a check in the amount of \$1,400 (Premium) to the aforementioned lienholder.

Motion:

Second:

I certify that the foregoing Resolution #2017-209 was adopted by the Oceanport Governing Body at the Regular Meeting held October 19, 2017.

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

\_\_\_\_\_  
JEANNE SMITH, RMC  
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT  
RESOLUTION AUTHORIZING AN AMENDED APPLICATION FOR THE  
2017 MONMOUTH COUNTY MUNICIPAL OPEN SPACE GRANT PROGRAM REFLECTING  
UPDATED PROJECT COSTS**

**RESOLUTION #2017-210  
10-19-2017**

**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 eligible cost of the project including all matching funds is \$1,200,623 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 and Borough Clerk Jeanne Smith are 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 #2017-210 adopted by the Governing Body of the Borough of Oceanport at the Regular Meeting held October 19, 2017

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JEANNE SMITH, RMC  
BOROUGH CLERK

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

**Resolution #2017-211  
10-19-17**

**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) and**  
COAH and Judgment of Repose

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

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

I certify that the foregoing Resolution #2017-211 was adopted by the Oceanport Governing Body at the Regular Meeting held October 19, 2017.

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JEANNE SMITH, RMC  
BOROUGH CLERK