

**REGULAR MEETING AGENDA - AMENDED
MAYOR AND COUNCIL
May 19, 2016**

Call to Order.

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

Flag Salute

Invocation

Roll Call

PROCLAMATIONS:

1. Port Au Peck Chemical Hose Co.
2. Eagle Scout Robert J. Gruskos

PRESENTATION by Oceanport Cub Scouts

Engineer's Report:

Administrator's Report:

#2016-114 Resolution authorizing extra duty assignment rates for Monmouth Park

FARMER'S MARKETS:

First Aid Squad Request for a Farmer's Market at Old Wharf Park

Police Presentation

Insurance Representative

Consideration of Three Resolutions:

Resolution approving facility use request for Old Wharf Park for a Farmer's Market

Resolution authorizing a contract with CoGro for the management of a Farmer's Market

Resolution appointing a Seasonal Employee, Pamela Caputo, to run Farmers Market

Clerk's Report:

1. Consent Agenda:

- | | | |
|------------------|------|--|
| #2016-102 | 1.1 | Resolution authorizing the payment of bills. |
| #2016-103 | 1.2 | Resolution authorizing redemption of Tax Sale Certificate #14-00005 |
| #2016-104 | 1.3 | Resolution authorizing redemption of Tax Sale Certificate #15-00007 |
| #2016-105 | 1.4 | Resolution authorizing games of chance at the Strawberry Festival |
| #2016-106 | 1.5 | Resolution amending the 2016 annual meeting schedule |
| #2016-107 | 1.6 | Resolution opposing NJ Natural Gas rate increase |
| #2016-108 | 1.7 | Resolution authorizing a lease with the Lion's Swim Club |
| #2016-110 | 1.8 | Resolution authorizing a refund of Street Opening Permit fees |
| #2016-111 | 1.9 | Resolution authorizing an Eagle Scout project in Sommers Park |
| #2016-112 | 1.10 | Resolution amending the 2016 Capital Budget |
| #2016-109 | 1.11 | Resolution amending the 2016 budget to add an item of revenue: PSPG – GIS Development Grant |
| #2016-113 | 1.12 | Resolution amending the 2016 budget to add an item of revenue: PSPG – E. Main Street Neighborhood Plan Grant |
| #2016-116 | 1.13 | Resolution amending the 2016 budget to add an item of revenue: PSPG – Monmouth Park Redevelopment Plan Grant |
| #2016-117 | 1.14 | Resolution amending the 2016 budget to add an item of revenue: PSPG – Master Plan Elements Grant |

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2. Minutes Approval of the Workshop Minutes of March 3, 2016
 Approval of the Special Meeting Minutes of March 10, 2016
 Approval of the Regular Minutes of March 17, 2016
 Approval of the Executive Session Minutes of March 17, 2016
 Approval of the Workshop Minutes of April 7, 2016
 Approval of the Regular Minutes of April 21, 2016
 Approval of the Executive Session Minutes of April 21, 2016
3. Police Report, March 2016
4. Fort Monmouth Plan Amendment #6 – 900 Area

Ordinances:

- #965** Introduction of the 2016 Capital Bond Ordinance
#966 Introduction of an Amendment to the Salary Ordinance

COMMITTEE REPORTS:

- Public Safety, Councilman Briskey, Chair
- Finance & Administration, Council President Irace, Chair
- Planning & Development, Councilwoman Cooper, Chair
- Public Works & Engineering, Councilman Gallo, Chair
- Health & Human Services, Councilwoman Kahle, Chair
- Parks & Recreation, Councilman Patti, Chair

MAYOR COFFEY'S REPORT:

EXECUTIVE SESSION:

Resolution #2016-115 authorizing the Governing Body to enter into Executive Session

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

Affordable Housing Judgment of Repose Update
Contract for Special Counsel for Affordable Housing
Relocation of Municipal Facilities
Sharkey v. GRC, et. als.

Petitions from the public.

Adjournment.

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| #2016-107 | 1.6 | Resolution opposing NJ Natural Gas rate increase |
| #2016-108 | 1.7 | Resolution authorizing a lease with the Lion's Swim Club |
| #2016-109 | 1.8 | Resolution approving "Twinning" with Penestin, France |
| #2016-110 | 1.9 | Resolution authorizing a refund of Street Opening Permit fees |
| #2016-111 | 1.10 | Resolution authorizing Boy Scout for Sommers Park, Monmouth County presentation |
| #2016-112 | 1.11 | Resolution amending the 2016 Capital Budget |
| #2016-113 | 1.12 | Resolution authorizing an Eagle Scout project in Sommers Park |

2. Minutes

- Approval of the Workshop Minutes of March 3, 2016
- Approval of the Special Meeting Minutes of March 10, 2016
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- Approval of the Executive Session Minutes of April 21, 2016

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3. Police Report, March 2016
4. Fort Monmouth Plan Amendment #6 – 900 Area

Ordinances:

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- #966** Introduction of an Amendment to the Salary Ordinance

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- Health & Human Services, Councilwoman Kahle, Chair
- Parks & Recreation, Councilman Patti, Chair

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EXECUTIVE SESSION:

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Affordable Housing Judgment of Repose Update
Contract for Special Counsel for Affordable Housing
Relocation of Municipal Facilities
Sharkey v. GRC, et. als.

Petitions from the public.

Adjournment.

REGULAR MEETING MINUTES

Oceanport, New Jersey
May 19, 2016

The Regular Meeting of the Oceanport Mayor and Council was called to order on May 19, 2016 at 7:07 PM with the Statement of Compliance with the Open Public Meetings Act given by Mayor Coffey.

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

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

MEMBERS PRESENT: Councilpersons Briskey, Cooper, Gallo, Irace, Kahle, Patti (entered 7:14pm) and Mayor Coffey

OFFICIALS PRESENT: Borough Administrator, Ray Poerio, Borough Clerk, Jeanne Smith, and Borough Attorney, Scott Arnette, Borough Engineer William White

PROCLAMATIONS:

- 1 Mayor Coffey read and presented a proclamation congratulating and recognizing the contributions of the Port Au Peck Chemical Hose Company on their 100th Anniversary. Councilman Briskey presented a check to President Ken Carroll for the fire company's 100th Anniversary.
- 2 Mayor Coffey read and presented a proclamation congratulating Robert Gruskos for achieving the rank of Eagle Scout.

PRESENTATION by Oceanport Cub Scouts:

Oceanport Pack 58 Bear Den members made a presentation regarding their squirrel box project to provide shelter and protection for squirrels.

Engineer's Report: Mr. White reported that Fiore Paving has completed the crosswalks and will complete road paving by the end of the month. He also reported that the Administrator and he discussed hiring a contractor to soft dig the Conrail site and re-grade it to drain toward Pemberton and resolve that issue. Councilman Briskey stated that he will meet with Congressman Pallone to visit the site. The Administrator stated the Borough needs to find exactly where the gas line runs. The timeframe is approximately 2 weeks to get grade shots and mark outs from NJNG.

Administrator's Report: Mr. Poerio recapped the previous discussions on the Farmer's Market and the different options of a market run by the First Aid Squad, enter into a contract with CoGro or hire Pam Caputo as an employee. He asked the Police Department to perform a traffic study of all three locations and the corresponding fee structure. Lt. Kelly is available for questions. The Borough's insurance representative, Chuck Casagrande, is available for questions. The First Aid Squad had discussed setting up a Farmer's Market on their property. Because of their status, they do not need Council approval to conduct that.

FARMER'S MARKETS:

Cullin Wible spoke about the First Aid Squad's request for a farmer's market as a fundraiser. After receiving feedback on insurance and potential cost of traffic management, the Squad has decided to conduct a small Farmer's Market using the space in front of the building, removing the trucks from the bays. Laurino Farms has agreed to be the anchor tenant and will contact other farmers to participate. Laurino Farms has also volunteered to defer some of their profits as a donation to the Squad. The Market would be run Thursdays, 4 PM to 8 PM from July 7st through September 1st. If other vendors do not make a donation, the Squad would ask them to pay a fee each week. First Aid is covered under the

Borough's umbrella of insurance. The vendors will provide a certificate of insurance and an indemnification with the Squad, and the Borough's insurance will cover the vendors at no additional cost. Parking and traffic control will be conducted in a manner similar to the Christmas tree sales and Election Day. First Aid volunteers will run and manage it. He requested that the Council approve a resolution in support of the Oceanport First Aid Farmer's Market Fundraiser for the 2016 season. The Squad is withdrawing its request to use Old Wharf Park and instead will use its own location. Mr. Casagrande explained that the Borough's insurance is through JIF and the Municipal Excess Liability (MEL) Fund. The MEL and JIF provide coverage for fire and first aid if they are part of the Borough. He clarified that Oceanport is not extending their coverage these vendors. The recommendation is that the vendors post their insurance. The Borough and First Aid are additional insured. There was discussion regarding the type of products that will be sold and future locations if the Farmer's Market is successful. There was further discussion regarding insurance. The Borough Administrator will meet with Mr. Casagrande to discuss additional insurance. Discussion followed comparing the First Aid Farmer's Market and the Borough's Farmer's Market. There was discussion regarding the process, budgeting and the exposure to an unemployment claim if the Borough hired Pam Caputo as a seasonal employee. Councilman Patti made a motion to prepare a resolution supporting the First Aid Squad Farmer's Market, which was seconded by Council President Irace. The Clerk called roll:

AYES: Briskey, Irace, Cooper, Gallo, Patti

NAYS: Kahle

ABSTAIN: None

ABSENT: None

The Clerk stated the motion carried.

Police Presentation: Lt. Kelly reported on the traffic study, which addressed pedestrian/vehicle conflicts, safety issues and detours. There are concerns for each site and each site would require an officer. Closing East Main Street would have a significant impact and require County approval. The Myrtle Avenue site issues would be on site and off street parking and pedestrian crossing. Again, that location is a County road. Discussion followed regarding the pay for police coverage and additional on-site parking.

#2016-118 Resolution to appoint a Seasonal Employee, Pamela Caputo to run the Farmer's Market

There was additional discussion regarding paying Pamela Caputo. Councilwoman Kahle made a motion to approve Resolution #2016-118, which was seconded by Councilwoman Cooper. The Clerk called roll:

AYES: Cooper, Gallo, Kahle

NAYS: Briskey, Irace, Patti, Coffey

ABSTAIN: None

ABSENT: None

The Clerk stated the motion does not carry.

The Mayor called for a motion authorizing a contract with CoGro for the management of a Farmer's Market. No motion was made.

#2016-114 Resolution authorizing extra duty assignment rates for Monmouth Park

Mr. Poerio explained two components of the resolution. There was a dissemination between the Class I and Class II rates. Mr. Poerio is in discussions with the PBA to utilize Special Officers to cover gates at Monmouth Park, which the Chief recommended. The Mayor called for a motion to approve Resolution #2016-114 which was made by Councilman Patti and seconded by Council President Irace.

The Clerk called roll:

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

The Clerk stated the motion carried.

CLERK'S REPORT:

1. Consent Agenda:

- separate** 1.1 Resolution authorizing the payment of bills.
- #2016-103** 1.2 Resolution authorizing redemption of Tax Sale Certificate #14-00005
- #2016-104** 1.3 Resolution authorizing redemption of Tax Sale Certificate #15-00007
- #2016-105** 1.4 Resolution authorizing games of chance at the Strawberry Festival
- #2016-106** 1.5 Resolution amending the 2016 annual meeting schedule
- separate** 1.6 Resolution opposing NJ Natural Gas rate increase
- #2016-108** 1.7 Resolution authorizing a lease with the Lion's Swim Club
- #2016-110** 1.8 Resolution authorizing a refund of Street Opening Permit fees
- tabled** 1.9 Resolution authorizing an Eagle Scout project in Sommers Park
- separate** 1.10 Resolution amending the 2016 Capital Budget
- #2016-109** 1.11 Resolution amending the 2016 budget to add an item of revenue: PSPG – GIS Development Grant
- #2016-113** 1.12 Resolution amending the 2016 budget to add an item of revenue: PSPG – E. Main Street Neighborhood Plan Grant
- #2016-116** 1.13 Resolution amending the 2016 budget to add an item of revenue: PSPG – Monmouth Park Redevelopment Plan Grant
- #2016-117** 1.14 Resolution amending the 2016 budget to add an item of revenue: PSPG – Master Plan Elements Grant

The Clerk advised that Councilman Patti joined the meeting at 7:14 p.m.

The Clerk advised there were 14 items on the consent agenda. Councilwoman Cooper asked questions about the resolution regarding the Eagle Scout project in Sommers Park. Councilman Patti advised that the Eagle Scout was unable to attend the meeting. Councilman Briskey requested that Item #6 be taken separately. He also asked for an explanation of Item #11, #12, #13 and #14. Ms. Smith explained the budget needs to be amended to allow the income of the grant money into the budget for four ongoing grants for the planning studies named in the resolutions.

There was discussion regarding prompt dissemination of information to the Council and to the public and late additions to the agenda.

Council President Irace requested that Item #1 be taken separately. The Clerk asked for a motion to approve the remaining items which was made by Council President Irace and seconded by Councilman Patti. The Clerk called roll:

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

The Clerk stated motion carried.

Councilman Patti motioned that Item #9 be removed and tabled for the next meeting as the Eagle Scout who was planning to present his project this evening was unable to attend last minute and he would like to do both at the same meeting to which there were no objections.

- #2016-102** 1.1 Resolution authorizing the payment of bills.

The Clerk asked for a motion to approve Resolution #2016-102, which was made by Councilman Briskey, seconded by Councilman Gallo. The Clerk called roll:

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

The Clerk stated motion carried.

#2016-107 1.6 Resolution opposing NJ Natural Gas rate increase

The Clerk asked for a motion to approve Resolution #2016-107, which was made by Council President Irace, seconded by Councilwoman Kahle. Councilman Briskey stated that he would be abstaining due to a professional relationship with the company. The Clerk called roll:

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

The Clerk stated motion carried.

#2016-112 1.10 Resolution amending the 2016 Capital Budget

The Clerk asked for a motion to approve Resolution #2016-112, which was made by Council President Irace, seconded by Councilwoman Kahle. The Clerk called roll:

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

The Clerk stated motion carried.

2. Minutes

The Clerk asked for a motion approving the Workshop Minutes of March 3, 2016, which was made by Councilman Patti and seconded by Council President Irace. The Clerk called roll:

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

The Clerk stated motion carried.

The Clerk asked for a motion approving the Special Meeting Minutes of March 10, 2016, which was made by Council President Irace and seconded by Councilman Gallo. The Clerk called roll:

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

The Clerk stated motion carried.

The Clerk asked for a motion approving the Regular and Executive Session Minutes of March 17, 2016, which was made by Council President Irace and seconded by Councilman Gallo. The Clerk called roll:

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

The Clerk stated motion carried.

The Clerk asked for a motion approving the Workshop Minutes of April 7, 2016, which was made by Council President Irace and seconded by Councilman Gallo. The Clerk called roll:

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

The Clerk stated motion carried.

The Clerk asked for a motion approving the Regular and Executive Session Minutes of April 21, 2016, which was made by Council President Irace and seconded by Councilwoman Cooper. The Clerk called roll:

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

The Clerk stated motion carried.

3. Police Report, March 2016 – Ms. Smith stated she was in receipt of the Police Report for March 2016 which had been distributed and would be posted.

4. Fort Monmouth Plan Amendment #6 – 900 Area – Ms. Smith stated she was in receipt of Fort Monmouth Plan Amendment #6 impacting properties within the boundaries of Oceanport including the parcel being considered by the Borough for its municipal complex. The Plan Amendment would be posted on the website, available at Borough Hall and distributed to the various professionals and departments for comment. It would be scheduled for the Workshop Meeting of June 2nd for the Council's discussion. Comments are due back to FMERA by June 23, 2016.

Ordinances:

#965 Introduction of the 2016 Capital Bond Ordinance

Councilwoman Cooper called for the introduction of **“AN ORDINANCE OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, SETTING THE SALARY RANGES OF CERTAIN BOROUGH OFFICERS AND BOROUGH EMPLOYEES”** 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 June 16, 2016 and to advertise same in accordance with the law and was seconded by Council President Irace.

The Clerk called roll:

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

The Clerk stated that the motion carried.

COMMITTEE REPORTS:

COUNCILMAN BRISKEY: Reported that the Public Safety met to review loose ends such as LOSAP and his communication concerns and the emergency alert system. He advised that through the PTO's gift basket raffle, winners of the "Fireman of the Day", "Police Officer of the Day" and "First Aider of the Day" will ride in the emergency vehicles during the Memorial Day parade. Councilman Briskey extended his condolences to the Shaffery and Malley/Servis families for their losses.

COUNCIL PRESIDENT IRACE: Reported that the Finance Committee completed the Capital Budget, which was approved tonight. He stated that he, the Mayor, Councilwoman Cooper, and Councilwoman Kahle attended the Monmouth Park Press Conference. Attendance and handle increased slightly on Opening Day at the Racetrack.

COUNCILWOMAN COOPER: Reported that at the May 10th Planning Board meeting there was an application for a lot width variance which was approved, the application for the Mazza property was withdrawn. Streetscape bids were rejected. Kirk Danielson from Suburban will provide information on two suggestions. Then the project will go out for rebid. There was a meeting with the Borough Planner, Ms. Beth McManus, to discuss the Monmouth Park Rehabilitation to use Monmouth Park as a staging area in the event of another event like Sandy. There was additional discussion on the East Main Street Design and Resiliency Study and the revising the Master Plan. There will be a meeting on June 7th for public input for the Master plan. She also met with Ms. McManus, the Borough Administrator and Andrew Bayer, Esq. regarding the Borough's COAH obligations.

COUNCILWOMAN KAHLE: Reported she attended the Monmouth County Board of Health meeting. They are focused on the Zika virus and are performing a population survey of mosquitos, which will be published. If requested, the Board will provide public forums to give the public information about Zika. The Board is also reviewing their Master Plan in the event of a catastrophe. The Board is trying to do an outreach to the public through New Jersey Links to provide updates for people via email. The Board is seeking to increase their medical reserve corps volunteers.

COUNCILMAN GALLO: Had no report.

COUNCILMAN PATTI: Reported he attended the Parks and Recreation meeting. Eagle Scout Hunter Ward presented his plans for Sommers Park. He was unable to attend the meeting this evening, but will attend the next meeting. The Memorial Day Parade is scheduled for Monday. Councilman Patti attended the FMERA meeting as the Mayor's representative. The transition from the Army to FMERA was initially scheduled for the spring has been pushed back to late summer. The planned amendment for Oceanport passed unanimously. He expressed his thanks to Acute Care for hosting the Mayor and Council meeting at their facility. He also reported on the Twinning Ad-Hoc Committee. The French town of Peniston approved a resolution making Oceanport their sister city. Oceanport is their first North American twin. He will prepare a package, presentation and resolution for the Council to approve Peniston as Oceanport's twin city.

Councilwoman Cooper stated that the Planning Board will hold a special meeting on Monday, May 23rd at Maple Place at 7 PM regarding the location of the Habitat for Humanity homes. She made a motion for a special meeting for Council to discuss and make a decision for the location after the outcome of the Planning Board's decision for a special Council meeting on Thursday, May 26th at 7PM which was seconded by Councilwoman Kahle. Councilman Patti asked if the meeting will be information or will the Council take action. He stated that proper notice is required if action will be taken. After further discussion, Councilwoman Cooper withdrew her motion until after Executive Session.

MAYOR COFFEY: Reported on Monmouth Park. He discussed legislation pending for a vote to expand casino gambling beyond Atlantic City, but Monmouth Park is not within the mileage limitation. He expressed his support for the racetrack and encouraged residents to attend.

PUBLIC:

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

Ron Sickler, 45 Morris Place, asked if the racetrack could investigate operating bingo as is done in Florida. Mayor Coffey discussed the history of sports betting in New Jersey and the racino models working in neighboring states. The legislation is designed to exclude Monmouth Park and Freehold. He also asked if the Farmer's Market salary could be structured to be an annual salary. Councilwoman Kahle stated that it's not an issue because the Farmer's Market resolution did not carry.

As there were no more petitions from the public, the Mayor closed the public portion of the meeting on a motion by Council President Irace and seconded by Councilman Patti.

EXECUTIVE SESSION:

At 9:09 p.m. the Mayor asked for a motion on **Resolution #2016-115** authorizing the meeting to enter Executive Session for the purposes of Litigation, Negotiations and the Attorney Client Privilege which was moved by Councilman Briskey and seconded by Councilman Patti.

At 10:48 p.m. Council returned from Executive Session and the regular meeting was reopened on a motion by Councilman Patti, seconded by Councilwoman Kahle and approved by Council

Ms. Smith stated that based on Executive Session Council consented to action on the following three resolutions.

#2016-119 Resolution authorizing additional expenses for affordable housing litigation

The Clerk read Resolution #2016-119 in full and asked for a motion to approve which was made by Councilwoman Kahle, seconded by Councilman Patti. The Clerk called roll:

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

The Clerk stated motion carried.

#2016-120 Resolution authorizing a contract to GluckWalrath as 2016 Special Counsel for Affordable Housing

The Clerk read Resolution #2016-120 in full and asked for a motion to approve which was made by Councilman Gallo, seconded by Councilwoman Cooper with Councilman Briskey affirming subject to review of the bills by Councilman Patti. The Clerk called roll:

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

The Clerk stated motion carried.

#2016-121 Resolution authorizing the Borough Appraiser to prepare appraisals for two (2) parcels

The Clerk read Resolution #2016-121 in full and asked for a motion to approve which was made by Council President Irace, seconded by Councilwoman Kahle. The Clerk called roll:

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

The Clerk stated motion carried.

As there was no further business, the meeting was adjourned at 10:56 p.m. on a motion by Council President Irace, seconded by Councilwoman Kahle and approved by Council.

Respectfully submitted,

JEANNE SMITH
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE EMPLOYMENT OF PAMELA CAPUTO AS CASUAL LABOR**

**Resolution #2016-118
05-19-16**

WHEREAS, the Borough of Oceanport wishes to establish a Farmer’s Market; and

WHEREAS, there is a need to hire an individual to assist the Borough in vendor recruitment, marketing, training and administration of the Farmer’s Market; and.

WHEREAS, Pamela Caputo has expressed interest in the position having acted in same capacity for other municipalities including Borough of Eatontown and Borough of Sea Bright; and

WHEREAS, the term of employment will be for the remainder of Calendar Year 2016; and

WHEREAS, the rate for said casual labor shall be \$20.00 per hour with an annual amount not to exceed \$4,500 and any post-employment benefits that may be sought; and

WHEREAS, all revenues collected as a result of the Farmer’s Market and its vendors shall be utilized to offset the salary costs related with this position.

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

1. The Borough Administrative is hereby authorized to employ Pamela Caputo as Casual Labor for the purposes of tasks related to the establishment and continuance of a Farmer’s Market including but not limited to vendor recruitment, marketing, training and administration.
2. Compensation for this position shall be in accordance with the Salary Ordinance as Casual Labor for an amount not to exceed \$4,500 at an hourly rate of \$20.00.
3. Funds shall be charged to Account #6-01-33-466-201
4. That the within Resolution shall be subject to the Borough CFO confirming that funds are available for the stated purpose.
5. That a copy of this resolution be forwarded to the Borough Administrator and Chief Financial Officer

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, do hereby certify that there are sufficient uncommitted funds in Account #6-01-33-466-201, Salary Adjustments, not to exceed \$4,500.00 for the purpose stated herein.

CATHERINE D. LAPORTA, CFO

Motion:

Second:

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

I certify this to be a true copy of Resolution #2016-118 disapproved by the Oceanport Borough Council at the Regular Meeting held May 19, 2016

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
SETTING THE FEES FOR EXTRA DUTY ASSIGNMENTS**

**Resolution #2016-114
05-19-16**

WHEREAS, there exists a need to adjust fees for Extra Duty Assignments as defined by ordinance; and

WHEREAS, a resolution was adopted on February 5, 2015 setting such fees; and

WHEREAS, Monmouth Park Race Track has expressed a need for additional assistance which requires the use of Class I special officers only.

NOW THEREFORE BE IT RESOLVED, that the fees for such Extra Duty Assignments are set as follows:

1. The rate for Extra Duty Assignment shall be \$60.00 per hour for police officers
2. The rate for Extra Duty Assignment shall be \$38.00 per hour for Class II special officers.
3. The rate for Extra Duty Assignment shall be 25.00 per hour for Class I special officers
4. For Extra Duty Assignments exceeding 8 hours or between 6 P.M. and 6 A.M. or on a Saturday, Sunday or Federal holiday the rate shall be \$71.00 per hour for police officers and \$52.00 per hour for all Class I and II special officers.
5. All Extra Duty Assignment shall have a minimum of four (4) hours.
6. Notification of cancellations must be made not less than two (2) hours in advance or the four (4) hour minimum applies.

BE IT FURTHER RESOLVED that the following fees for such Extra Duty Assignments are set forth as follows for Monmouth Park Race Track.

1. The rate for Extra Duty Assignment shall be 59.00 per hour for police officers on live racing days only.
2. The rate for Extra Duty Assignment shall be 38.00 per hour for Class II special officers on live racing days only.
3. The rate for Extra Duty Assignment shall be 25.00 per hour for Class I special officers on live racing days only.
4. All Extra Duty Assignments shall have a minimum of (2) hours up to 2 hours.
5. All Extra Duty Assignments beyond 2 hours shall have a minimum of 4 hours.
6. The Chief or his designee shall be paid the hourly rate for scheduling Monmouth Park Race Track extra duty assignments.

BE IT FURTHER RESOLVED that the Collective Bargaining Unit may agree to a reduced minimum call out time and waive the increased after 6 p.m. and exceeding 8 hour rate for Non-Profit and Educational Organizations through a letter of agreement which shall apply to members covered under the PBA and other Police Department Employees:

BE IT FURTHER RESOLVED that an administrative fee of \$11.00 will be charged for every \$100.00 dollars billed for an Extra Duty Assignment.

BE IT FURTHER RESOLVED that if it is determined by the Chief of Police or his designee that a Borough vehicle is required for an Extra Duty Assignment a fee of \$10.00 per hour shall be billed for an Extra Duty Assignment. No fee shall be charged if the vehicles are "on patrol".

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

I certify this to be a true copy of Resolution #2016-114 approved by the Oceanport Borough Council at the Regular Meeting held May 19, 2016

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING PAYMENT OF BILL LIST FOR MAY 19, 2016**

**RESOLUTION #2016-102
05-19-16**

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated May 19, 2016; and

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

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of May 19, 2016.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill lists dated May 19, 2016 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

CERTIFICATION OF FUNDS

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

Catherine D. LaPorta, CFO

Motion:

Second:

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

I certify this to be a true copy of Resolution #2016-102 approved by the Oceanport Borough Council at the Regular Meeting held May 19, 2016

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #14-00005
FOR BLOCK 13, LOT 20 KNOWN AS 55 MONMOUTH BOULEVARD**

**Resolution #2016-103
05-19-16**

WHEREAS, at the Borough Tax Sale held on September 26, 2014, a lien was sold on Block 13 Lot 20, otherwise known as 55 Monmouth Blvd; and

WHEREAS, this lien, known as Tax Sale Certificate 14-00005 was sold to US Bank cust for BV001 Trust at an interest rate of 0% and a premium of \$3,100; and

WHEREAS, the estate for the owner has redeemed certificate 14-00005 in the amount of \$ 21,671.02.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$21,671.02 payable to US Bank cust for BV Trst 2015-1, Blue Virgo Capital Management, 50 S 16th St Suite 2050, Philadelphia PA 19102 for the redemption of Tax Sale Certificate 14-00005.

BE IT FURTHER RESOLVED, that the CFO be authorized to issue a check in the amount of \$3,100 (Premium) to the aforementioned lienholder.

Motion:

Second:

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

I certify this to be a true copy of Resolution #2016-103 approved by the Oceanport Borough Council at the Regular Meeting held May 19, 2016

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #15-00007
FOR BLOCK 58, LOT 6 KNOWN AS 38 COMANCHE DRIVE**

**Resolution #2016-104
05-19-16**

WHEREAS, at the Borough Tax Sale held on November 16, 2015, a lien was sold on Block 58 Lot 6, otherwise known as 38 Comanche Dr; and

WHEREAS, this lien, known as Tax Sale Certificate 15-00007 was sold to Tower as cust for Ebury Fund 2 NJ LLC at an interest rate of 0% and a premium of \$11,100; and

WHEREAS, the owner has redeemed certificate 15-00007 in the amount of \$13,065.20.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$13,065.20 payable to Tower as cust for Ebury Fund 2 NJ LLC, PO Box 54908, New Orleans LA 70154 for the redemption of Tax Sale Certificate 15-00007.

BE IT FURTHER RESOLVED, that the CFO be authorized to issue a check in the amount of \$11,100 (Premium) to the aforementioned lienholder.

Motion:

Second:

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

I certify this to be a true copy of Resolution #2016-104 approved by the Oceanport Borough Council at the Regular Meeting held May 19, 2016

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING GAMES OF CHANCE AT THE
LION'S CLUB STRAWBERRY FESTIVAL**

**RESOLUTION #2016-105
05-19-16**

BE IT RESOLVED by the Oceanport Mayor and Council that the following Games of Chance are approved for the Lions Club Strawberry Festival to be held at Monmouth Park from June 1, 2016 thru June 5, 2016 subject to completion of background checks and fingerprinting as required by law:

Keith Gillette	Cork Game, Ring a Bottle, Balloon Dart Game, Long Range Basketball
George Goetz	Balloon Game, Balloon Dart Game, Crossbow Shoot Game, Cover the Spot Game
Valerie Vivona	Water Game

BE IT FURTHER RESOLVED that the applications for the above Games of Chance will be forwarded to the Legalized Games of Chance Control Commission, who will issue the appropriate licenses to the vendors.

Motion:

Second:

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

I certify this to be a true copy of Resolution #2016-105 approved by the Oceanport Borough Council at the Regular Meeting held May 19, 2016

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AMENDING THE 2016 ANNUAL MEETING SCHEDULE**

**Resolution #2016-106
05-19-16**

WHEREAS , the Open Public Meetings Act directs public bodies to give adequate written advance notice of regular meetings and to establish and post an annual schedule of regular public meetings; and

WHEREAS, on January 1, 2016 the Borough Council adopted Resolution #2016-15 in which a schedule of public meetings for the year 2016 was established and posted; and

WHEREAS, the Borough Council has determined that the 2016 schedule for workshop meetings needs to be amended.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Oceanport hereby modifies the 2016 annual meeting schedule as follows:

1. Formal action will be taken at Workshop meetings for the purposes of bill list approvals only
2. All other terms of the annual meeting schedule shall remain unchanged.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to post and maintain posted a copy of this resolution in the place designated for the posting of notices and forward a copy of same to the LINK News and the Asbury Park Press.

Motion:

Second:

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

I certify this to be a true copy of Resolution #2016-106 approved by the Oceanport Borough Council at the Regular Meeting held May 19, 2016

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
OPPOSING THE NEW JERSEY NATURAL GAS 24% RATE INCREASE**

**RESOLUTION #2016-107
05-19-16**

WHEREAS, New Jersey Natural Gas is a public utility operating in the Borough of Oceanport, County of Monmouth providing natural gas energy to our residents and businesses; and

WHEREAS, New Jersey Natural Gas has proposed raising gas rates by 24% on Oceanport residents and business; and

WHEREAS, the proposed 24% rate increase by New Jersey Natural Gas would increase an average Oceanport homeowner's gas bill by \$236.00 a year; and

WHEREAS, while proposing such an increase, New Jersey Natural Gas paid their top executives \$13 Million in total compensation in 2015, a number 125% higher than 2013; and

WHEREAS, the Mayor & Council have worked to keep Oceanport's municipal taxes flat or less than the 2% CAP for more than 5 years to attempt to keep Oceanport an affordable place for our residents; and

WHEREAS, Oceanport residents and business owners cannot afford to see their utility rates increase by 24%; and

WHEREAS, the Mayor & Council have an obligation to advocate on behalf of their residents and business owners.

NOW THEREFORE BE IT RESOLVED by the Mayor & Council of the Borough of Oceanport in the County of Monmouth, that the 24% rate increase proposed New Jersey Natural Gas is excessive and an unreasonable burden to Oceanport's residents and business owners and must not be implemented.

BE IT FURTHER RESOLVED that the Mayor & Council of the Borough of Oceanport call upon all elected officials and government agencies in a position to block this increase do so in the best interests of Oceanport citizens and businesses.

Motion:

Second:

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

I certify this to be a true copy of Resolution #2016-107 approved by the Oceanport Borough Council at the Regular Meeting held May 19, 2016

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT,
COUNTY OF MONMOUTH, STATE OF NEW JERSEY
APPOINTING THE OCEANPORT LION'S SWIM CLUB, INC.
AS OPERATOR OF THE OCEANPORT POOL**

**RESOLUTION #2016-108
05-19-16**

WHEREAS, the Borough of Oceanport is a Municipal Corporation in the State of New Jersey with its principal address at 315 East Main Street, Oceanport, NJ 07757; and

WHEREAS, the Borough of Oceanport owns a pool facility and appurtenances located on the westerly side of Port Au Peck Avenue situated in Blackberry Bay Park; and

WHEREAS, the Borough of Oceanport has had the pool facility on its property since 1974, with the facility being operated as a Swim Club for municipal residents and others since that time; and

WHEREAS, for the past 42 years, the Swim Club has been safely and correctly operated by the Oceanport Lion's Club, a non-profit corporation; and

WHEREAS, it has recently been discovered that the Oceanport Lion's Swim Club, Inc., a non-profit corporation of the State of New Jersey has been operating the Swim Club within the Borough of Oceanport; and

WHEREAS, the Borough wishes to review the operation and management of the Borough's pool facility and provide specifications for the future operation and management of the facility in a manner consistent with the laws, statutes and safety regulations of the State of New Jersey; and

WHEREAS, in order to correctly comply with the aforementioned laws, statutes and safety regulations of the State of New Jersey, the Borough requires more time than is available prior to this opening season, so the Borough Council recognize that certain exigencies do exist at this time; and,

WHEREAS, Memorial Day is the traditional opening day of the Oceanport Swim Club, and given the exigency of the time between the current period of the discovery of the operational administrator of the Oceanport Swim Club and the opening day of Memorial Day, there is far too limited time to create specifications and seek proposals or bids at this point; and

WHEREAS, the Oceanport Lion's Swim Club, Inc., has satisfactorily and safely operated the Swim Club in the past:

NOW THEREFORE BE IT RESOLVED, that the Borough of Oceanport hereby awards a one (1) season Lease Agreement to the Oceanport Lion's Swim Club, Inc., for the operation and use of the pool facility at the aforementioned site at Blackberry Bay Park; and

BE IT FURTHER RESOLVED, that the one (1) season Lease Agreement and the terms of use shall be consistent with the attached Lease Agreement, which is made a part hereof; and

BE IT FURTHER RESOLVED, that the Governing Body hereby abrogates and overrides any prior Resolution or Lease for the pool facility, and authorizes the Mayor to sign and execute the attached lease for the one (1) season term.

Motion:

Second:

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

I certify this to be a true copy of Resolution #2016-108 approved by the Oceanport Borough Council at the Regular Meeting held May 19, 2016

JEANNE SMITH, RMC
BOROUGH CLERK

**LEASE AGREEMENT BETWEEN THE BOROUGH OF OCEANPORT AND THE
OCEANPORT LIONS SWIM CLUB**

THIS LEASE AGREEMENT made the 19TH day of May, 2016, by and between the

THE BOROUGH OF OCEANPORT, a Municipal Corporation of the State of New Jersey, with a principle address of 315 E. Main Street, Oceanport, NJ 07757 (hereinafter referred to as the "Landlord", "Borough", "Oceanport" or "Municipality"); and

THE OCEANPORT LIONS SWIM CLUB, INC., a non-profit Corporation of the State of New Jersey, with a principal address of _____
(Hereinafter referred to as "Tenant" or "Swim Club").

1. **Premises.** The Landlord does hereby lease to the Tenant, and the Tenant does hereby rent from the Landlord, the following described premises.

A portion of the westerly side of Port Au Peck Avenue, situated in Blackberry Bay Park, more particular described as the Oceanport Swim Club (hereinafter referred to as "premises", "Property" or "site")

2. **Term.** The term of the Lease is for the 2016 season, commencing on May 19, 2016 and, unless otherwise terminated as provided herein, ending on December 31, 2016.
3. **Use.** The Tenant shall operate the bathing facilities and other recreational facilities at the site for members, who shall either be residents of the Borough of Oceanport, members of the Swim Club, or individuals sponsored by the Swim Club, provided that the latter group of members shall not exceed in number those members being residents of the Borough of Oceanport. Additionally, all activities proposed by the Tenant shall be specifically approved by the Borough, in writing.

The Swim Club covenants that the demised premises shall be used for the promotion of the health, safety, morals, and general welfare of the community and primarily as a recreational facility for its members and the residents of the Borough of Oceanport. Such facility shall consist of swimming facilities along with instructional assistance for children, and other such accessorial uses which may benefit the mental and physical recreation of its members.

4. **Rent.** The Tenant agrees to pay the Borough the sum of \$1.00 (One Dollar) for the 2016 season.
5. **Security Deposit.** There is no security deposit associated with the within Lease.

6. **Repair and Care.** The Tenant will take good care of the premises and will, at the Tenant's own cost and expense, make all repairs and will maintain the premises in good condition, and, at the end or other expiration of the term hereof, will deliver the premises in good order and conditions, reasonable wear and tear excepted. Additionally, the Tenant shall neither encumber nor obstruct the sidewalks
7. **Alterations and Improvements.** No alterations, additions, or improvements may be made, constructed, installed, or attached to the premises, without the written consent of the Landlord. Additionally, unless otherwise provided herein, all such alterations/improvements/etc. when made, installed, constructed, or attached to the premises will belong to and become the property of the Landlord and, at the termination of the Lease, will be surrendered with the premises (free and clear of any and all liens, security interests, or other encumbrances). Moreover, if the Landlord does consent to any such improvements being constructed/installed/attached on the premises, the Tenant shall construct/install/attach the same at the Tenant's own cost and expense, and only after all municipal, county, state, and federal approvals have been obtained.
8. **Signs.** The Tenant shall not place or allow to be placed any signs upon, in, or about the premises, except as may be consented to by the Borough, in writing.
9. **Utilities.** Unless otherwise agreed to by the Borough, the Tenant shall be responsible for all utility charges.
10. **Compliance with Laws.** The Tenant shall promptly comply with all laws, ordinances, rules, regulations, requirements, and directives of all governmental or public authorities having jurisdiction over the premises.
11. **Assignment.** The Tenant shall not assign or sublet the premises or any portion thereof.
12. **Liability Insurance.** The Tenant shall, at Tenant's own cost and expense, obtain and keep in full force for the benefit of the Landlord during the term hereof, a Commercial General Liability Insurance Policy on the buildings pool and premises, insuring the Landlord against any and all liabilities or claims of liability arising out of this lease and any associated or related activities, with limits of not less than \$1,000,000.00 for property damage, \$1,000,000.00 for injuries to one person, and a \$2,000,000.00 General Aggregate. The Tenant shall also maintain Workers Compensation Policy with \$500,000.00 limits and an Automobile Liability Policy with a combined single limit of \$1,000,000.00. The insurance policies will be obtained/maintained from companies authorized to do business in the State of New Jersey and will be delivered to the Landlord, together with proof of payment, not less than 15 days prior to the commencement of the term thereof, or at any other time the Landlord deems appropriate. Moreover, the Certificates of Insurance shall be approved as to form and content by the Borough Attorney and the Borough's insurance agent. Additionally, the Certificates of Insurance shall specifically name the Borough of Oceanport, and its agents, representatives, and employees as additional insured's. Additionally, at least 15 days prior to the expiration or termination date of any insurance policy, the Tenant shall deliver an appropriate renewal or replacement policy, with proof of payment of the premium therefore.

13. **Indemnification.** The Tenant shall release, defend, and hold harmless the Borough of Oceanport (and its agents, representatives, and employees) from and against any and all claims, liabilities, payments, expenses, costs (including reasonable attorney fees) and any and all claims/liabilities, losses, judgments, or damages to property or injuries to persons occasioned wholly, or in part by, or resulting from any acts or omissions by the Tenant or the Tenant's agents, employees, guests, licensees, invitees, subtenants (if any), assignees (if any), or successors (if any), or for any cause or reason whatsoever arising out of, or by reason of, the occupancy/utilization of the premises by the Tenant or the business of the Tenant.
14. **Cleanliness.** The Tenant agrees to keep and maintain the premises, and each and every part thereof, at all times, in a clean, neat, safe, and orderly condition.
15. **Fee Schedule.** As a condition of this Lease, the Tenant covenants and agrees that the fee schedule for the use of the facilities/premises will be subject to the prior review and approval of the Borough of Oceanport.
16. **Drainage.** In the event the Tenant experiences drainage problems incident to its use of the property, then, in that event, the Landlord shall afford the Tenant a reasonable license over adjoining Borough property so as to assist in the alleviation of the drainage condition. In this regard, the parties agree that the Borough's Engineer's decision as to the location/extent/nature of the license shall be binding and conclusive on all parties.
17. **Termination.** Notwithstanding anything contained herein to the contrary, the Landlord reserves the right to terminate the within Lease, with or without cause, upon 120 days written notice.
18. **Non-Liability of the Borough of Oceanport.** The Borough shall not be liable for any damage or injury which may be sustained by the Tenant or any other person, as a consequence of the failure, breakage, leakage, or obstruction of the water, plumbing, or sewer systems.
19. **Representations.** The Tenant represents the following:
 - A. That the Tenant is a duly organized non-profit corporation of the State of New Jersey.
 - B. That the Tenant has received a 501(C)(3) Tax Exempt Letter from the Internal Revenue Service.
 - C. That the aforementioned representations shall remain in full force while the within Lease is in effect.

20. **Inspection.** The Borough and its agents, representatives, and employees shall have the right to enter into and upon the premises, or any part thereof, at all reasonable hours, on reasonable prior notice, which is agreed to be one (1) hour, for the purpose of examining the premises or making such repairs or alterations as the Landlord may deem necessary. However, the within clause shall not be deemed to create an obligation on the part of the Landlord to make any such inspections or repairs.

21. **Affirmative Action Regulations.** The Tenant shall, at all times, comply with all prevailing Affirmative Action requirements, as may be amended from time to time. Additionally, the Tenant shall not discriminate on the basis of race, color, creed, religion, sex, national origin, or any other constitutionally protected classification.

22. **Reporting Requirements.** Pursuant to prevailing state law, the Tenant shall submit a report to the Borough, setting forth the following:

- The uses to which the subject premises were utilized;
- The general activities that were undertaken at the site;
- The approximate value or cost of the aforesaid activities at the site;
- An affirmation confirming the continued tax-exempt status of the Tenant organization.

23. **Reimbursement to Landlord.** If the Tenant fails or refuses to comply with any of the terms and conditions of the within Lease, the Landlord may carry out and perform such conditions, at the cost and expense of the Tenant, which amounts will be payable (on demand) to the Landlord. The said remedy will be in addition to such other remedies the Landlord may have by reason of the said breach.

24. **Non-waiver by the Landlord.** The various rights, remedies, options, and elections of the Landlord under this Lease agreement are cumulative. Additionally, the failure of the Landlord to immediately enforce strict performance by the Tenant of any one condition or covenant of the Lease shall not be construed or be deemed to be a waiver of the Landlord to enforce any such conditions/covenants in the future.

26. **Notices.** Unless otherwise agreed, all notices required under the terms of the Lease shall be provided as follows:

To the Landlord:
Attn: Borough Clerk
222 Monmouth Blvd
Oceanport, NJ 07757

To the Tenant:

Oceanport Lion's Swim Club, Inc.
Attn: _____, (Then Serving President)

Oceanport, NJ 07757

27. Upon expiration of the termination of the terms of this Lease, the Swim Club shall surrender to the Borough the demised premises and the improvements made thereto shall be delivered to the Borough free and clear of any and all liens, security interests, or other encumbrances.

IN WITNESS WHEREOF, the undersigned have hereto set their hands and seals, or caused these presents to be signed by their proper corporate offices and their proper corporate seal to be hereto affixed, the day and year first within above.

BOROUGH OF OCEANPORT

OCEANPORT LIONS SWIM CLUB

BY: _____
JOHN F. COFFEY, II, MAYOR

BY: _____
PRESIDENT

Dated: _____

Dated: _____

ATTEST:

JEANNE SMITH, RMC
BOROUGH CLERK

SECRETARY

RESOLUTION OF THE BOROUGH OF OCEANPORT
Requesting approval of the Director of the Division of Local Government Services
Amending the 2016 Municipal Budget per NJSA 40A:4-87 for
United States Department of Housing and Urban Development's
Community Development Block Grant Disaster Recovery Program Through the
Post Sandy Planning Assistance Grant Program
GIS-2015-1338-652

Resolution #2016-109
05-19-16

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 2016 in the sum of \$49,800.00 which item is now available as a revenue from the State of New Jersey Department of Community Affairs for the U.S. Department of Housing and Urban Development's Community Development Block Grant Disaster Recovery Program pursuant to the provisions of statute, and

BE IT FURTHER RESOLVED, that a like sum of \$49,800.00 be and the same is hereby appropriated under the caption of Post Sandy Planning Assistance Grant - GIS Development Project, \$49,800.00.

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

Motion:

Second:

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

I certify this to be a true copy of Resolution #2016-109 approved by the Oceanport Borough Council at the Regular Meeting held May 19, 2016

 JEANNE SMITH, RMC
 BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING A REFUND OF ROAD OPENING PERMIT FEES**

**RESOLUTION #2016-110
05-19-16**

WHEREAS, New Jersey American Water made two applications for street opening permits; and

WHEREAS, the applications were processed: (1) for intersection of Port Au Peck Avenue and Carriage Lane (a private road) with a fee amount of \$73.75 and (1) for Haskell Way with a fee amount of \$50.00; and

WHEREAS, a determination was made that the permits could not be issued as requested streets remain under moratorium.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Oceanport that the Chief Financial Officer is hereby authorized to issue a refund to New Jersey American Water in the amount of \$123.75 for the return of street opening permit application fees.

BE IT FURTHER RESOLVED that a copy of this resolution be provided to the Chief Financial Officer.

Motion:

Second:

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

I certify this to be a true copy of Resolution #2016-110 approved by the Oceanport Borough Council at the Regular Meeting held May 19, 2016

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AMENDING THE 2016 CAPITAL BUDGET**

**Resolution #2016-112
05-19-16**

WHEREAS, the Borough of Oceanport adopted the 2016 Capital Budget on April 21, 2016; and,
WHEREAS, it is desired to amend said adopted 2016 Capital Budget relative to Various Projects,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Oceanport of the County of Monmouth, that the following amendments to the adopted 2016 Capital Budget be made:

Capital Budget of the Borough of Oceanport
(Current Year Action)
2016

<u>Project Title</u>	<u>Project Number</u>	<u>Estimated Total Cost</u>	<u>Capital Improvement Fund</u>	<u>Grants in Aid and Other Funds</u>	<u>Debt Authorized</u>
Fire- Air Packs	G-5	\$32,000.00	\$1,524.00		\$30,476.00
Fire - Command Center	G-6	5,000.00	238.00		4,762.00
First Aid - Rear Springs for Vehicle	G-7	12,000.00	571.00		11,429.00
OEM Computerization	G-8	13,400.00	638.00		12,762.00
Additional Funding for Generator Installation	G-8A	50,000.00	2,381.00		47,619.00
Plan for Pre-Disaster Mitigation Plan Check Valves	G-8B	12,750.00	607.00		12,143.00
Public Works - Toro Wing Mower and Trailer	G-9	85,000.00	4,048.00		80,952.00
Public Works - Snow Blowers	G-10	5,000.00	238.00		4,762.00
Public Works - Utility Bed for Truck 129	G-11	6,500.00	310.00		6,190.00
Public Works - Salt Shed	G-11A	75,000.00	3,571.00		71,429.00
2016 Road and Drainage Improvement Program	G-12	1,002,500.00	47,738.00		954,762.00
Acquisition of Various Technological Equipment	G-12A	350,000.00	16,667.00		333,333.00
Totals - All Projects	33-199	<u>\$3,824,650.00</u>	<u>\$80,756.00</u>	\$0.00	<u>\$1,612,894.00</u>

Capital Budget of the Borough of Oceanport
3 Year Capital Program
Anticipated Project Schedule and Funding Requirements
2016 - 2018

<u>Project Title</u>	<u>Project Number</u>	<u>Estimated Total Cost</u>	<u>Estimated Completion Time</u>	<u>Budget Year 2016</u>
Fire - Air Packs	G-5	\$32,000.00	2016	\$32,000.00
Fire - Command Center	G-6	5,000.00	2016	5,000.00
First Aid - Rear Springs for Vehicle	G-7	12,000.00	2016	12,000.00
OEM - Computerization	G-8	13,400.00	2016	13,400.00
Additional Funding for Generator Installation	G-8A	50,000.00	2016	50,000.00
Plan for Pre-Disaster Mitigation Plan Check Valves	G-8B	12,750.00	2016	12,750.00
Public Works - Toro Wing Mower and Trailer	G-9	85,000.00	2016	85,000.00
Public Works - Snow Blowers	G-10	5,000.00	2016	5,000.00
Public Works - Utility Bed for Truck 129	G-11	6,500.00	2016	6,500.00
Public Works - Salt Bed	G-11A	75,000.00	2016	75,000.00
2016 Road and Drainage Improvement Program	G-12	1,002,500.00	2016	1,002,500.00
Acquisition of Various Technological Equipment	G-12A	350,000.00	2016	350,000.00
Totals - All Projects	33-299	<u>\$3,824,650.00</u>	-	<u>\$1,693,650.00</u>

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AMENDING THE 2016 CAPITAL BUDGET**

**Resolution #2016-112 cont'd
05-19-16**

Capital Budget of the Borough of Oceanport
3 Year Capital Program
Summary of Anticipated Funding Sources and Amounts
2016 - 2018

<u>Project Title</u>	<u>Project Number</u>	<u>Estimated Total Cost</u>	<u>Capital Improvement Fund</u>	<u>Grants in Aid and Other Funds</u>	<u>Bonds and Notes General</u>
Fire - Air Packs	G-5	\$32,000.00	\$1,524.00		\$30,476.00
Fire - Command Center	G-6	5,000.00	238.00		4,762.00
First Aid - Rear Springs for Vehicle	G-7	12,000.00	571.00		11,429.00
OEM - Computerization	G-8	13,400.00	638.00		12,762.00
Additional Funding for Generator Installation	G-8A	50,000.00	2,381.00		47,619.00
Plan for Pre-Disaster Mitigation Plan Check Valves	G-8B	12,750.00	607.00		12,143.00
Public Works - Toro Wing Mower and Trailer	G-9	85,000.00	4,048.00		80,952.00
Public Works - Snow Blowers	G-10	5,000.00	238.00		4,762.00
Public Works - Utility Bed for Truck 129	G-11	6,500.00	310.00		6,190.00
Public Works - Salt Shed	G-11A	75,000.00	3,571.00		71,429.00
2016 Road and Drainage Improvement Program	G-12	1,002,500.00	47,738.00		954,762.00
Acquisition of Various Technological Equipment	G-12A	350,000.00	16,667.00		333,333.00
Totals - All Projects	33-399	\$3,824,650.00	\$167,306.00	\$400,000.00	\$3,257,344.00

BE IT FURTHER RESOLVED, that the Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after adoption of this amendment to the adopted 2016 Capital Budget.

Motion:

Second:

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

I certify this to be a true copy of Resolution #2016-112 approved by the Oceanport Borough Council at the Regular Meeting held May 19, 2016

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 2016 Municipal Budget per NJSA 40A:4-87 for
United States Department of Housing and Urban Development's
Community Development Block Grant Disaster Recovery Program Through the
Post Sandy Planning Assistance Grant Program
CDNP-EMS-2015-1338-470

Resolution #2016-113
05-19-16

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 2016 in the sum of \$50,000.00 which item is now available as a revenue from the State of New Jersey Department of Community Affairs for the U.S. Department of Housing and Urban Development's Community Development Block Grant Disaster Recovery Program pursuant to the provisions of statute, and

BE IT FURTHER RESOLVED, that a like sum of \$50,000.00 be and the same is hereby appropriated under the caption of Post Sandy Planning Assistance Grant – East Main Street Neighborhood Plans, \$50,000.00.

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

Motion:

Second:

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

I certify this to be a true copy of Resolution #2016-113 approved by the Oceanport Borough Council at the Regular Meeting held May 19, 2016

 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 2016 Municipal Budget per NJSA 40A:4-87 for
United States Department of Housing and Urban Development's
Community Development Block Grant Disaster Recovery Program Through the
Post Sandy Planning Assistance Grant Program
REDEV-2015-1338-472

Resolution #2016-116
05-19-16

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 2016 in the sum of \$47,000.00 which item is now available as a revenue from the State of New Jersey Department of Community Affairs for the U.S. Department of Housing and Urban Development's Community Development Block Grant Disaster Recovery Program pursuant to the provisions of statute, and

BE IT FURTHER RESOLVED, that a like sum of \$47,000.00 be and the same is hereby appropriated under the caption of Post Sandy Planning Assistance Grant – Monmouth Park Redevelopment Project, \$47,000.00.

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

Motion:

Second:

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

I certify this to be a true copy of Resolution #2016-116 approved by the Oceanport Borough Council at the Regular Meeting held May 19, 2016

 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 2016 Municipal Budget per NJSA 40A:4-87 for
United States Department of Housing and Urban Development's
Community Development Block Grant Disaster Recovery Program Through the
Post Sandy Planning Assistance Grant Program
MP-2015-1338-473

Resolution #2016-117
05-19-16

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 2016 in the sum of \$50,000.00 which item is now available as a revenue from the State of New Jersey Department of Community Affairs for the U.S. Department of Housing and Urban Development's Community Development Block Grant Disaster Recovery Program pursuant to the provisions of statute, and

BE IT FURTHER RESOLVED, that a like sum of \$50,000.00 be and the same is hereby appropriated under the caption of Post Sandy Planning Assistance Grant – Master Plan Elements Project, \$50,000.00.

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

Motion:

Second:

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

I certify this to be a true copy of Resolution #2016-117 approved by the Oceanport Borough Council at the Regular Meeting held May 19, 2016

 JEANNE SMITH, RMC
 BOROUGH CLERK

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

**Resolution #2016-115
05-19-16**

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

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

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

Litigation, Negotiations and the Attorney Client Privilege N.J.S.A. 10:4-12(b)(7)
Affordable Housing Judgment of Repose Update
Contract for Special Counsel for Affordable Housing
Relocation of Municipal Facilities
Sharkey v. GRC, et. als.

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

Motion:

Second:

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

I certify this to be a true copy of Resolution #2016-115 approved by the Oceanport Borough Council at the Regular Meeting held May 19, 2016

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
MONMOUTH COUNTY, STATE OF NEW JERSEY
AUTHORIZING ADDITIONAL EXPENSES RELATED TO
AFFORDABLE HOUSING LITIGATION**

**RESOLUTION #2016-119
05-19-16**

WHEREAS, the Borough of Oceanport retained GluckWalrath LLP for the purpose of representing the Borough of Oceanport for Round 3 Affordable Housing Obligation by means of a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.B; and

WHEREAS, the anticipated term of this contract was one (1) year expiring May 7, 2016 as approved by this governing body; and

WHEREAS, the original contract was for an amount not to exceed \$10,000.00 and was extended one time for another \$10,000.00 per Resolution #2015-202; and

WHEREAS, there have been significant and unexpected court time and court requirements spent in connection with the court's determination of fair share determination and Oceanport's affordable housing obligation above and beyond what was anticipated; and

WHEREAS, GluckWalrath has requested an additional \$10,000.00 for expenses incurred in 2016 through the end of the contract period.

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

1. That the original contract amount be increased an additional amount not to exceed \$10,000.00
2. Funds shall be charged to Account #6-01-20-155-218, Legal Services
3. That the within Resolution shall be subject to the Borough CFO confirming that funds are available for the stated purpose.

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 ascertained that there are sufficient uncommitted funds in Account #6-01-20-155-218 the General Fund, Legal Services not to exceed \$10,000.00 for the above referenced professional services contract

Catherine D. LaPorta, CFO

Motion:

Second:

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

I certify this to be a true copy of Resolution #2016-119 approved by the Oceanport Borough Council at the Regular Meeting held May 19, 2016

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AWARDING A NON-FAIR AND OPEN CONTRACT
FOR BOROUGH AFFORDABLE HOUSING SPECIAL COUNSEL
BETWEEN GLUCKWALRATH LLP
AND THE BOROUGH OF OCEANPORT**

**RESOLUTION #2016-120
05-19-16**

WHEREAS, the Borough of Oceanport has a need to continue retention of GluckWalrath LLP for the purpose of representing the Borough of Oceanport for Round 3 Affordable Housing Obligation by means of a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.B; and

WHEREAS, the anticipated term of this contract is through December 31, 2016 as approved by this governing body; and

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

WHEREAS, the Borough having considered the matter, now wishes to award the contract for said services to GluckWalrath LLP

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

1. GluckWalrath LLP be and is hereby appointed as Borough Special Counsel for Affordable Housing for the period May 8, 2016 through December 31, 2016 for an amount not to exceed \$20,000.00
2. Funds shall be charged to Account #6-01-20-155-218, Legal Services
3. GluckWalrath LLP is prohibited from making any contribution to a political or candidate committee during the term of this appointment.
4. The Mayor and Borough Clerk are hereby authorized to enter into a contract on behalf of the Borough of Oceanport.
5. That the Clerk shall publish a Notice of Award in an official newspaper of the Borough.
6. That the within Resolution shall be subject to the Borough CFO confirming that funds are available for the stated purpose.

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

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

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 ascertained that there are sufficient uncommitted funds in Account #6-01-20-155-218, Legal Services not to exceed \$20,000.00 for the above referenced professional services contract.

CATHERINE D. LAPORTA, CFO

Motion:

Second:

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

I certify this to be a true copy of Resolution #2016-120 approved by the Oceanport Borough Council at the Regular Meeting held May 19, 2016

JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE BOROUGH APPRAISER
TO PREPARE APPRAISALS OF TWO PARCELS**

**Resolution #2016-121
05-19-16**

WHEREAS, the Borough of Oceanport is a duly organized Municipal Corporation (hereinafter referred to as "Borough") having principal offices at 315 E. Main Street, Oceanport, New Jersey 07757; and

WHEREAS, there is a need for the Borough to obtain appraisals of 222 Monmouth Boulevard, Block 35, Lot 1 (former Borough Hall) and a 13.5 acre parcel located on former Fort Monmouth property (also known as the "900 Area") being considered for the location of a 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, the Borough having considered the matter, now wishes to authorize the Borough Appraiser, The Meers Group to perform these appraisals.

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 The Meers Group for the purpose of Borough Appraiser for 2016 and the work performed will be consistent with their existing contract.
2. That the compensation associated with the work shall not exceed \$7,500.00
3. Funds shall be charged to Account #6-01-27-331-201, Superstorm Sandy
4. That the within Resolution shall be subject to the Borough CFO confirming that funds are available for the stated purpose.

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 ascertained that there are sufficient uncommitted funds in Account #6-01-27-331-201, Superstorm Sandy not to exceed \$7,500.00 for the above referenced professional services contract

Catherine D. LaPorta, CFO

Motion:

Second:

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

I certify this to be a true copy of Resolution #2016-121 approved by the Oceanport Borough Council at the Regular Meeting held May 19, 2016

JEANNE SMITH, RMC
BOROUGH CLERK