

| ORDINANCE NUMBER | TITLE OF ORDINANCE | SHORT DESCRIPTION | DATE APPROVED |
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| #537 | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "THE TRAFFIC ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY" PASSED AND APPROVED ON DECEMBER 3, 1970. | Amending Traffic Ordinance | 12/18/86 |
| #538 | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX AND DETERMINE THE SALARIES OF CERTAIN BOROUGH OFFICIALS" PASSED AND APPROVED ON MARCH 16, 1939. | Patrolman & Building Sub Code Official Salaries. | 12/18/86 |
| #539 | AN ORDINANCE VACATING PORTIONS OF HIAWATHA AVENUE AND MOHAWK AVENUE WHICH WERE PREVIOUSLY DEDICATED AS PUBLIC STREETS BUT NEVER OPENED AND EXTINGUISHING PUBLIC RIGHT THEREUNDER. | Vacating portions of Hiawatha Ave., & Mohawk Avenue | 2/5/87 |
| #540 | BOND ORDINANCE APPROPRIATING \$17,000. AND AUTHORIZING THE ISSUANCE OF \$16,150. BONDS OR NOTES OF THE BOROUGH FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF OCEANPORT IN THE COUNTY OF MONMOUTH, NEW JERSEY. | Dredging Shrewsbury River | 2/19/87 |
| #541 | AN ORDINANCE VACATING A PORTION OF WILLOW COURT WHICH WAS PREVIOUSLY DEDICATED AS A PUBLIC STREET BUT NEVER OPENED AND EXTINGUISHING PUBLIC RIGHT THEREUNDER. | Vacating portion of Willow Court. | 3/5/87 |
| #542 | BOND ORDINANCE APPROPRIATING \$23,000. AND AUTHORIZING THE ISSUANCE OF \$21,850. BONDS OR NOTES OF THE BOROUGH FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF OCEANPORT IN THE COUNTY OF MONMOUTH, NEW JERSEY. | Renovation of the base- ball field at Blackberry Bay Park. | 3/19/87 |
| #543 | ORDINANCE TO EXCEED INDEX RATE PURSUANT TO L. 1986, C. 203 FOR THE BOROUGH OF OCEANPORT'S 1987 MUNICIPAL BUDGET. | to exceed Cap Law | 4/2/87 |
| #544 | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "PLANNING BOARD AND ZONING BOARD OF ADJUSTMENT FEES" PASSED AND APPROVED ON APRIL 16, 1981 | Amending Planning Board and Zoning Board fees. | 4/2/87 |
| #545 | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX AND DETERMINE THE SALARIES OF CERTAIN BOROUGH OFFICIALS" PASSED AND APPROVED ON MARCH 16, 1939. | Amending salary Ord. | 5/21/87 |
| #546 | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "BOND ORDINANCE APPROPRIATING \$75,000. AND AUTHORIZING THE ISSUANCE OF \$71,250. BONDS OR NOTES OF THE BOROUGH FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY" PASSED AND APPROVED ON OCTOBER 2, 1986. | amending Bond Ord. (Port-au-Peck/Mon.Blvd / Pocano,Gooseneck,Blk. Bay Road, Shore Rd. parking Blk. Bay Park | 5/21/87 |

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| #530 | AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 68 OF THE GENERAL ORDINANCES OF THE BOROUGH OF OCEANPORT ENTITLED "THE ZONING ORDINANCE" PASSED AND APPROVED ON JULY 3, 1969, AS SUBSEQUENTLY AMENDED AND SUPPLEMENTED. | Satellite Dish Antenna | 10/16/86 |
| #531 | AN ORDINANCE VACATING A PORTION OF MOHAWK AVENUE WHICH WAS PREVIOUSLY DEDICATED AS A PUBLIC STREET BUT NEVER OPENED AND EXTINGUISHING PUBLIC RIGHT THEREUNDER. | Vacating portion of Mohawk Avenue | 11/6/86 |
| #532 | ORDINANCE AUTHORIZING THE MAYOR AND CLERK TO EXECUTE A PROJECT AGREEMENT WITH MONMOUTH COUNTY FOR PERFORMANCE AND DELIVERY OF TWELFTH YEAR COMMUNITY DEVELOPMENT PROJECTS. | Twelfth Year Monmouth County Community Development agreement between Borough and County. (Projects) | 11/6/86 |
| #533 | ORDINANCE AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE AN AGREEMENT WITH MONMOUTH COUNTY TO MODIFY THE INTERLOCAL SERVICES AGREEMENT DATED SEPTEMBER 7, 1984. | (Community Development Program) Modifying agreement between Borough and Monmouth County. | 11/6/86 |
| #534 | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "BOND ORDINANCE PROVIDING FOR THE RECONSTRUCTION OF MAIN STREET FROM EATONTOWN BOULEVARD TO OCEANPORT AVENUE IN AND BY THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$75,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$71,250 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE COST THEREOF" PASSED AND APPROVED ON DECEMBER 15, 1983. | Amending Bond Ordinance for Reconstruction of Main St. from Eatontown Blvd. to Oceanport Ave. | 11/20/86 |
| #535 | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "BOND ORDINANCE APPROPRIATING \$70,000 AND AUTHORIZING THE ISSUANCE OF \$66,500 BONDS OR NOTES OF THE BOROUGH FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY" PASSED AND APPROVED ON NOVEMBER 21, 1985. | Amending bond ord. - additional improvements or purposes. Word processor, printer, program & Misc. supplies. Photocopying machine. | 12/18/86 |
| #536 | BOND ORDINANCE AMENDING IN ITS ENTIRETY BOND ORDINANCE NO. 479, FINALLY ADOPTED DECEMBER 28, 1983, AS AMENDED BY BOND ORDINANCE NO. 508, FINALLY ADOPTED JULY 18, 1985, AS FURTHER AMENDED BY BOND ORDINANCE NO. 512, FINALLY ADOPTED NOVEMBER 7, 1985, BY THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY IN ORDER TO PROVIDE ADDITIONAL FUNDS FOR PURPOSES OF COMPLETION OF THE OLD WHARF PROJECT. | Amending Bond Ord. No. 479, 508, 512, in its entirety, to provide additional funds for completion of Old Wharf Project. | 12/18/86 |
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| #520 | AN ORDINANCE AUTHORIZING THE PAYMENT OF \$19,169.30 FROM THE CAPITAL FUND FOR VARIOUS IMPROVEMENTS OR PURPOSES TO BE UNDERTAKEN BY THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY. | Repairs & renovation due to fire. (formerly Liebeck Prop.) | 4/3/86 |
| #521 | BOND ORDINANCE APPROPRIATING \$67,700. AND AUTHORIZING THE ISSUANCE OF \$64,315. BONDS OR NOTES OF THE BOROUGH FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF OCEANPORT IN THE COUNTY OF MONMOUTH, NEW JERSEY. | Various improvements or purposes | 5/1/86 |
| #522 | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX AND DETERMINE THE SALARIES OF CERTAIN BOROUGH OFFICIALS" PASSED AND APPROVED ON MARCH 16, 1939. | 1986 Salary Ordinance | 6/5/86 |
| #523 | BOND ORDINANCE - VOID AND CANCELLED (SEE ORDINANCE #525) | | |
| #524 | AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED "THE PERSONNEL MANUAL FOR THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY" PASSED AND APPROVED ON MARCH 20, 1986. | Amending and Supplementing Personnel Manual | 8/21/86 |
| #525 | BOND ORDINANCE APPROPRIATING \$27,200. AND AUTHORIZING THE ISSUANCE OF \$25,800. BONDS OR NOTES OF THE BOROUGH FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF OCEANPORT IN THE COUNTY OF MONMOUTH, NEW JERSEY | Various improvements or purposes (Community Center & Borough Hall steps & Porch) | 9/18/86 |
| #526 | AN ORDINANCE AUTHORIZING THE SALE OF PREMISES KNOWN AS A PORTION OF BLOCK 88, LOT 16 ON THE TAX MAP OF THE BOROUGH OF OCEANPORT | Sale of Property, Blk 88, Lot 16 (portion) (Martel) | 9/18/86 |
| #527 | AN ORDINANCE AMENDING CHAPTER 43 OF THE GENERAL ORDINANCES OF THE BOROUGH OF OCEANPORT ENTITLED "THE LOT MAINTENANCE ORDINANCE" PASSED AND APPROVED ON AUGUST 7, 1969. | changing method of notification to Zoning Officer. | 9/18/86 |
| #528 | BOND ORDINANCE APPROPRIATING \$75,000 AND AUTHORIZING THE ISSUANCE OF \$71,250 BONDS OR NOTES OF THE BOROUGH FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF OCEANPORT IN THE COUNTY OF MONMOUTH, NEW JERSEY. | Reconstruction of Port-au-Peck Ave. between Monmouth Blvd. & Ticonderoga Ave. & parking area Blackberry Bay Park | 10/2/86 |
| #529 | BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$2,500 FOR THE PURCHASE OF AN EMERGENCY GENERATOR IN AND BY THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$2,375 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE SUPPLEMENTAL APPROPRIATION. | supplemental amount toward emergency generator. | 10/2/86 |

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| #511 | AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED "AN ORDINANCE TO IMPLEMENT THE PROVISIONS OF THE UNIFORM FIRE SAFETY ACT (P.L. 1983, C. 383) IN AND FOR THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY" PASSED AND APPROVED ON JULY 18, 1985. | amending and supplementing The Uniform Fire Safety Act. | 10/3/85 |
| #512 | BOND ORDINANCE AMENDING IN ITS ENTIRETY BOND ORDINANCE NO. 479, FINALLY ADOPTED DECEMBER 28, 1983, AS AMENDED BY BOND ORDINANCE NO. 508, FINALLY ADOPTED JULY 18, 1985 BY THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY IN ORDER TO PROVIDE ADDITIONAL FUNDS FOR PURPOSES OF COMPLETION OF THE OLD WHARF PROJECT. | Completion of Old Wharf Park | 11/7/85 |
| #513 | BOND ORDINANCE APPROPRIATING \$70,000 AND AUTHORIZING THE ISSUANCE OF \$66,500 BONDS OR NOTES OF THE BOROUGH FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF OCEANPORT IN THE COUNTY OF MONMOUTH, NEW JERSEY | Bond Ordinance (Various improvements or purposes) Computer hardware Data processing | 11/21/85 |
| #514 | ORDINANCE AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE AN AGREEMENT WITH MONMOUTH COUNTY TO MODIFY THE INTERLOCAL SERVICES AGREEMENT DATED SEPTEMBER 7, 1984. | Agreement between Monmouth County Community Development Program and Borough | 11/21/85 |
| #515 | AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED "THE TRAFFIC ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY" PASSED AND APPROVED ON DECEMBER 3, 1970. | Amending and supplementing parking ordinance | 12/5/85 |
| #516 | AN ORDINANCE PURSUANT TO LOCAL CAP LAW CONCERNING THE 1986 MUNICIPAL BUDGET OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY | To Exceed Cap Law | 3/20/86 |
| #517 | AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN LANDS OR INTERESTS THEREIN FOR PUBLIC USE IN CONNECTION WITH THE DEVELOPMENT OF A SENIOR CITIZEN'S CENTER IN THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY. | Condemnation of billboards | 3/20/86 |
| #518 | PERSONNEL MANUAL FOR THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY. | establishing a system of uniform and appropriate personnel policies & procedures | 3/20/86 |
| #519 | AN ORDINANCE CREATING THE FESTIVAL COMMITTEE OF THE BOROUGH OF OCEANPORT AS A SUB-COMMITTEE OF THE RECREATION COMMITTEE, PROVIDING FOR APPOINTMENT OF THE MEMBERS THEREOF AND DEFINING ITS PURPOSE, POWERS AND DUTIES. | Creating Festival Committee (sub-committee of recreation committee) | 3/20/86 |

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| 501 | AN ORDINANCE ENTITLED "THE SWIMMING POOL ORDINANCE OF THE BOROUGH OF OCEANPORT". | Definitions, Rules & regulations. <i>Swimming Pools</i> | 2/ 7/85 |
| 502 | AN ORDINANCE VACATING A PORTION OF MAPLE AVENUE WHICH WAS PREVIOUSLY DEDICATED AS A PUBLIC STREET BUT NEVER OPENED AND EXTINGUISHING PUBLIC RIGHT THEREUNDER. | Vacating portion of Maple Avenue. | 2/7/85 |
| 503 | AN ORDINANCE PURSUANT TO LOCAL CAP LAW CONCERNING THE 1985 MUNICIPAL BUDGET OF THE BOROUGH OF OCEANPORT IN THE COUNTY OF MONMOUTH, NEW JERSEY. | To exceed Cap Law | 4/4/85 |
| 504 | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX AND DETERMINE THE SALARIES OF CERTAIN BOROUGH OFFICIALS" PASSED AND APPROVED ON MARCH 16, 1939. | 1985 Salary Ordinance | 4/18/85 |
| 505 | AN ORDINANCE AMENDING AND SUPPLEMENTING AN ORDINANCE ENTITLED "AN ORDINANCE OF THE BOROUGH OF OCEANPORT ESTABLISHING A STATE UNIFORM CONSTRUCTION CODE ENFORCING AGENCY, A CONSTRUCTION FEE SCHEDULE, AND A CONSTRUCTION BOARD OF APPEALS PURSUANT TO CHAPTER 217, LAWS OF NEW JERSEY 1975, AND TITLE 5, CHAPTER 23 OF THE NEW JERSEY ADMINISTRATIVE CODE" PASSED AND APPROVED ON DECEMBER 16, 1976. | Increasing Building Permit fees. | 5/16/85 |
| 506 | AN ORDINANCE AMENDING AND SUPPLEMENTING AN ORDINANCE ENTITLED "THE SOIL REMOVAL ORDINANCE OF THE BOROUGH OF OCEANPORT" PASSED AND APPROVED ON APRIL 15, 1982. | Increasing Soil Removal Permit fees. | 5/16/85 |
| 507 | AN ORDINANCE AUTHORIZING THE SALE OF PREMISES KNOWN AS LOT 8, BLOCK 18 ON THE TAX MAP OF THE BOROUGH OF OCEANPORT. | Sale of Property, Lot 8, Blk 18. (Wenner) | 6/6/85 |
| 508 | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "BOND ORDINANCE PROVIDING FOR THE COMPLETION OF CONSTRUCTION OF OLD WHARF PARK IN AND BY THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$52,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$50,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE COST THEREOF" PASSED AND APPROVED ON DECEMBER 28, 1983. | Amending Bond Ordinance #479. Completion of Old Wharf Park. | 7/18/85 |
| 509 | AN ORDINANCE TO IMPLEMENT THE PROVISIONS OF THE UNIFORM FIRE SAFETY ACT (P.L. 1983, C.383) IN AND FOR THE BOROUGH OF OCEANPORT. | Fire Safety Code | 7/18/85 |
| 510 | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX AND DETERMINE THE SLARIES OF CERTAIN BOROUGH OFFICIALS" PASSED AND APPROVED ON MARCH 16, 1939. | Amending Salary Ordinance | 9/5/85 |

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| 493 | AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED "THE STREET AND SIDEWALK EXCAVATIONS ORDINANCE OF THE BOROUGH OF OCEANPORT" PASSED AND APPROVED JUNE 5, 1925 AND AMENDED JUNE 15, 1978. | Amending and Supplementing The Street and Sidewalk Excavations ordinance | 9/20/8 |
| 494 | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "FEES" PASSED AND APPROVED ON APRIL 16, 1981. | Charge a fee for returned checks | 11/1/84 |
| 495 | ORDINANCE AUTHORIZING THE MAYOR & MUNICIPAL CLERK TO EXECUTE AN AGREEMENT WITH MON. CTY. TO MODIFY THE INTERLOCAL SERVICES AGREEMENT DATED SEPT. 7, 1984. | To amend agreement to include all approved projects. | 11/15/84 |
| 496 | AN ORDINANCE TO AMEND AN ORD. ENTITLED "ECONOMIC DEVELOPMENT COMMITTEE OF THE BOROUGH OF OCEANPORT" PASSED & APPROVED 9/7/72. | amend re: attendance at meetings & removal from office | 11/15/8 |
| 497 | BOND ORD. PROVIDING A SUPPLEMENT APPROPRIATION OF \$15,000 FOR THE PURCHASE OF AN EMERGENCY GENERATOR IN & BY THE BOROUGH OF OCEANPORT, IN THE CTY. OF MON., NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$14,250 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE SUPPLEMENTAL APPROPRIATION. | for purchase of emergency generator | 11/15/84 |
| 498 | AN ORDINANCE ENTITLED "THE CODE OF ETHICS OF THE BOROUGH OF OCEANPORT." | Code of Ethics | 12/20/8 |
| 499 | BOND ORDINANCE APPROPRIATING \$21,900 AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE BOROUGH FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF OCEANPORT IN THE COUNTY OF MONMOUTH, NEW JERSEY | Bond Ordinance (various improvements or purposes) purchase of front-end loader | 12/27/84 |
| 500 | AN ORDINANCE ESTABLISHING MINIMUM STANDARDS GOVERNING THE CONDITION AND MAINTENANCE OF ALL STRUCTURES AND DWELLINGS: ESTABLISHING MINIMUM STANDARDS GOVERNING SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO INSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE: ESTABLISHING MINIMUM STANDARDS GOVERNING THE CONDITION OF DWELLINGS OFFERED FOR RENT: FIXING CERTAIN RESPONSIBILITIES AND DUTIES OF OWNERS AND OCCUPANTS OF STRUCTURES, AND THE CONDEMNATION OF DWELLINGS UNFIT FOR HUMAN HABITATION & THE DEMOLITION OF SUCH DWELLINGS & STRUCTURES: FIXING PENALTIES FOR VIOLATION: & REPEALING EXISTING ORD. #346 OF THE BOROUGH OF OCEANPORT, CTY. OF | updates housing code | 2/7/85 |

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| 483 | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "THE ECONOMIC DEVELOPMENT COMMITTEE ORDINANCE OF THE BOROUGH OF OCEANPORT" PASSED AND APPROVED ON SEPTEMBER 7, 1972. | Increasing Economic Development Committee to 11 members. | 4/5/84 |
| 484 | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX AND DETERMINE THE SALARIES OF CERTAIN BOROUGH OFFICIALS" PASSED AND APPROVED ON MARCH 16, 1939. | 1984 Salary Ordinance | 4/5/84 |
| 485 | AN ORDINANCE VACATING A PORTION OF RIVER PLACE WHICH WAS PREVIOUSLY DEDICATED AS A PUBLIC STREET BUT NEVER OPENED AND EXTINGUISHING PUBLIC RIGHT THEREUNDER. | Street vacation (River Place) | 4/23/84 |
| 486 | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX AND DETERMINE THE SALARIES OF CERTAIN BOROUGH OFFICIALS" PASSED AND APPROVED ON MARCH 16, 1939. | Amending 1984 salary ordinance | 5/3/84 |
| 487 | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED THE "UNIFORM PLUMBING CODE" PASSED AND APPROVED ON JUNE 20, 1974. | Increase in plumbing fees. | 6/7/84 |
| 488 | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "PLANNING BOARD AND ZONING BOARD OF ADJUSTMENT FEES" PASSED AND APPROVED ON APRIL 16, 1981. | Increase in Planning and Zoning Boards fees. | 6/21/84 |
| 489 | AN ORDINANCE AUTHORIZING THE APPROPRIATION OF \$14,643.00 FROM CAPITAL SURPLUS, FOR VARIOUS IMPROVEMENTS OR PURCHASES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, NEW JERSEY. | Capital surplus | 6/21/84 |
| 490 | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED THE "BOROUGH OF OCEANPORT ZONING ORDINANCE" PASSED AND APPROVED ON DECEMBER 10, 1975. | Amending Zoning Ordinance. (Minor Site Plan) | 8/2/84 |
| 491 | BOND ORDINANCE APPROPRIATING \$104,800 AND AUTHORIZING THE ISSUANCE OF \$99,560 BONDS OR NOTES OF THE BOROUGH FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF OCEANPORT IN THE COUNTY OF MONMOUTH, NEW JERSEY. | Bond Ordinance (various improvements or purposes) | 8/2/84 |
| 492 | AN ORDINANCE AUTHORIZING THE APPROPRIATION OF \$3,825.00 FROM CAPITAL SURPLUS, FOR VARIOUS IMPROVEMENTS OR PURCHASES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, NJ | Capital surplus | 8/2/84 |
| 492A | ORDINANCE AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE AN AGREEMENT WITH MONMOUTH COUNTY FOR COOPERATIVE PARTICIPATION IN THE COMMUNITY DEVELOPMENT PROGRAM PURSUANT TO THE INTERLOCAL SERVICES ACT. | Agreement between Monmouth County Comm. Development Program and Borough | 9/6/84 |

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| 476 | An Ord. amending an Ord. #474 entitled "Bond Ord. appropriating \$220,000 bonds or notes of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of Oceanport, in the Cty. of Mon., NJ" Passed & approved on April 21, 1983. | Amends bond ordinance #474 | 9/15/83 |
| 477 | AN ORDINANCE AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE AN AGREEMENT WITH MONMOUTH COUNTY TO MODIFY THE INTERLOCAL SERVICES AGREEMENT DATED DECEMBER 8, 1981 | (Comm. Development Program) Modifying Agreement between Borough and Monmouth County | 11/3/83 |
| 478 | BOND ORDINANCE PROVIDING FOR THE RECONSTRUCTION OF MAIN STREET FROM EATONTOWN BLVD. TO OCEANPORT AVE. IN AND BY THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$75,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$71,250 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE COST THEREOF. | Bond for reconstruction of Main St. until re-imbursement from State is received. | 12/15/83 |
| 479 | BOND ORDINANCE PROVIDING FOR THE COMPLETION OF CONSTRUCTION OF OLD WHARF PARK IN AND BY THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$52,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$50,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE COST THEREOF. | Bond for completion of construction of Old Wharf Park | 12/28/83 |
| 480 | AN ORDINANCE CREATING THE POSITION OF MUNICIPAL PROSECUTOR FOR THE BOROUGH OF OCEANPORT AND FIXING THE QUALIFICATIONS, TERM AND DUTIES THEREFOR. | Creating position of Municipal Prosecutor | 2/2/84 |
| 481 | BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF CERTAIN PROPERTY KNOWN AS LOT 2 IN BLOCK 103 IN AND BY THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$157,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$150,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE COST THEREOF. | ACQUISITION OF LOT 2, BLOCK 103 (Liebeck property) | 2/16/84 |
| 482 | AN ORDINANCE PURSUANT TO P.L. 1983 C. 49 LOCAL CAP LAW CONCERNING THE 1984 BUDGET IN THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, NEW JERSEY | To exceed Cap Law | 3/27/84 |

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| #468 | AN ORDINANCE AMENDING AND SUPPLEMENTING AN ORDINANCE ENTITLED "AN ORDINANCE OF THE BOROUGH OF OCEANPORT ESTABLISHING A STATE UNIFORM CONSTRUCTION CODE ENFORCING AGENCY, A CONSTRUCTION FEE SCHEDULE, AND A CONSTRUCTION BOARD OF APPEALS PURSUANT TO CHAPTER 217, LAWS OF NEW JERSEY 1975, AND TITLE 5, Chapter 23 OF THE NEW JERSEY ADMINISTRATIVE CODE" PASSED AND APPROVED ON DECEMBER 16th, 1976. | To increase building permit fees. | 12/16/8 |
| #469 | AN ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE #290 ENTITLED "AN ORDINANCE TO ESTABLISH TRAFFIC REGULATIONS FOR THE ROADWAYS OF THE BOROUGH OF OCEANPORT IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY" PASSED AND APPROVED ON DECEMBER 3rd, 1970. | Amending Ordinance #290 Overnight parking | 2/17/ |
| #470 | AN ORDINANCE TO REGULATE AND LICENSE AUTOMATIC DEVICES WITHIN THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY. | Regulating and Licensing of Automatic devices. (Video Games) | 3/3/83 |
| #471 | AN ORDINANCE AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE AN AGREEMENT WITH MONMOUTH COUNTY TO MODIFY THE INTERLOCAL SERVICES AGREEMENT DATED DECEMBER 8, 1981 | (Comm. Development Program) Modifying Agreement between Borough and Monmouth County. | 3/17/8 |
| #472 | AN ORDINANCE APPROVING AND ADOPTING THE 1983 MUNICIPAL BUDGET FOR THE BOROUGH OF OCEANPORT AND AUTHORIZING AN INCREASE IN FINAL APPROPRIATIONS AS PERMITTED BY P.L. 1983 | Adopting budget and increase in final appropriations. | 4/18/8 |
| #473 | AN ORDINANCE TO AMEND AN ORD. ENTITLED "AN ORD. TO FIX & DETERMINE THE SALARIES OF CERTAIN BORO OFFICIALS" PASSED & APPROVED ON 3/16/1939 | 1983 salary ordinance | 4/21/83 |
| #474 | BOND ORDINANCE APPROPRIATING \$220,000 & AUTHORIZING THE ISSUANCE OF \$209,000 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BORO OF OCEANPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY. | Bond ord. re: new roof, generator, refurbish fire truck & purchase new ambulance and dump truck & body. | 4/21/83 |
| #475 | AN ORD. TO AMEND ORD. NO. 170 ENTITLED "AN ORD. PROVIDING FOR THE REGISTRATION LICENSING AND REGULATION OF DOGS IN THE BOROUGH OF OCEANPORT, MON. CTY. N.J." PASSED AND APPROVED ON JULY 2 1953, AS AMENDED AND SUPPLEMENTED | Increase in dog license fees. | 9/1/83 |

| ORDINANCE NUMBER | TITLE OF ORDINANCE | SHORT DESCRIPTION | DATE APPROVED |
|---------------------|---|---|------------------|
| #459 | AN ORDINANCE APPROPRIATING \$59,900 FOR A COMPLETE REVALUATION PROGRAM IN THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY. | REVALUATION | 4/15/8 |
| #460 | SOIL REMOVAL ORDINANCE OF THE BOROUGH OF OCEANPORT. | SOIL MOVING | 4/15/8 |
| #461 | ORDINANCE AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE AN AGREEMENT WITH MONMOUTH COUNTY TO MODIFY THE INTERLOCAL SERVICE AGREEMENT DATED DECEMBER 8, 1981. | (Community Development Program) MODIFYING AGREEMENT BETWEEN BOROUGH AND Monmouth County. | 4/15/8 |
| #462 | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX AND DETERMINE THE SALARIES OF CERTAIN BOROUGH OFFICIALS" PASSED AND APPROVED ON MARCH 16, 1939. | 1982 Salary Ordinance | 5/6/82 |
| #463 | AN ORDINANCE VACATING A PORTION OF RIDDLE PLACE WHICH WAS PREVIOUSLY DEDICATED AS A PUBLIC STREET BUT NEVER OPENED AND EXTINGUISHING PUBLIC RIGHT THEREUNDER. | STREET VACATION (Riddle Place) | 5/6/82 |
| #464 | AN ORDINANCE TO AMEND ORDINANCE NUMBER 170 ENTITLED "AN ORDINANCE PROVIDING FOR THE REGISTRATION, LICENSING AND REGULATION OF DOGS IN THE BOROUGH OF OCEANPORT, MONMOUTH COUNTY, NEW JERSEY", PASSED AND APPROVED ON JULY 2, 1953, AS AMENDED AND SUPPLEMENTED. | Increase in License fees. | 7/15/8 |
| #465 | AN ORDINANCE AUTHORIZING \$70,000.00 FOR A COMPLETE REVALUATION PROGRAM IN THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY | Amendment to Revaluation | 10/7/8 |
| #466 | AN ORDINANCE TO AMEND ORDINANCE NO. 436 ENTITLED "AN ORDINANCE ESTABLISHING A PROGRAM FOR THE COLLECTION AND RECYCLING OF USED NEWSPAPERS, THE ESTABLISHMENT OF A COALITION OF MUNICIPALITIES IN WHICH SAID PROGRAM IS TO BE CARRIED OUT, TO PROVIDE FOR THE ADOPTION AND PROMULGATION OF REGULATIONS BY SAID COALITION AND TO FIX PENALTIES FOR THE VIOLATION OF SAID REGULATIONS" ADOPTED OCTOBER 18, 1979. | Amendment to Recycling Ordinance #436 | 10/21/ |
| #467 | AN ORDINANCE VACATING A PORTION OF WINHAR PLACE WHICH WAS PREVIOUSLY DEDICATED AS A PUBLIC STREET, BUT NEVER OPENED, AND EXTINGUISHING THE PUBLIC RIGHT THEREUNDER. | Street Vacation - Winhar Place | 9/2/82 |

| ORDINANCE NUMBER | TITLE OF ORDINANCE | SHORT DESCRIPTION | DATE APPROVED |
|---------------------|--|---|------------------|
| #451 | AN ORDINANCE AMENDING ORDINANCE NUMBER 287 ENTITLED "AN ORDINANCE ADOPTING A FIRE PREVENTION CODE PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE & PROPERTY FROM FIRE OR EXPLOSION & ESTABLISHING A BUREAU OF FIRE PREVENTION AND PROVIDING OFFICIALS THEREFOR AND DESIGNATING THEIR POWERS AND DUTIES" PASSED AND APPROVED ON OCTOBER 1, 1979, AS AMENDED AND SUPPLEMENTED. | Ordinance updating fire code. | 3/19/81 |
| #452 | AN ORDINANCE ESTABLISHING AND FIXING FEES PERTAINING TO THE OCEANPORT PLANNING BOARD AND THE ZONING BOARD OF ADJUSTMENT. | Fixing fees for the Oceanport Planning Bd. & Zoning Board of Adjustment | 4/16/81 |
| #453 | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX AND DETERMINE THE SALARIES OF CERTAIN BOROUGH OFFICIALS" PASSED AND APPROVED ON MARCH 16, 1939. | 1981 Salary Ordinance | 5/7/81 |
| #454 | ORDINANCE AUTHORIZING THE CONVEYANCE OF BOROUGH LANDS BY PRIVATE SALE. | Sale of Land to Ronald & Linda Stubbington | 6/4/81 |
| #455 | AN ORDINANCE AMENDING ORDINANCE NUMBER 5 ENTITLED "AN ORDINANCE ESTABLISHING AND REGULATING THE FIRE DEPARTMENT AND PROVIDING FOR THE PROTECTION OF LIFE AND PROPERTY FROM FIRE IN THE BOROUGH OF OCEANPORT, NEW JERSEY" PASSED AND APPROVED ON DECEMBER 2, 1920, AS AMENDED AND SUPPLEMENTED. | Name Change. Includes "Volunteer" in Name. | 6/18/81 |
| #456 | ORDINANCE AUTHORIZING THE EXCHANGE OF CERTAIN LANDS BETWEEN THE BOROUGH OF OCEANPORT, A MUNICIPAL CORPORATION OF THE STATE OF NEW JERSEY, AND CONRAD F. DI SIENO AND DOROTHY J. DI SIENO. | Exchange of land between Borough of Oceanport/ Di Sieno. | 9/3/81 |
| #457 | ORDINANCE AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE AN AGREEMENT WITH MONMOUTH COUNTY FOR COOPERATIVE PARTICIPATION IN THE COMMUNITY DEVELOPMENT PROGRAM PURSUANT TO THE INTERLOCAL SERVICES ACT | Contract between the Borough and Monmouth County. (Community Development Program) | 12/3/81 |
| #458 | AN ORD. VACATING ALL OF RANSOM CT., CERTAIN UNNAMED RDS. & PORTIONS OF GOLD ST. LOCATED IN OR ADJOINING BLK. 81 ON THE OFFICIAL TAX MAP OF THE BORO OF OCEANPORT, CTY. OF MONMOUTH, & RELEASING & EXTINGUISHING THE PUBLIC RIGHTS IN AND TO SAME. | STREET VACATION | 2/18/82 |

| ORDINANCE NUMBER | TITLE OF ORDINANCE | SHORT DESCRIPTION | DATE APPROV |
|---------------------|--|---|----------------|
| #442 | AN ORDINANCE TO AMEND ORDINANCE Number 170 Entitled "AN ORDINANCE PROVIDING FOR THE REGISTRATION, LICENSING, AND REGULATION OF DOGS IN THE BOROUGH OF OCEANPORT, MONMOUTH COUNTY, NEW JERSEY", PASSED & APPROVED ON JULY 2, 1953, AS AMENDED & SUPPLEMENTED. | Changes cost of dog license from \$3.50 to \$5.00 | 5/1/80 |
| #443 | AN ORDINANCE AMENDING AN ORD. ENTITLED "BOROUGH OF OCEANPORT ZONING ORD.", ADOPTED JULY 3, 1969. | only 6 dwellings per gross acre from 12--up dates schedules I, II, & III. | 5/15/80 |
| #444 | AN ORDINANCE TO AMEND ORD. NUMBER 289 ENTITLED "THE LAND SUBDIVISION ORD. OF THE BOROUGH OF OCEANPORT" PASSED & APPROVED ON 12/3/1970, AS AMENDED & SUPPLEMENTED. | Changes definition of road STREET | 5/15/80 |
| 445 | AN ORDINANCE TO AMEND AN ORD. ENTITLED "AN ORD. TO FIX & DETERMINE THE SALARIES OF CERTAIN BORO OFFICIALS" PASSED & APPROVED ON 3/16/1939. | 1980 Police Salary Ord. | 6/5/80 |
| 446 | AN ORDINANCE VACATING A PORTION OF EAST MAIN ST. (FORMERLY OCEANPORT AVE.) AND BRIDGEWATERS DRIVE, IN THE BOROUGH OF OCEANPORT, COUNTY OF MON. STATE OF NJ AND EXTINGUISHING THE PUBLICS RIGHT THEREUNDER | VACATES PORTION OF E. MAIN ST. & BRIDGEWATERS | 6/19/80 |
| 447 | ORDINANCE AUTHORIZING THE CONVEYANCE OF BOROUGH LANDS BY PRIVATE SALE | SALE OF LAND TO SWANN & DANGLER | 6/19/80 |
| 448 | AN ORDINANCE TO AMEND AN ORD. ENTITLED "AN ORD. TO FIX & DETERMINE THE SALARIES OF CERTAIN BOROUGH OFFICIALS" PASSED & APPROVED ON MARCH 16, 1939 | Salary for Mike McTighe as permanent employee | 6/19/80 |
| 449 | BOND ORDINANCE APPROPRIATING \$75,000 & AUTHORIZING THE ISSUANCE OF \$71,250. OF BONDS OR NOTES OF THE BOROUGH FOR THE PURPOSE OF PURCHASING A FIRE ENGINE & RELATED EQUIPMENT BY THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, & STATE OF NJ | .bond ord. for fire truck | 8/7/80 |
| 450 | AN ORDINANCE PROVIDING FOR THE CREATION AND ORGANIZATION OF AN ENVIRONMENTAL COMMISSION IN THE BOROUGH OF OCEANPORT, ITS MEMBERSHIP, GENERAL POWERS AND DUTIES. | Establishing Environmental Commission within the Borough | 12/4/80 |

| NUMBER | | | APPROVED |
|--------|---|--|----------|
| 435 | AN ORDINANCE AMENDING AND SUPPLEMENTING AN ORDINANCE ENTITLED "BOROUGH OF OCEANPORT ZONING ORDINANCE" PASSED & APPROVED ON JULY 3, 1969, AS AMENDED & SUPPLEMENTED | MAKES RMO ZONE-MULTI-FAMILY DWELLING SECTION (UP GRADES CURRENT ONE) | 9/6/79 |
| 436 | AN ORDINANCE ESTABLISHING A PROGRAM FOR THE COLLECTION & RECYCLING OF USED NEWSPAPERS, THE ESTABLISHMENT OF A COALITION OF MUNICIPALITIES IN WHICH SAID PROGRAM IS TO BE CARRIED OUT, TO PROVIDE FOR THE ADOPTION & PROMULGATION OF REGULATIONS BY SAID COALITION AND TO FIX PENALTIES FOR THE VIOLATION OF SAID REGULATIONS/ | NEWSPAPER SEPARATION FROM GARBAGE | 10/18/79 |
| 437 | AN ORDINANCE AUTHORIZING THE OF LOT 21B IN BLOCK 72K BY GIFT | ACCEPTING A PIECE OF LAND BY GIFT | 10/18/79 |
| 438 | AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF LOTS 1 AND 2 IN BLOCK 72C AND LOT 71 IN BLOCK 72A BY GIFT | ACCEPTING TWO PIECES OF PROERTY BY GIFT | 11/15/79 |
| 439 | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX & DETERMINE THE SALARIES OF CERTAIN BOROUGH OFFICIALS" PASSED & APPROVED ON MARCH 16, 1939. | amending salary ord. to include laborer trainee | 12/6/79 |
| 440 | AN ORDINANCE GRANTING TO FUTUREVISION CABLE ENTERPRISES, INC. THE RIGHT TO ERECT, MAINTAIN & OPERATIN IN, UNDER, OVER, ALONG, ACROSS & UPON THE STREETS LANES, AVENUES, SIDEWALKS, ALLEYWAYS BRIDGES & HIGHWAYS & OTHER PUBLIC PLACES IN THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH & STATE OF NJ TELEVISION, TRANSMISSION & DISTRIBUTION FACILITIES & SUBSEQUENT ADDITIONS THERETO FOR THE PURPOSE OF TRANSMISSION & DISTRIBUTION BY CABLE OF TELEVISION SIGNALS TO ENABLE SALE OF THEIR COMMUNITY TELEVISION ANTENNA SERVICE TO THE RESIDENTS OF THE BOROUGH & FOR OTHER PURPOSES & REGULATING THE USE THEREOF. | Extending permission to Futurevision to operate cable television | 2/21/80 |
| 441 | AN ORDINANCE TO AMEND AN ORD. ENTITLED "AN ORD. TO FIX & DETERMINE THE SALARIES OF CERTAIN BOROUGH OFFICIALS" PASSED AND APPROVED ON MARCH 13, 1939. | 1980 salary ordinance- except patrolman- | 3/20/80 |

| ORDINANCE NUMBER | TITLE OF ORDINANCE | SHORT DESCRIPTION | DATE APPROVED |
|---------------------|---|--|------------------|
| 429 | AN ORDINANCE CHANGING THE NAME OF A PORTION OF OCEANPORT AVENUE TO EAST MAIN STREET IN THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY | CHANGING THE NAME OF A PORTION OF OCEANPORT AVE. TO EAST MAIN ST. | 5/17/79 |
| 430 | AN ORDINANCE AUTHORIZING THE APPROPRIATION OF \$74,175.00 FROM CAPITAL SURPLUS, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHOR- IZED TO BE UNDERTAKEN BY THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, NEW JERSEY. | ORD. AUTHORIZING THE APPROPRIATION OF \$74,175. FOR ROAD IMPROVE- MENTS. | 6/7/79 |
| 431 | BOND ORD. PROVIDING FOR VARIOUS ROAD & CURB IMPROVEMENTS OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY APPROPRIATING THE AGGREGATE AMOUNT OF \$200,000 THEREFOR & AUTHORIZING THE ISSUANCE OF \$190,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF | BOND ORD. FOR \$200,000 FOR ROAD & CURB IMPROVEMENTS | 6/7/79 |
| 432 | ORDINANCE WIDENING & ALTERING THE RIGHT OF WAY OF BRIDGEWATERS DRIVE, LAKE DR., & OCEANPORT AVE. (soon to be known as EAST MAIN ST.) IN THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NJ | ORD. TO WIDEN EAST MAIN ST. & ALTER RIGHT OF WAYS OF BRIDGEWATERS, LAKE & E. MAIN ST. | 6/21/79 |
| 433 | AN ORDINANCE TO AMEND AN ORD. ENTITLED "AN ORD. TO FIX & DETERMINE THE SALARIES OF CERTAIN BOROUGH OFFICIALS" PASSED AND APPROVED MARCH 16, 1939 | ORD. TO INCLUDE PATROLMEN SALARIES FOR 1979 | 7/19/79 |
| 434 | AN ORDINANCE AMENDING AN ORD. ENTITLED "AN ORD. AUTHORIZING THE LEASING OF A CERTAIN PORTION OF MUNICIPALLY-OWNED PROPERTY TO A NON-PROFIT CORPORATION COMMONLY KNOWN AS THE OCEANPORT LIONS SWIM CLUB" PASSED & APPROVED 1/18/73 | Ord. to renew swim club lease (Lions) | 8/16/79 |

| ORDINANCE NUMBER | TITLE OF ORDINANCE | SHORT DESCRIPTION | DATE APPROV |
|---------------------|--|--|----------------|
| 422 | AN ORDINANCE AUTHORIZING THE CONVEYANCE OF LOTS 13 & 14 IN BLOCK 80B ON THE TAX MAP OF THE BOROUGH OF OCEANPORT TO THE OCEANPORT FIRST AID SQUAD | transfer of Borough owned property to First Aid Squad for purpose of construction of building | 12/7/7 |
| 423 | AN ORDINANCE AMENDING ORDINANCE NO. 392 ENTITLED "AN ORDINANCE OF THE BOROUGH OF OCEANPORT ESTABLISHING A PLANNING BOARD & A ZONING BOARD OF ADJUSTMENT PURSUANT TO THE PROVISIONS OF CHAPTER 291, P.L.1975 AND PROVIDING FOR THE POWERS OF SAID BOARDS FIXING THE PROCEDURES GOVERNING APPLICATIONS TO SAID BOARDS AND APPEALS THEREFROM, AND PROVIDING FOR THE CONTINUANCE OF EXISTING ORDINANCES" PASSED AND APPROVED ON DECEMBER 16, 1976. | regarding alternates for the Planning & Zoning Boards | 12/7/7 |
| 424 | AN ORDINANCE ESTABLISHING AND FIXING FEES PERTAINING TO THE OCEANPORT PLANNING BOARD AND BOARD OF ADJUSTMENT | regarding new fees for subdivisions, site plans, variances, for Planning & Zoning Boards | 12/7/7 |
| 425 | AN ORDINANCE AUTHORIZING THE LEASING OF LOTS 13 AND 14 IN BLOCK 80B TO THE OCEANPORT FIRST AID SQUAD | leasing land for new first aid building | 2/15/7 |
| 426 | AN ORDINANCE AMENDING BOND ORD. FOR PUBLIC WORKS - 3/15/79 | Ord. for public works project. 3/15/79 | 3/15/7 |
| 427 | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORD. TO FIX AND DETER- MINE THE SALARIES OF CERTAIN BOROUGH OFFICIALS" PASSED AND APPROVED 3/13/39. | amending salary ord. for Borough Officials. | 4/5/7 |
| 428 | AN ORD. AUTHORIZING THE ESTABLISH- MENT OF FIRE DEPT. OPERATION ZONES IN PARKING AREAS OPEN TO THE PUBLIC IN THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF N.J. | Ord. regarding parking of fire dept. operation zones in parking areas open to public | 4/19/7 |

| FINANCE NUMBER | TITLE OF ORDINANCE | SHORT DESCRIPTION | DATE APPROV |
|-------------------|---|---|----------------|
| 416 | AN ORDINANCE AMENDING AN ORDINANCE ENTITLED: "AN ORDINANCE AMENDING THE BUILDING CODE, ESTABLISHING FLOOD PROTECTION MEASURES, AMENDING SUBDIVISION REQUIREMENTS, ESTABLISHING DESIGN AND INSTALLATION REQUIREMENTS OF WATER AND SEWERAGE SYSTEM, DESIGNATING ADMINISTRATIVE AUTHORITY, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF FOR THE BOROUGH OF OCEANPORT, PASSED AND APPROVED ON FEBRUARY 17, 1977. | Updated flood insurance to comply with government changes in flood insurance | 4/6/78 |
| 417 | AN ORDINANCE AMENDING AND SUPPLEMENTING IN ITS ENTIRETY CHAPTER 51 (STREET AND SIDEWALK EXCAVATIONS) OF THE "CODE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY" SO AS TO PROVIDE FOR A COMPREHENSIVE STREET AND PUBLIC RIGHT OF WAY EXCAVATION PROCEDURE | Street opening permits | 6/15/78 |
| 418 | AN ORDINANCE AUTHORIZING THE APPROPRIATION OF \$55,000 FROM CAPITAL SURPLUS, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, NEW JERSEY. | Ord. regarding the appropriation of \$55,000 capital surplus | 7/20/78 |
| 419 | AN ORDINANCE VACATING OAK PLACE WHICH WAS PREVIOUSLY DEDICATED AS A PUBLIC STREET, BUT NEVER OPENED, AND EXTINGUISHING THE PUBLIC RIGHT THEREUNDER | Ord. regarding Oak Place | 8/3/78 |
| 420 | AMENDING ORDINANCE NO. 97 ENTITLED "AN ORDINANCE TO REGULATE THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES IN THE BOROUGH OF OCEANPORT, MONMOUTH COUNTY, AND STATE OF NEW JERSEY" PASSED AND APPROVED ON NOVEMBER 5, 1942, AS AMENDED AND SUPPLEMENTED. | Amending ord. 97, re: sale and consumption of alcoholic beverages. | 8/3/78 |
| 421 | ORDINANCE AMENDING AND SUPPLEMENTING SECTION 4B, SCHEDULE OF FEES, OF CHAPTER 46, PLUMBING, OF THE CODE OF THE BOROUGH OF OCEANPORT | Ord. amending schedule of plumbing fees | 10/5/78 |

ORDINANCE #416.

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED:
"AN ORDINANCE AMENDING THE BUILDING CODE,
ESTABLISHING FLOOD PROTECTION MEASURES,
AMENDING SUBDIVISION REQUIREMENTS, ESTABLISHING
DESIGN AND INSTALLATION REQUIREMENTS OF WATER
AND SEWERAGE SYSTEM, DESIGNATING ADMINISTRATIVE
AUTHORITY, AND PROVIDING PENALTIES FOR THE
VIOLATION THEREOF FOR THE BOROUGH OF OCEANPORT,
PASSED AND APPROVED ON FEBRUARY 17, 1977.

BE IT ORDAINED BY THE MAYOR AND COUNCIL of the Borough of Oceanport, in the County of Monmouth, and State of New Jersey as follows:

SECTION 1. Sections 4 (b), 5, 6 and 8 of an ordinance entitled "An Ordinance Amending the Building Code, Establishing Flood Protection Measures, Amending Subdivision Requirements, Establishing Design and Installation Requirements of Water and Sewerage System, Designating Administrative Authority, and Providing Penalties for the Violation Thereof for the Borough of Oceanport, passed and approved on February 17, 1977, and codified in Chapter 36 of the Code of the Borough of Oceanport are hereby amended to read as follows:

SECTION 4. New Improvement or Development Within Zones Elevated to or Above Base Flood Elevation.

(b) No new construction or substantial improvement of any nonresidential structure shall be permitted in any A1 - A30 zone, and no building permit referred to in Section 3 of this ordinance shall be issued therefore, unless said new construction or substantial improvement has the lowest floor (including basement) elevated above "Base Flood Elevation" then such nonresidential structure together with attendant utility and sanitary facilities shall be flood proofed up to "Base Flood Elevation."

SECTION 5. Prohibited Acts and Uses in Floodway. The Floodway depicted on the map referred to in Section 7 of this ordinance is hereby adapted as the regulatory floodway for the Borough of Oceanport. No Person shall hereafter engage in, cause, or permit other persons to engage in prohibited uses within a delineated floodway. The following uses shall be prohibited:

(a) Placing, depositing, or dumping any solid waste, garbage, refuse, trash, rubbish or debris;

(b) Dumping or discharging untreated domestic sewerage or industrial wastes, either solid or liquid;

(c) The storage or disposal of pesticides;

(d) The storage or processing of materials that are in time of flooding buoyant, flammable, or explosive;

(e) The storage of processing hazardous materials that could be injurious in time of flooding to human, animal, or plant life; and

(f) The erection of structures for human occupation. New construction, substantial improvements to existing structures, or any other development shall not be permitted unless certification by a professional registered engineer or architect is provided demonstrating that the encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.

SECTION 6. Watercourse Alterations. Prior to the relocation or other alterations to watercourses in the Borough of Oceanport, New Jersey, a written notification of the proposed action shall be sent to the chief executive officer of each adjacent municipality and the New Jersey Department of Environmental protection. A copy of each such notice shall be retained by the Borough and submitted to the Federal Insurance Administrator. The Borough shall also assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.

SECTION 8. The Construction Official of the Borough of Oceanport shall administer and enforce this ordinance and shall make the determination concerning compliance with this ordinance and the issuance of building permits, along with maintaining records of elevation and floodproofing levels for all new or substantially improved structures, including data as to whether such structures contain a basement.

SECTION 2. All ordinances and resolutions or parts of ordinances and resolutions, inconsistent with this amending ordinance, be and the same are hereby repealed.

SECTION 3. This amending and supplemental ordinance shall become effective upon due passage and publication according to law.

PATRICIA L. VARCA
ACTING BOROUGH CLERK

PASSED AND APPROVED BY MAYOR AND COUNCIL 4/6/78.

AN ORDINANCE AMENDING AND SUPPLEMENTING
IN ITS ENTIRETY CHAPTER 51 (STREET AND
SIDEWALK EXCAVATIONS) OF THE "CODE OF
THE BOROUGH OF OCEANPORT, COUNTY OF MON-
MOUTH, STATE OF NEW JERSEY" SO AS TO
PROVIDE FOR A COMPREHENSIVE STREET AND
PUBLIC RIGHT OF WAY EXCAVATION PROCEDURE

BE IT ORDAINED by the Mayor and Council of the Borough
of Oceanport, County of Monmouth, State of New Jersey, as follows:

Section 1. That Chapter 51 of the Code of the Borough
of Oceanport, County of Monmouth, State of New Jersey is amended
and supplemented in its entirety to read as follows:

51-1 - Definitions

as used in this chapter:

a. "Emergency" shall mean a condition or circumstance
which involves immediate danger to life or property or both, or
which involves a possibility of interruption or curtailment of
any service furnished to the public by a public utility.

b. "Permittee" shall mean any public utility, individual
or company to which a permit has been issued under and pursuant
to this chapter.

c. "Public utility" shall mean any public utility as
defined in R.S. 48:2-13.

d. "Borough Administrator" shall mean the Borough
Administrator of the Borough of Oceanport or such other Borough
official, as the governing body may designate. He shall act as
the administrative officer for this ordinance and coordinate with
the Borough Engineer and other Borough Officials and entities
as may be required.

51-2 - Permit Required

It shall be unlawful for any person to perform any excavation
work or to dig up, break, excavate, tunnel, undermine or in any
excavation in or under the surface of any street for any purpose
or to place, deposit or leave upon any street any earth or other
excavated material, obstructing or tending to interfere with the
free use of the street, or dig up, break, excavate or undermine
or in any way affect any other public improvement within a public
right-of-way unless such persons shall first have obtained a
permit therefor from the Borough Clerk as herein provided.

51-3 - Application Requirements

Application for a permit shall be made on forms to be
provided by the Borough. The application shall state the purpose
of the excavation and the name and address of the person who will
restore the permanent payment when the same is not to be done by
the Borough or the applicant. The application shall be accompanied
by a diagram indicating the nature and extent of the excavation
to be made and the work to be done. The proposed dates of

commencement and completion of the excavation (which date shall be the expiration date of any permit issued pursuant to the application) and other data as may reasonably be required. If during the course of the work, any major variation is required, the permittee shall file an amended diagram showing the manner in which the work is actually being done.

51-4 - Fees

Application for a permit shall be accompanied by a \$10 fee to cover administrative costs for excavations up to 100 square feet, and by a fee of \$25 for larger excavations. In addition to the permit fee, the applicant shall pay an inspection fee before the permit is issued equal to 10% of the cash repair deposit, but not less than \$25.00, for openings up to 1,000 square feet plus 5% of the cash repair deposit for that portion of any opening in excess of 1,000 square feet. Such inspection fee shall be paid even though the applicant shall post a bond in lieu of a cash repair deposit.

The Borough Clerk shall forward a copy of each application for a street opening permit to the Oceanport Police Department and upon receipt of the Chief of Police or his designee shall review the subject application to determine whether traffic control shall be needed during the period of construction. If it is determined that the permittee shall need the assistance of a law enforcement officer to control traffic in the vicinity of the construction site then the applicant shall be required, in addition to the other fees provided for in this ordinance, to pay to the Borough of Oceanport a fee of \$12 for each hour, or part thereof, that a member of the Oceanport Police Department will be required to direct traffic at the site.

51-5 - Cash Repair Deposit to Ensure Restoration

The application for an excavation permit to perform excavation work under this Ordinance shall be accompanied by a cash repair deposit. Such cash repair deposit will take the form of cash or certified check payable to the Borough of Oceanport and shall be received by the Borough Clerk prior to the issuance of any permit. The amount of the cash repair deposit required shall be: (a) for opening in streets paved with concrete or bituminous concrete: - (i) \$2.50 per square foot of surface for openings not exceeding 100 square feet; (ii) \$250.00 plus \$2.00 per square foot of opening in excess of 100 square feet but not exceeding 1,000 square feet; (iii) \$2,050.00 plus \$1.50 per square foot of opening in excess of 1,000 square feet. For excavations made in streets of lesser construction, one-half the preceding fees. In the case of excavation or removal or alteration of other public improvements such as drainage, sidewalks, driveways, driveway aprons, etc., the Borough Engineer shall determine in each case the amount of the cash repair deposit in sum total sufficient to allow the Borough to perform all required repairs and restorations. Said amount shall be estimated to include gross Borough costs, including fees, temporary maintenance costs, permanent restoration cost, etc. In no case shall a cash deposit be less than \$50.00. Any cash repair deposit made hereunder shall serve as security for the inspection, repair and performance of work necessary to put the street in as good a condition as it was prior to the excavation if the permittee fails to make the necessary repairs

or to complete the proper refilling of the opening and the excavation work under the excavation permit. Upon the permittee's completion of the work covered by such permit, in conformity with the Ordinance as determined by the Borough Administrator, two thirds of the remaining cash deposit shall be promptly refunded by the Borough to the permittee and the balance shall be refunded by the Borough to the permittee upon the expiration of such 12 months' period; provided that if the amount of the cash deposit does not exceed \$100, the entire cash repair deposit will be returned upon the Borough Administrator's determination that the permittee has performed the work in conformity with this Ordinance and provided further that the Borough may use any or all of such deposit to pay the cost of any work the Borough performs to restore or maintain the street as herein provided in the event the permittee fails to perform such work, in which event the amount refunded to the permittee shall be reduced by the amount thus expended by the Borough.

Cash repair deposits will be waived in the case of installation or repair of sidewalk by the owner, or by a person, acting for the owner, of real property and may be waived in the case of installation of new public improvements by a subdivider of site development in accordance with the approved plans and without cost to the Borough provided, however, that such waiver will not be granted if, in the opinion of the Borough Administrator, a cash repair deposit is necessary to assure protection of existing improvements or to guarantee against damages during construction.

51-6 - Surety Bond

If an individual cash repair deposit required by 51-5 exceeds \$500 or if the applicant be a public utility regulated by the Federal Government and/or the State of New Jersey, may deposit with the Borough Clerk a surety bond in the amount of the Cash Repair Deposit or an annual bond in the amount of \$5,000 made payable to the Borough of Oceanport. The required surety bond must be:

- (a) With good and sufficient surety;
- (b) By a surety company authorized to transact business in the State of New Jersey;
- (c) Satisfactory to the Borough Attorney in form and substance;

(d) Conditioned upon the permittee's compliance with this Ordinance and to secure and hold the Borough and its officer harmless against any and all claims, judgments, or other costs arising from the excavation and other work covered by the excavation permit or for which the Borough, the Borough Council, or any Borough officer may be made liable by reason of any accident or injury to person or property through the fault of the permittee either in not properly guarding the excavation or for any other injury resulting from the negligence of the permittee, and further conditioned to fill up, restore and place in good and safe condition as near as may be to its original condition and to the

satisfaction of the Borough Administrator all openings and excavations made in streets, and to maintain any street where excavation is made in as good condition for the period of twelve (12) months after said work shall have been done, usual wear and tear excepted, as it was in before said work shall have been done. Any settlement of the surface within the said one-year period shall be deemed conclusive evidence of defective backfilling by the permittee. Nothing herein contained shall be construed to require the permittee to maintain any repairs to pavement made by the Borough if such repairs should prove defective. Recovery on such bond for any injury or accident shall not exhaust the bond but it shall in its entirety cover any or all future accidents or injuries during the excavation work for which it is given. In the event of any suit or claim against the Borough by reason of the negligence or default of the permittee, upon the Borough giving written notice to the permittee of such suit or claim, any final judgment against the Borough requiring it to pay for such damage shall be conclusive upon the permittee and his surety. An annual bond may be given under this provision which shall remain in force for one year conditioned as above, in the amount specified above and in other respects as specified above, but applicable as to all excavation work in streets by the principal in such bond during the term of one year from said date. Public utilities may deposit a corporate bond conditioned as in the case of a surety bond in the amount of \$5,000 in lieu of said surety bond but such corporate bond must be in addition to a \$500 cash repair deposit. Such cash repair deposit may by Council action be returned with interest to the utility after a 12 month period wherein the Borough has made no charges or written demands against the deposit.

51-7 - Oral Emergency Approval

In case of emergency, any public utility, individual or company may make an excavation in or tear up the surface of any road without first having obtained from the Borough of Oceanport a permit therefore in which case the public utility, individual, or company shall make application for such permit within five working days after the occurrence of such emergency; provided the public utility, individual or company first telephones to the office of the Borough Administrator a statement concerning the emergency in question or, in case such office is closed, the telephone call shall be made to the Borough Police Department, which shall log the information for the Administrator.

51-8 - Openings, Backfillings and Resurfacing

The permittee shall comply with the following general conditions with regard to the opening or excavation and the backfilling and resurfacing of any public street or public place:

A. The permittee shall keep each opening properly guarded and at night have lights placed thereat, and in doing the work, interfere as little as possible with the travel along the road and open no greater part of the road at any time than shall be allowed by the Borough. If the excavation is to extend the full width of the road, no more than one half of the road shall be opened at one time, and such half shall be backfilled

before the other half is opened, so as to permit the free flow of traffic.

B. The opening shall be backfilled immediately and the pavement shall be restored with at least a temporary pavement or bituminous concrete base material within three (3) weeks. Beyond this period, a time extension must be obtained from the Borough.

C. The restoration of the opening shall be maintained for sixty (60) days after completion at the expense of the permittee and any cash deposit, as set forth hereafter, shall not be returned until at least sixty (60) days have passed from the time of repair and the road is in acceptable condition.

D. The applicant shall give a twenty-four hour notice to the Borough Administrator prior to making an opening or prior to beginning surface restoration.

E. No opening shall be commenced on a Saturday, Sunday or holiday except in a case of emergency.

F. On a bituminous surface treated road, the edges of the opening shall be cut straight through the bituminous surface before the trench is excavated.

G. The work shall be so conducted as not to interfere with the water mains, gas lines, sewer lines or their connections with houses unless permission of the proper authorities shall have been obtained. All rock within five (5) feet of a water main or other pipe which might be damaged thereby shall be removed without blasting. No excavation which will damage trees shall be made.

H. After the underground installation has been completed the permittee shall promptly backfill the excavation. The backfill may consist of the excavated materials but shall be free of all organic material, debris and clay. It shall be placed in lifts of no more than 12 inches, each lift to be thoroughly compacted, to a grade 24 inches below subgrade, the remainder to be backfilled with bank run gravel. Should the excavated material be unsuitable for backfill in the opinion of the Borough Administrator, then the entire trench shall be backfilled with bank run gravel and compacted as described above. Bank run gravel shall conform to New Jersey State Department of Transportation Soil Aggregate Dry Type 1A.

I. After the backfill has been placed, the permittee shall install a temporary pavement of bituminous material over the opening and shall keep such temporary pavement to grade until it has been replaced by a permanent pavement.

J. When final settlement has taken place, the permittee shall replace the temporary pavement with a permanent pavement which shall not be less than 12 inches larger than the length and width of the opening. The permanent pavement shall be of the same type as the original pavement, unless authorized by the Borough Administrator. The Borough Administrator shall be given one day's written notice previous to the time when the permanent pavement is to be installed in order to permit and inspection thereof.

51-9 - Indemnity

In accepting a permit, the permittee shall be deemed to have agreed to indemnify and save harmless the Borough from and against any and all loss, costs or damages, incurred by reason of any damage to any property, injury to any person, or any loss of life, resulting from any negligence of the permittee, its agents or servants in performing the work covered by the permit.

51-10 - Ordinance Not Applicable to Borough Work

The provisions of this Ordinance shall not be applicable to any excavation work under the direction of competent Borough officials by employees of the Borough or by any contractor of the Borough or agency or department of the Borough performing work for and in behalf of the Borough necessitating openings or excavations in streets nor shall the provisions of 51-4 and 51-5 apply to any excavation work performed adjacent to or within public right-of-ways by subdividers or site developers in accordance with approved subdivision or site plans, provided such subdividers or site developers have posted cash guarantees and surety in accordance with the applicable Ordinance requirements.

51-11 - Insurance

A permittee, prior to the commencement of excavation work hereunder, shall furnish the Borough Administrator satisfactory evidence in writing that the permittee has in force and will maintain in force during the performance of the excavation work and the period of the excavation permit public liability insurance of not less than \$100,000.00 for any one person and \$300,000.00 for any one accident and property damage insurance of not less than \$50,000.00 duly issued by an insurance company authorized to do business in this State. In cases where the character of nature of the proposed excavation work are such as to present an unusual hazard or a higher than normal risk of damage or injury the Borough Council may require the provision of increased amounts of liability and property damage insurance. Any permits which occasion such increased hazard or liability shall be referred, by the Borough Administrator, for the consideration of the governing body prior to the issuance of a permit.

Section 2. All ordinances and resolutions or parts of ordinances and resolutions, inconsistent with this amending ordinance, be and the same are hereby repealed.

Section 3. This amending and supplemental ordinance shall become effective upon due passage and publication according to law.

PATRICIA L. VARCA
ACTING BOROUGH CLERK

PASSED AND APPROVED BY MAYOR AND COUNCIL 6/15/78.

ORDINANCE #418

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF \$55,000 FROM CAPITAL SURPLUS, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, NEW JERSEY

BE IT ORDAINED by the Borough Council of the Borough of Oceanport, County of Monmouth, State of New Jersey as follows:

SECTION 1. The several improvements and purchases described in this ordinance are hereby respectively authorized to be made and acquired by the Borough of Oceanport, New Jersey.

SECTION 2. For the financing of said improvements and purposes there is hereby appropriated from capital surplus the sum of \$55,000.

SECTION 3. The improvements hereby authorized are as follows:

- A) The purchase of a 6 yard dump truck for use by the Oceanport Road Department.
- B) The placement of a 1½ inch overlay on Sagamore Avenue and base repair.
- C) The placement of a 1½ inch overlay on Whitehall Circle.
- D) The installation of gasoline tanks at the municipal complex.
- E) The placement of a 1½ inch overlay on Avon Avenue along with construction of swale curb and base repair.
- F) The purchase of a 3/4 ton pick up truck for use by the Oceanport Road Department.

SECTION 4. The ordinance shall take effect after final passage and publication according to law.

PATRICIA L. VARCA
ACTING BOROUGH CLERK

PASSED AND APPROVED BY MAYOR AND COUNCIL 7/20/78.

ORDINANCE #419

AN ORDINANCE VACATING OAK PLACE WHICH
WAS PREVIOUSLY DEDICATED AS A PUBLIC
STREET, BUT NEVER OPENED, AND
EXTINGUISHING THE PUBLIC RIGHT
THEREUNDER

WHEREAS, there appears on the official tax map of the
Borough of Oceanport, a certain "paper street" commonly known
as Oak Place; and

WHEREAS, the street is not open to the public and it
appearing to the governing party that the public interest would
be better served by releasing said lands from this dedication;

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council
of the Borough of Oceanport, in the County of Monmouth, and
State of New Jersey, as follows:

Section One:- That the public right, if any, arising
from the said street appearing on the official tax map of the
Borough of Oceanport as Oak Place is hereby vacated and the
public right arising from said dedication is released and
extinguished.

Section Two: This ordinance shall take effect upon
final passage and publication as provided by law.

PATRICIA L. VARCA
ACTING BOROUGH CLERK

PASSED AND APPROVED BY MAYOR AND COUNCIL 8/3/78.

ORDINANCE #420

AMENDING ORDINANCE NO. 97 ENTITLED "AN ORDINANCE TO REGULATE THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES IN THE BOROUGH OF OCEANPORT, MONMOUTH COUNTY, AND STATE OF NEW JERSEY" PASSED AND APPROVED ON NOVEMBER 5, 1942, as AMENDED AND SUPPLEMENTED

BE IT ORDAINED, by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth, and State of New Jersey, as follows:

Section One: Section 22-13 of the codified ordinances of the Borough of Oceanport more commonly known as "An Ordinance to Regulate the Sale and Consumption of Alcoholic Beverages in the Borough of Oceanport, County of Monmouth, and State of New Jersey", passed and approved on November 5, 1942, be and the same is hereby amended to read as follows:

Section 22-13. HOURS OF OPERATION

A. No licensee shall sell, serve, deliver, or permit, allow or suffer the sale, service or delivery of, any alcoholic beverage, or allow the consumption of any alcoholic beverage, on the licensed premises except as follows:

- (1) On weekdays between the hours of 8:00 a.m. and 2:00 a.m. of the following day.
- (2) On Sundays between the hours of 12:00 p.m. and 2:00 a.m. of the following day.
- (3) On the last day of the calendar year between the hours of 8:00 a.m. and 4:00 a.m. of the following day, except when the last day of the year falls on a Sunday, then between the hours of 12:00 p.m. and 4:00 a.m. of the following day.

B. No licensee shall sell or deliver, or allow, permit or suffer the sale or delivery of any alcoholic beverage at retail in its original container for consumption off the licensed premises or allow, permit or suffer the removal of any alcoholic beverage in its original or opened container from retail licensed premises on or before 9:00 a.m. or after 10:00 p.m. on any day of the week; except that on Sunday the sale of malt alcoholic beverages for consumption off the premises shall be permitted from 12:00 p.m. to 6:00 p.m.

C. The above hours to be in accordance with the prevailing time then existing.

D. During the hours for which sale of alcoholic beverages are hereinafter prohibited, the entire licensed premises shall also be closed, and no person shall be admitted or permitted to remain therein except the licensee of bona fide employees of the licensee.

E. Nothing herein contained, however, shall be construed to permit the sale of alcoholic beverages on any day when otherwise prohibited by law.

Section Two: All ordinances and resolutions, or parts of resolutions, inconsistent when this amending ordinance, be and the same are hereby repealed.

Section Three: This amending ordinance shall become effective upon due passage and publication according to law.

PATRICIA L. VARCA
ACTING BOROUGH CLERK

PASSED AND APPROVED BY MAYOR AND COUNCIL 8/3/78.

ORDINANCE #421

AN ORDINANCE AMENDING AND SUPPLEMENTING
SECTION 4B, SCHEDULE OF FEES, OF CHAPTER
46, PLUMBING, OF THE CODE OF THE BOROUGH
OF OCEANPORT

BE IT ORDAINED by the Mayor and Council of the Borough
of Oceanport, County of Monmouth, State of New Jersey as follows:

Section 1. That Section 4B, Schedule of Fees of Chapter 46
is amended to read as follows:

B. Schedule of Permit Fees

1. For each plumbing fixture or plumbing device---\$ 4.00
2. Minimum fee-----\$ 8.00
3. Sewer connection or grease trap installation---\$10.00
4. Sprinkler system installation-----\$ 5.00
5. Re-inspection fee-----\$ 5.00

Section 2. All ordinances and resolutions or parts of
ordinances and resolutions, inconsistent with this amending
ordinance, be and the same are hereby repealed.

Section 3. This amending ordinance and supplemental ordinance
shall become effective upon due passage and publication according to
law.

PATRICIA L. VARCA
ACTING BOROUGH CLERK

PASSED AND APPROVED BY MAYOR AND COUNCIL 10/5/78.

ORDINANCE #422

AN ORDINANCE AUTHORIZING
THE CONVEYANCE OF LOTS
13 and 14 IN BLOCK 80B
BOROUGH OF OCEANPORT TO
THE OCEANPORT FIRST AID
SQUAD

WHEREAS, the Borough of Oceanport is the owner of lots 13 and 14 in block 80B on the tax map of the Borough of Oceanport; and,

WHEREAS, the Oceanport First Aid Squad, a non-profit corporation, is desirous of constructing a new First Aid and Rescue Squad building; and,

WHEREAS, the provisions of N.J.S.A. 40A:12-21 provide that a governing body may convey property to an incorporated First Aid Squad for a nominal consideration; and

WHEREAS, the Mayor and Council of the Borough of Oceanport recognize that this property is not needed for municipal purposes.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport that:

Section 1. - The property commonly known as Lots 13 and 14 in Block 80B on the Official Tax Map of the Borough of Oceanport be conveyed to the Oceanport First Aid Squad for ONE DOLLAR (\$1.00) and other good and valuable consideration.

Section 2. - This conveyance is not to become effective until the Oceanport First Aid Squad has secured all governmental permits for the construction of a new First Aid Building and has exhibited to the satisfaction of the Mayor and Council the financial ability and resources to complete construction of said improvement within one (1) year from the date of conveyance.

Section 3. - The deed of conveyance shall contain conditions and restrictions to the effect that the building is to be used only for the purpose of the Oceanport First Aid Squad and that if said lands or building are not used in accordance with this limitation, title thereto shall revert to the Borough of Oceanport without entry or reentry made thereon on behalf of the Borough of Oceanport.

Section 4. - This Ordinance shall become effective upon due passage and publication according to law.

PASSED AND APPROVED BY MAYOR AND COUNCIL 12/7/78.

PATRICIA L. VARCA
ACTING BOROUGH CLERK

AN ORDINANCE AMENDING ORDINANCE NO. 392 ENTITLED "AN ORDINANCE OF THE BOROUGH OF OCEANPORT ESTABLISHING A PLANNING BOARD AND A ZONING BOARD OF ADJUSTMENT PURSUANT TO THE PROVISIONS OF CHAPTER 291, P.L. 1975; AND PROVIDING FOR THE POWERS OF SAID BOARDS AND APPEALS THEREFROM, AND PROVIDING FOR THE CONTINUANCE OF EXISTING ORDINANCES" PASSED AND APPROVED ON DECEMBER 16, 1976.

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth, and State of New Jersey, as follows:

SECTION 1. Chapter 41A, Article I, Sections 1 and 2 and Article II, Section 1 of a codified ordinance of the Borough of Oceanport known as "AN ORDINANCE OF THE BOROUGH OF OCEANPORT ESTABLISHING A PLANNING BOARD AND A ZONING BOARD OF ADJUSTMENT PURSUANT TO THE PROVISIONS OF CHAPTER 291, P.L. 1975; AND PROVIDING FOR THE POWERS OF SAID BOARDS FIXING THE PROCEDURES GOVERNING APPLICATIONS TO SAID BOARDS AND APPEALS THEREFROM, AND PROVIDING FOR THE CONTINUANCE OF EXISTING ORDINANCES" PASSES AND APPROVED ON DECEMBER 16, 1976, be and the same is hereby amended to read as follows:

ARTICLE I - SECTION 1 Establishment. There is hereby established pursuant to C. 291, P.L. 1975 in the Borough of Oceanport a planning board of 9 members consisting of the following four classes:

Class I. The Mayor

Class II. One of the officials of the municipality other than a member of the governing body to be appointed by the Mayor; provided that if there is an environmental commission, the member of the environmental commission who is also a member of the planning board as required by N.J.S.A. 40:56A-1 shall be deemed to be the Class II planning board member if there is both a member of the board of education among the Class IV members. The Mayor shall have the additional authority to appoint one alternate Class II member.

Class III. A member of the governing body to be appointed by it. The governing body may, also, appoint one alternate Class III member.

Class IV. Six other citizens of the municipality to be appointed by the Mayor. The members of Class IV shall hold no other municipal office except that one member may be a member of the Zoning Board of Adjustment and one may be a member of the Board of Education. A member of the Environmental Commission who is also a member of the planning board as required by N.J.S.A. 40:56A-1 shall be a Class IV planning board member unless there be among the Class IV members of the planning board both a member of the board of education, in which case the member of the environmental commission shall be deemed to be the Class II member of the planning board. The Mayor shall have the authority to appoint two alternate Class IV members.

ARTICLE I - SECTION 2 - Terms. The term of the member

composing Class I shall correspond with his official term. The term of the members composing Class II and Class III, and alternates, if any, shall be for one year or terminate at the completion of their respective terms of office whichever occurs first, except for a Class II member who is also a member of the environmental commission. The term of a Class II or a Class IV member who is also a member of the environmental commission shall be for three years or terminate at the completion of his term of office as a member of the environmental commission, whichever comes first.

The term of a Class IV member who is also a member of the board of adjustment or the board of education shall terminate whenever he is no longer a member of such other body or at the completion of his Class IV term, whichever occurs first.

The terms of all Class IV members first appointed pursuant to this ordinance shall be so determined that to the greatest practicable extent the expiration of such term shall be evenly distributed over the first four years after their appointment as determined by resolution of the governing body provided however that no term of any member shall exceed four years and further provided that nothing herein shall affect the term of any present member of the planning board, all of whom shall continue in office until the completion of the term for which they were appointed. Thereafter all Class IV members shall be appointed for terms of four years except as otherwise herein provided. All terms shall run from January 1 of the year in which the appointment was made. Alternate Class IV members shall serve for terms of two years; provided, however, that in the event that two alternate members of Class IV are appointed, the initial terms of such members shall be for one and two years respectively. Such alternate members shall be designated by the chairman as "Alternate No. 1" and "Alternate No. 2" and shall serve in rotation during the absence or disqualification of any regular member or members of Class IV.

ARTICLE II - SECTION 1 - Establishment: Composition:

A zoning board of adjustment is hereby established pursuant to N.J.S.A. 40:55D-69 et seq. consisting of 7 residents of the Borough of Oceanport appointed by the governing body to serve for terms of four years from January 1 of the year of their appointment. The terms of the members first appointed shall be so determined that to the greatest practicable extent the expiration of such terms shall be distributed evenly over the first four years after their appointment; provided that the initial term of no member shall exceed four years. Thereafter the term of each member shall be for four years. Nothing in this ordinance shall, however, be construed to effect the term of any present member of the zoning board of adjustment, all of whom shall continue in office until the completion of the term for which they were appointed. In addition to the regular members described above, the governing body may appoint not more than two alternate members. Alternate members shall be designated by the chairman "Alternate No. 1" and "Alternate No. 2" and shall serve in rotation during the absence or disqualification of any regular member or members. The term of each alternate member shall be two years.

No member of the zoning board of adjustment may hold any elective office or position under the municipality.

A vacancy occurring otherwise than by expiration of term shall be filled for the unexpired term only.

ARTICLE II - SECTION 2. All ordinances and resolutions or parts of resolutions, inconsistent with this amending ordinance, be and the same are hereby repealed.

ARTICLE II - SECTION 3. This amending ordinance shall become effective upon due passage and publication according to law.

PASSED AND APPROVED BY MAYOR AND COUNCIL 12/7/78.

PATRICIA L. VARCA
ACTING BOROUGH CLERK

ORDINANCE #424

AN ORDINANCE ESTABLISHING AND FIXING FEES
 PERTAINING TO THE OCEANPORT PLANNING BOARD
 AND BOARD OF ADJUSTMENT

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport that the following fee schedule shall pertain to applications filed with the Oceanport Planning Board and Oceanport Board of Adjustment:

SECTION 1 - Oceanport Planning Board

A. Minor Subdivision

- (1) \$25 each new lot plus \$25 remainder
- (2) \$50 consolidation and resubdivision to adjust lot lines

B. Sketch Plat - Major Subdivision

- (1) \$5.00 per lot plus \$5.00 per acre or portion -
Min. \$50.00

C. Sketch Plat - Site Plan

- (1) \$25 per acre or portion - Min. \$50

D. Preliminary Plat - Major Subd.

- (1) \$20 per lot plus \$20 per acre or portion -
Min. \$200

NOTE: If Prel. Plat submitted within one (1) year from date of approval of Sketch Plat - fee for sketch may be deducted from fee for preliminary.

E. Prel. Plat - Site Plan

(1) Site Area

- (a) Gross area less than 1 acre - \$50
- (b) Gross area 1 or more but less than 10 acres; \$50 - 1st acre
\$30 each additional or portion
- (c) Gross area 10 acres or more - \$320
for 1st 10 acres plus \$25 each additional acre.

(2) Building Area

- (a) Gross floor area less than 5,000 sq. ft. - \$50

- (b) Gross floor are 5,000 sq. ft. but less than 10,000 sq. ft. - \$100
- (c) Gross floor area 10,000 sq. ft. or more - \$100 for first 10,000 sq. ft. or more - \$100 for first 10,000 sq. ft. plus \$40 each additional 10,000 sq. ft. or portions

NOTE: If an application for development for a preliminary plat of a major site plan is filed within one (1) year from the date of approval of a sketch plat, the application fees paid for the sketch plat may be deducted from the above fee.

F. Final Plat - Major Subd.

- (1) \$10 per lot plus \$10 per acre or portion - Min. - \$100

G. Final Plat - Site Plan

- (1) \$20 per acre or portion - Min. \$50

SECTION 2 - Oceanport Board of Adjustment

- A. Variance for Area or Yard (one lot)---\$60.00
- B. Variance for Area or Yard (two or more lots)---\$75.00
- C. Use Variance---\$100.00
- D. Resubmission (application for extension of expired Variance)---\$75.00
- E. Special Use Permite --- \$100.00
- F. All other forms of Variance Applications (i.e. building to land percentage, square footage to building floor space)---\$60.00.
- G. If application requests more than one form of relief as expressed in items (A) through (F) then the fee charged shall be the higher figure had the application been for a single form of relief.

SECTION 3 - The fees established above for the Planning Board and Board of Adjustment shall also apply whenever either Board is exercising powers which they share concurrently with one another.

SECTION 4 - This ordinance shall become effective upon due passage and publication according to law.

PASSED AND APPROVED BY MAYOR AND COUNCIL 12/7/78

PATRICIA L. VARCA
ACTING BOROUGH CLERK

ORDINANCE #425

AN ORDINANCE AUTHORIZING THE
LEASING OF LOTS 13 AND 14
IN BLOCK 80B TO THE
OCEANPORT FIRST AID SQUAD

WHEREAS, the Borough of Oceanport is the owner of a certain parcel of land known as Lots 13 and 14 in Block 80B on the Tax Map of the Borough of Oceanport; and

WHEREAS, the Oceanport First Aid Squad, a non-profit corporation, is desirous of leasing this property for a period of six (6) months, preceding the conveyance of this property to it by the Borough of Oceanport as provided for in Ordinance Number 422, for the purpose of preparing the site for the contemplated construction of its new first aid facility; and

WHEREAS, the Mayor and Council of the Borough of Oceanport recognize that this property is not needed for public use and that the leasing of public properties to first aid squads is a recognized public purpose as provided within N.J.S.A. 40A:12-15.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport that:

SECTION 1. The property known as Lots 13 and 14 in Block 80B on the official Tax Map of the Borough of Oceanport shall be leased to the Oceanport First Aid Squad for a term of six (6) months for the consideration of One Dollar (\$1.00).

SECTION 2. The public purpose for which this property is being leased is to afford to the Oceanport First Aid Squad indicia of title so that they may come upon the aforementioned lands and prepare the site for the construction of their new first aid squad facility.

SECTION 3. All ordinances and resolutions, or parts of ordinances and resolutions, inconsistent with this ordinance be and the same are hereby repealed.

SECTION 4. This ordinance shall become effective upon due passage and publication according to law.

PASSED AND APPROVED BY MAYOR AND COUNCIL FEBRUARY 15, 1979.

PATRICIA L. VARCA
ACTING BOROUGH CLERK

ORDINANCE #426

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "BOND ORDINANCE APPROPRIATING \$100,000 FOR PRELIMINARY ENGINEERING STUDIES IN CONNECTION WITH VARIOUS PUBLIC WORKS PROJECTS IN AND BY THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$95,000 BONDS OR NOTES FOR FINANCING PART OF THE COST THEREOF" PASSED AND APPROVED ON OCTOBER 7, 1976.

BE IT ORDAINED by the Borough of Oceanport, in the County of Monmouth, New Jersey (not less than 2/3 of all members thereof affirmatively concurring) as follows:

Section 1. Section 3 of an Ordinance of the Borough of Oceanport known as "Bond Ordinance Appropriating \$100,000 for Preliminary Engineering Studies in Connection with Various Public Works Projects in and by the Borough of Oceanport, in the County of Monmouth, New Jersey, and Authorizing the Issuance of \$95,000 Bonds or Notes for Financing Part of the Cost Thereof" passed and approved on October 7, 1976, is amended to read as follows:

Section 3. (a) The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is preliminary engineering and architectural studies in connection with the following Public Works projects:

- | | | |
|---|---|---|
| 1. Algonquin Avenue | - | drainage, curbs, basins and pavement repair |
| 2. Borough Hall parking lot improvement | - | pavement repair and drainage |
| 3. River Street | - | drainage and pavement repair |
| 4. Summerfield Avenue | - | drainage and pavement repair |
| 5. Serand Avenue | - | drainage and pavement repair |
| 6. Adrian Avenue | - | sidewalk drainage and pavement repair |
| 7. Milton & Sea Girt Avenues | - | drainage and pavement repair |
| 8. Pocano Avenue | - | drainage and pavement repair |
| 9. Comanche Drive | - | drainage and pavement repair |

- | | | | |
|-----|---------------------------------|---|--|
| 10. | Lake Drive and Riverview Avenue | - | road reconstruction |
| 11. | Gooseneck Pt. Road | - | road reconstruction |
| 12. | Monmouth Park Place | - | road reconstruction |
| 13. | Dwyane Street | - | road reconstruction |
| 14. | Center Street | - | road reconstruction |
| 15. | S. Pemberton Avenue | - | road reconstruction |
| 16. | Port-au-Peck Avenue | - | road reconstruction |
| 17. | Iroquois Avenue | - | road resurfacing |
| 18. | Sagamore Avenue | - | road resurfacing |
| 19. | Whitehall Circle | - | road resurfacing |
| 20. | Hedge Drive | - | road resurfacing |
| 21. | Turf Drive | - | road resurfacing |
| 22. | Irma Place | - | road resurfacing |
| 23. | Elizabeth Drive | - | road resurfacing |
| 24. | S. Pemberton Avenue | - | road resurfacing |
| 25. | Municipal Building | - | construction of addition and new police headquarters |
| 26. | Monmouth Boulevard | - | drainage and road reconstruction |
| 27. | Driveway | - | drainage and road reconstruction |

Section 2. All ordinances and resolutions, or parts or resolutions, inconsistent with this amending ordinance, be and the same are hereby repealed.

Section 3. This amending bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

PASSED AND APPROVED BY MAYOR AND COUNCIL 3/15/79.

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED
 "AN ORDINANCE TO FIX AND DETERMINE THE
 SALARIES OF CERTAIN BOROUGH OFFICIALS"
 PASSED AND APPROVED ON MARCH 13, 1939

BE IT ORDAINED by the Mayor and Council of the Borough
 of Oceanport, in the County of Monmouth, and State of New Jersey
 as follows:

1. That Section 1 of the Ordinance entitled "An Ordinance
 to Fix and Determine the Salaries of Certain Borough Officials,
 passed and approved on March 16, 1939, be and the same is hereby
 amended to read as follows:

Section 1: The yearly salaries of the officials and
 employees herein named beginning January 1, 1979, be and the same
 is hereby amended to read as follows:

A. ADMINISTRATION AND EXECUTIVE

| | |
|-----------------------------------|-------------|
| Mayor | \$ 1,500.00 |
| Councilmen, each (6) (\$1,000.00) | \$ 6,000.00 |
| Administrator | \$20,000.00 |
| Administrative Assistant | \$ 8,600.00 |
| Secretary, C.E.T.A. | \$ 8,600.00 |
| Clerk/Typist, C.E.T.A. | \$ 7,500.00 |
| Acting Borough Clerk | \$ 1,100.00 |

B. FINANCIAL ADMINISTRATION

| | |
|-------------------------------------|-------------|
| Treasurer | \$ 9,625.00 |
| Administrative Assistant Bookkeeper | \$10,325.00 |
| Clerk/Typist, C.E.T.A. | \$ 7,500.00 |

C. BOARD OF ASSESSORS

| | |
|------------------|-------------|
| Secretary | \$ 9,375.00 |
| Member A | \$ 1,200.00 |
| Assessment Clerk | \$ 1,450.00 |
| Clerk | \$ 400.00 |

D. COLLECTION OF TAXES

| | |
|---------------|-------------|
| Tax Collector | \$ 5,200.00 |
|---------------|-------------|

E. PLANNING BOARD

| | |
|-----------|-------------|
| Secretary | \$ 1,450.00 |
|-----------|-------------|

F. BOARD OF ADJUSTMENT

| | |
|-----------|-----------|
| Secretary | \$ 850.00 |
|-----------|-----------|

G. POLICE DEPARTMENT

| | |
|--------------------|-------------|
| Chief of Police | \$20,600.00 |
| Captain | \$17,950.00 |
| Sergeants | \$17,175.00 |
| Detective Sergeant | \$17,175.00 |

| | |
|---|-------------|
| Patrolman I (Commencing fourth year and each year of service thereafter) | \$15,415.00 |
| Patrolman II (Commencing third year of service) | \$14,250.00 |
| Patrolman III (Commencing second year of service) | \$13,050.00 |
| Patrolman IV (Commencing first year of service) | \$10,610.00 |
| Dispatchers (First year of employment) | \$ 7,800.00 |
| Dispatchers (Commencing second year of employment and thereafter) | \$ 8,500.00 |
| Records Clerk | \$ 1,040.00 |
| School Crossing Guards | \$ 2,400.00 |
| H. <u>MUNICIPAL COURT</u> | |
| Municipal Court Judge | \$ 4,925.00 |
| Court Clerk | \$ 3,650.00 |
| Deputy Court Clerk | \$ 975.00 |
| Clerical Help | \$ 100.00 |
| I. <u>STREETS AND ROADS</u> | |
| Road Supervisor | \$15,725.00 |
| Road Foreman | \$13,325.00 |
| Road Helper I | \$10,425.00 |
| Road Helper II | \$ 9,350.00 |
| Road Helper C.E.T.A. | \$ 9,350.00 |
| Extra Labor and Overtime | \$ 3,050.00 |
| J. <u>HOUSING AND COMMUNITY DEVELOPMENT</u> | |
| Director | \$20,200.00 |
| Principal Staff Secretary | \$ 9,400.00 |
| Staff Secretary | \$ 7,500.00 |
| K. <u>BUILDINGS AND GROUNDS</u> | |
| Custodian | \$13,050.00 |
| L. <u>RECREATION AND EDUCATION</u> | |
| Recreation Director | \$ 2,500.00 |
| Recreation Aides & Assistants (Total) | \$ 4,300.00 |
| Building Custodian | \$ 1,200.00 |
| Librarian | \$ 1,375.00 |

| | |
|---------------------------|-------------|
| Construction Official | \$ 5,450.00 |
| Building Subcode Official | \$ 2,250.00 |
| Plumbing Subcode Official | \$ 1,925.00 |
| Fire Subcode Official | \$ 600.00 |
| Welfare Director | \$ 900.00 |

M. CASUAL LABOR - \$2.90 to \$3.50 per hour

N. LONGEVITY will be allowed at the rate of \$200.00 for each five (5) years of service completed by all full time employees. (40 hours per week, 52 weeks per year) This provision shall be retroactive to January 1, 1979.

PASSED AND APPROVED BY MAYOR AND COUNCIL 4/5/79.

ORDINANCE #428

AN ORDINANCE AUTHORIZING THE
ESTABLISHMENT OF FIRE DEPART-
MENT OPERATION ZONES IN
PARKING AREAS OPEN TO THE
PUBLIC IN THE BOROUGH OF
OCEANPORT, COUNTY OF MONMOUTH,
STATE OF NEW JERSEY.

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport that:

1. Pursuant to N.J.S.A. 40:48-246 the Chief of the Fire Department of the Borough of Oceanport is hereby authorized to enter upon parking yards and parking places, which are open to the public or to which the public is invited, whether maintained separately or in conjunction with any business or enterprise, and designate certain areas as Fire Department Operation Zones in accordance with the provisions of the Fire Prevention Code recommended by the American Insurance Association, 1970 edition, as may be amended or supplemented or superseded by a new edition.

2. The Chief of the Fire Department, subject to the approval of the Mayor and Council, shall cause said Fire Department Operations Zones to be marked and posted so that parking shall be prohibited therein.

3. Prior to said making and posting, the Chief shall by letter inform the property owner that he has so designated a fire operation zone and shall supply a plan of the designated area. The letter shall also state the date and place at which the matter will be submitted to the Mayor and Council for approval.

4. Any vehicle found parked in a marked and posted Fire Department Operations Zone may be impounded and towed by the Borough Police Department to an area near police headquarters and the vehicle shall be returned to its owner upon payment of the reasonable costs of towing and storage.

5. Any member of the Borough Police Department may bring a complaint against the owner of any vehicle found parked in a marked and posted Fire Department Operations Zone in violation of this ordinance and the matter shall be heard in the Municipal Court.

6. Upon a finding of violation of this ordinance, the Municipal Judge may impose a fine or penalty in his discretion up to the maximum permitted by the laws of the State of New Jersey.

AND BE IT FURTHER ORDAINED that this ordinance shall go into effect upon passage and publication according to law.

PASSED AND APPROVED BY MAYOR AND COUNCIL 4/19/79/

ORDINANCE #429

AN ORDINANCE CHANGING
THE NAME OF A PORTION
OF OCEANPORT AVENUE TO
EAST MAIN STREET IN THE
BOROUGH OF OCEANPORT,
COUNTY OF MONMOUTH AND
STATE OF NEW JERSEY

WHEREAS, the extension of Oceanport Avenue by the County of Monmouth has occasioned the need to rename that portion of Oceanport Avenue which begins at Main Street and terminates at its intersection with Port-au-Peck Avenue; and

WHEREAS, the Mayor and Council of the Borough of Oceanport are desirous of renaming this portion of Oceanport Avenue "East Main Street".

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport that portion of Oceanport Avenue commencing at the terminus of Main Street and continuing to its intersection with Port-au-Peck Avenue is hereby renamed "East Main Street".

PASSED AND APPROVED BY MAYOR AND COUNCIL 5/17/79.

ORDINANCE #430

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF \$74,175.00 FROM CAPITAL SURPLUS, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, NEW JERSEY.

BE IT ORDAINED by the Borough Council of the Borough of Oceanport, County of Monmouth, State of New Jersey as follows:

SECTION 1. The several improvements and purchases described in this ordinance are hereby respectively authorized to be made and acquired by the Borough of Oceanport, New Jersey.

SECTION 2. For the financing of said improvements and purposes there is hereby appropriated from capital surplus the sum of \$74,175.00.

SECTION 3. The improvements hereby authorized are as follows:

- A) Placement of an overlay on Hedge Drive.
- B) Placement of an overlay on Irma Place.
- C) Placement of an overlay and sidewalk construction on Turf Drive.
- D) Placement of an overlay on Maple Avenue and Massaro Place.
- E) Extending the improved roadway on Algonquin Avenue.
- F) Extending the improved roadway on Sagamore Avenue.

SECTION 4. The ordinance shall take effect after final passage and publication according to law.

PASSED AND APPROVED BY MAYOR AND COUNCIL 6/7/79.

ORDINANCE #431

BOND ORDINANCE PROVIDING FOR VARIOUS ROAD AND CURB IMPROVEMENTS OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$200,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$190,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be undertaken by the Borough of Oceanport New Jersey. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$200,000 including the aggregate sum of \$10,000 as the several down payments required by the Local Bond Law for the improvements or purposes. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$190,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. the several improvements hereby authorized and the several purposes for which the bonds are to be issued, are as follows:

- (a) Reconstruction with appropriate drainage of Port-au-Peck Avenue from Pocono Avenue to Cayuga Avenue - Class B construction;
- (b) Reconstruction with appropriate drainage of Adrian Avenue throughout the entire length with Class A construction;
- (c) Reconstruction with appropriate drainage of Monmouth Boulevard from Myrtle Avenue to Arnold Street with Class S construction;
- (d) Curbing and storm sewer construction and improvements of Milton Avenue from Belmar Avenue to Avon Avenue and on Avon Avenue at its intersection with Myrtle Avenue;
- (e) Reconstruction of Driveway at Monmouth Boulevard and Arnold Street with Class A construction.

Section 4. The amounts appropriated and the bonds and notes authorized herein are in addition to the amounts appropriated and bonds or notes authorized for engineering expenses for the purposes set forth herein by an ordinance adopted October 7, 1976 appropriating \$100,000 and authorizing the issuance of \$95,000 bonds or notes for such engineering purposes.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no notes shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-B(a). The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 6. The capital budget of the Borough of Oceanport is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith.

Section 7. The following additional matters are hereby determined; declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements that the Borough may lawfully undertake as general improvements and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness, for the purposes within the limitation of the Local Bond Law, according to the reasonable life thereof, computed from the date of the bonds authorized herein is 10 years.

(c) The supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed the office of the Director of the Division of Local Government Services in the Department of Communtiy Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$190,000, and the obligations

authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$20,000 for items of expense listed in and permitted under N.J.S.A. 40:2-20 may be included as part of the cost of the purposes or improvements authorized herein and is included in the foregoing estimates thereof.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and interest thereon without limitation of rate or amount.

Section 9. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

PASSED AND APPROVED BY MAYOR AND COUNCIL 6/7/79.

ORDINANCE #432

ORDINANCE WIDENING AND ALTERING
THE RIGHT OF WAY OF BRIDGEWATERS
DRIVE, LAKE DRIVE AND OCEANPORT
AVENUE (soon to be known as EAST
MAIN STREET) IN THE BOROUGH OF
OCEANPORT, COUNTY OF MONMOUTH,
STATE OF NEW JERSEY.

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport that the public right of way of streets more commonly known as Bridgewaters Drive, Lake Drive and Oceanport Avenue (soon to be known as East Main Street) are hereby altered and widened in accordance with the foregoing description:

LOT 15, BLOCK 80B

BEGINNING at a point in the southerly line of Oceanport Avenue, said point being the northwest corner of Lot 16 in Block 80B as shown on the official tax map of the Borough of Oceanport and running;

Thence (1) S27°40'W along the westerly line of Lot 16, Block 80B a distance of 7' + to a point, said point being set 30' southerly at right angles from the proposed centerline of Oceanport Avenue;

Thence (2) westerly along a line parallel with and 30' southerly at right angles from the proposed centerline of Oceanport Avenue a distance of 97'± to a point of curvature therein;

Thence (3) still westerly on a curve to the right concentric with and 30' southerly from the proposed centerline of Oceanport Avenue, having a radius of 180' and an arc length of 80'± to a point in the apparent high water line of Oceanport Creek;

Thence (4) northwesterly along the high water line of Oceanport Creek a distance of 23'± to a point in the existing southerly line of Oceanport Avenue;

Thence (5) S68°20'E along the southerly line of Oceanport Avenue a distance of 64'± to an angle point therein;

Thence (6) N75°05'E still along the southerly line of Oceanport Avenue a distance of 119.97' to the point and place of BEGINNING.

LOT 16, BLOCK 80B

BEGINNING at a point in the westerly line of Oceanport Avenue, said point being the northeasterly corner of Lot 17 in Block 80B as shown on the official tax map of the Borough of Oceanport and running;

Thence (1) S66°00'W along the northerly line of Lot 17, Block 80B, a distance of 12'± to a point, said point being concentric with and set 30' westerly from the proposed centerline of Oceanport Avenue;

Thence (2) northerly on a curve to the left having a radius of 953' concentric with and 30' westerly from the proposed centerline of Oceanport Avenue, an arc length of 52'+ to a point of compound curvature herein;

Thence (3) still northerly and westerly on a curve to the left having a radius of 118' concentric with and 30' westerly and southerly from the proposed centerline of Oceanport Avenue an arc length of 127'+ to a point of compound curvature herein;

Thence (4) westerly on a curve to the left having a radius of 953' concentric with and 30' southerly from the proposed centerline of Oceanport Avenue, and arc length of 112'+ to a point of tangency herein;

Thence (5) still westerly along a line parallel with and 30' southerly from the proposed centerline of Oceanport Avenue a distance of 35'+ to a point in the easterly line of Lot 15, Block 80B;

Thence (6) N27°40'W along the easterly line of Lot 15, block 80B a distance of 7'+ to a point in the existing southerly line of Oceanport Avenue;

Thence (7) easterly along the existing southerly line of Oceanport Avenue a distance of 180'+ to an angle point therein;

Thence (8) still easterly along the existing southerly line of Oceanport Avenue a distance of 25.60' to an angle point therein;

Thence (9) still easterly along the existing southerly line of Oceanport Avenue a distance of 20-90' to an angle point therein;

Thence (10) southeasterly along the existing southerly line of Oceanport Avenue a distance of 19.05' to an angle point therein;

Thence (11) southerly along the existing westerly line of Oceanport Avenue a distance of 39.60' to an angle point therein;

Thence (12) still southerly along the existing westerly line of Oceanport Avenue a distance of 75'+ to the point and place of BEGINNING.

LOT 17, BLOCK 80B

BEGINNING at a point in the westerly line of Oceanport Avenue, said point being the northeasterly corner of Lot 18 in Block 80B as shown on the official tax map of the Borough of Oceanport and running;

Thence (1) S65°22'W along the northerly line of Lot 18, Block 80B, a distance of 9'+ to a point, said point being set 30' westerly at right angles from the centerline of Oceanport Avenue;

Thence (2) northerly along a line parallel with and 30' westerly at right angles from the centerline of Oceanport Avenue a distance of 2.9'+ to a point of curvature herein;

Thence (3) still northerly on a curve to the left having a radius of 953', an arc length of 65'+ to a point in the southerly line of Lot 16, Block 80B;

Thence (4) N68°32'E along the southerly line of Lot 16, Block 80B a distance of 11.2'+ to a point in the existing westerly line of Oceanport Avenue;

Thence (5) S25°58'E along the existing westerly line of Oceanport Avenue a distance of 67.13' to the point and place of BEGINNING.

LOT 18, BLOCK 80B

BEGINNING at a point in the westerly line of Oceanport Avenue, said point being the northeasterly corner of Lot 19 in Block 80B as shown on the official tax map of the Borough of Oceanport and running;

Thence (1) S58°25'W along the northerly line of Lot 19, Block 80B, a distance of 9'+ to a point, said point being set 30' westerly at right angles from the centerline of Oceanport Avenue;

Thence (2) northerly along a line parallel with and 30' westerly at right angles from the centerline of Oceanport Avenue a distance of 74.3'+ to a point in the southerly line of Lot 17, Block 80B;

Thence (3) easterly along the southerly line of Lot 17, Block 80B a distance of 9'+ to a point in the existing westerly line of Oceanport Avenue;

Thence (4) southerly along the existing westerly line of Oceanport Avenue a distance of 73.60' to the point and place of BEGINNING.

LOT 1, BLOCK 77G

PARCEL A

BEGINNING at a point in the northerly line of Oceanport Avenue, said point being the most southwesterly corner of Lot 1 in Block 77 as shown on the official tax map of the Borough of Oceanport and running;

Thence (1) northwesterly along the northerly line of Oceanport Avenue, a distance of 30'+ to a point, said point being set concentric with and 30' northerly from the proposed centerline of Oceanport Avenue;

Thence (2) easterly and northeasterly on a curve to the left having a radius of 120' concentric with and 30' northerly from the proposed centerline of Oceanport Avenue, an arc length of 48'+ to a point of tangency herein;

Thence (3) northeasterly along a line parallel with and 30' northerly from the proposed centerline of Oceanport Avenue, a distance of 132'+ to a point of curvature herein;

Thence (4) still northeasterly on a curve to the right having a radius of 1,013', concentric with and 30' northerly from the proposed centerline of Oceanport Avenue, an arc length of 100'+ to a point in the existing northerly line of Oceanport Avenue;

Thence (5) $X75^{\circ}40'W$ along the northerly line of Oceanport Avenue a distance of 253'+ to the point and place of BEGINNING.

PARCEL B

BEGINNING at a point, said point being the intersection of the southerly line of Lot 1, Block 77G of which the herein described parcel is a part with the easterly line of Oceanport Avenue and running;

Thence (1) $N28^{\circ}25'W$ along the easterly line of Oceanport Avenue, a distance of 14'+ to a point, said point being set 30' northerly from the proposed centerline of Bridgewaters Drive as extended southwesterly in a straight line from Oceanport Creek;

Thence (2) northeasterly along a line parallel with and 30' northerly from the proposed centerline of Bridgewaters Drive, a distance of 106'+ to an angle point herein;

Thence (3) still northeasterly a distance of 50'+ to a point, said point being set 25' northerly at right angles from the proposed centerline of Bridgewaters Drive;

Thence (4) still northeasterly along a line parallel with and 25' northerly from the proposed centerline of Bridgewaters Drive, a distance of 326'+ to a point in the high water line of Oceanport Creek;

Thence (5) southeasterly along the high water line of Oceanport Creek, a distance of 9'+ to a point in the southerly line of Lot 1, Block 77G of which the herein described easement is a part;

Thence (6) $S59^{\circ}50'W$ along the southerly line of Lot 1, Block 77G, a distance of 487'+ to the point and place of BEGINNING.

LOTS 1, 2, 3, 4, 5, 6, 7, 8, 19 and 20, BLOCK 77D

PARCEL A

BEGINNING at a point in the northerly line of Lake Drive, said point being the southwesterly corner of Lot 21 in Block 77D as shown on the official tax map of the Borough of Oceanport and running;

Thence (1) S67°15'W along the northerly line of Lake Drive, a distance of 104' to a point, said point being the intersection of the northerly line of Lake Drive with the easterly line of Oceanport Avenue;

Thence (2) N20°30'W along the easterly line of Oceanport Avenue, a distance of 200'+ to a point in the northwest corner of Lot 3, Block 77D of which the herein described parcel is a part;

Thence (3) N67°15'E along the northerly line of Lot 3, Block 77D, a distance of 4'+ to a point concentric with and 30' easterly from the proposed centerline of Oceanport Avenue;

Thence (4) southerly on a curve to the right having a radius of 1,013' concentric with and 30' easterly from the proposed centerline of Oceanport Avenue, and arc length of 112'+ to a point of tangency herein;

Thence (5) southerly along a line parallel to and 30' easterly from the proposed centerline of Oceanport Avenue, a distance of 88'+ to a point of curvature herein;

Thence (6) southerly and easterly on a curve to the left having a radius of 8' and an arc length of 14'+ to a point of tangency herein, said point being set 22.5' northerly from the centerline of Lake Drive;

Thence (7) easterly along a line parallel with and 22.5' northerly from the centerline of Lake Drive, a distance of 87'+ to a point in the westerly line of Lot 21, Block 77D;

Thence (8) S20°30'E along the westerly line of Lot 21, Block 77D, a distance of 1.5'+ to a point in the northerly line of Lake Drive and the point and place of BEGINNING.

PARCEL B

BEGINNING at a point in the southerly line of Bridgewaters Drive, said point being located 19.42' easterly on a course of N67°15'E from the intersection of the southerly line of Bridgewaters Drive with the easterly line of Oceanport Avenue as shown on the official tax map of the Borough of Oceanport and running;

Thence (1) N67°15'E along the southerly line of Bridgewaters Drive, a distance of 40'+ to a point;

Thence (2) westerly on a curve to the left having a radius of 193', an arc length of 45'+ to a point of compound curvature herein;

Thence (3) westerly and southwesterly on a curve to the left having a radius of 23', an arc length of 14'+ to a point;

Thence (4) northerly and easterly on a curve to the right having a radius of 15', an arc length of 22.97' to the point and place of BEGINNING.

LOT 21, BLOCK 77D

BEGINNING at a point in the northerly line of Lake Drive, said point being the southeasterly corner of Lot 20 in Block 77D as shown on the official tax map of the Borough of Oceanport and running;

Thence (1) N20°30'W along the easterly line of Lot 20. Block 77D; a distance of 1.5'+ to a point, said point being set 22.50' northerly at right angles from the centerline of Lake Drive;

Thence (2) easterly along a line parallel with and 22.50' northerly at right angles from the centerline of Lake Drive, a distance of 10'+ to a point;

Thence (3) southerly at right angles to the previous course herein, a distance of 1.5' to a point in the existing northerly line of Lake Drive;

Thence (4) westerly along the existing northerly line of Lake Drive, a distance of 10'+ to the point and place of BEGINNING.

BE IT FURTHER ORDAINED by the Mayor and Council of the Borough of Oceanprt that upon passage and publication of this ordinance in accordance with the law that the Borough shall have the authority of purchase or condemn the portions of the properties described above.

PASSED AND APPROVED BY MAYOR AND COUNCIL 6/21/79.

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX AND DETERMINE THE SALARIES OF CERTAIN BOROUGH OFFICIALS" PASSED AND APPROVED ON MARCH 16, 1939.

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth, and State of New Jersey as follows:

1. That Section 1, paragraph G of an ordinance entitled "An Ordinance to Fix and Determine the Salaries of Certain Borough Officials" passed and approved on March 16, 1939, be and the same is hereby amended to read as follows:

Section 1. The yearly salaries of the officials and employees herein named beginning January 1, 1979, be and hereby are fixed respectively as follows:

G. POLICE DEPARTMENT

| | |
|--------------------|-------------|
| Chief of Police | \$20,600.00 |
| Captain | \$17,950.00 |
| Sergeants | \$17,175.00 |
| Detective Sergeant | \$17,175.00 |

| | |
|--|-------------|
| Patrolman I (Commencing fourth year and each year of service thereafter) | \$16,500.00 |
| Patrolman II (Commencing third year of service) | \$15,250.00 |
| Patrolman III (Commencing second year of service) | \$13,975.00 |
| Patrolman IV (Commencing first year of service) | \$10,610.00 |

Section 2. All ordinances and resolutions or parts of ordinances and resolutions, inconsistent with this amending ordinance be and the same are hereby repealed.

Section 3. This amending ordinance shall become effective upon due passage and publication according to law.

Passed and approved on July 19, 1979.

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "AN ORDINANCE AUTHORIZING THE LEASING OF A CERTAIN PORTION OF MUNICIPALLY-OWNED PROPERTY TO A NON-PROFIT CORPORATION COMMONLY KNOWN AS THE OCEANPORT LIONS SWIM CLUB" PASSED AND APPROVED ON JANUARY 18, 1973.

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport that:

Section 1. The last paragraph of Section 1 of an ordinance entitled "An Ordinance Authorizing the Leasing of a Certain Portion of Municipally-Owned Property to a Non-Profit Corporation Commonly known as Oceanport Lions Swim Club," passed and approved on January 18, 1973, is hereby amended to read as follows:

This property shall be leased to the Oceanport Lions Swim Club for a term of five (5) years, with two (2) additional options to extend the term of this lease for five (5) years, each, for the consideration of one dollar (\$1.00) per year.

Section 2. All ordinances and resolutions of parts of ordinances and resolutions, inconsistent with this ordinance be and the same are hereby repealed.

Section 3. The ordinance shall become effective upon due passage and publication according to law.

Passed and approved by Mayor and Council 8/16/79

PATRICIA L. VARCA
A/BOROUGH CLERK

AN ORDINANCE AMENDING AND SUPPLEMENTING AN
ORDINANCE ENTITLED "BOROUGH OF OCEANPORT
ZONING ORDINANCE" PASSED AND APPROVED ON
JULY 3, 1969, AS AMENDED AND SUPPLEMENTED

BE IT ORDAINED by the Mayor and Council of the Borough of
Oceanport in the County of Monmouth, State of New Jersey as follows:

Section 1: Chapter 68-22 of a codified ordinance of the
Borough of Oceanport known as "Borough of Oceanport Zoning
Ordinance" passed and approved on July 3, 1969, be and the same
is hereby supplemented to read as follows:

Chapter 68-22.1 Multiple-Family Development
(Fee Simple Owner)

- A. Any proposed multi-family development which contemplates the sale of fee simple units shall be substantially in accordance with the comprehensive plan and shall consider the surrounding land features of the area, including but not limited to residences; schools; parks; other reservations of open spaces; location, width and grade of streets and location and arrangement of parking spaces; local and regional business areas and shopping centers; densities proposed for surrounding areas; and other such features as shall contribute to the harmonious development of the area, with due regard to the character of the neighborhood and its peculiar suitability for this type of use.
- B. The proposed development shall be constructed in accordance with an overall plan and shall be designed as unified architectural units with appropriate landscaping.
 1. If the development of multi-family units is to be carried out in stages, each stage shall be so planned that the foregoing requirements and the intent of the Zoning Ordinance shall be fully complied with at the completion of any stage.
 2. The developer shall assure the provision of required improvements by means of a proper completion guaranty in the form of a bond or the deposit of funds or securities in escrow to cover the cost of the improvements and the requirements by Chapter 68-10 B (5). The work shall be performed in accordance with all requirements and the approved plans.
 3. The materials used for exterior construction shall be of a permanent nature requiring minimal maintenance and subject to Planning Board approval.

- C. The area shall be adaptable to community development, being located in relation to major thoroughfares, streets, shopping or other facilities, and as far as possible shall have within or through it no major thoroughfare or other physical feature which will tend to destroy the neighborhood or community cohesiveness.
- D. Area of Tract. No less than twenty (20) acres shall be provided for every area to be used in whole or in part for multi-family development
- E. Building Area. Not more than twenty-five percent (25%) of the land area may be occupied by buildings.
- F. There shall be setbacks from streets as follows:
1. There shall be a setback from the ultimate right-of-way of each public street on which the site abuts which shall be not less than seventy-five (75) ft., except that the setback from existing Pleasant Place shall be not less than thirty (30) feet; and provided the provisions of Section Q. are met.
 2. There shall be a setback from the right-of-way of any Railroad of not less than thirty (30) ft.; and the provisions of Section Q. shall be met.
 3. There shall be a setback from any residential parcel not committed to an RMO use of not less than thirty (30) ft.; and the provisions of Section Q. shall be met.
 4. There shall be a setback requirement from any cartway of twenty-six (26) ft. in front; twenty (20) ft. in the rear; and fifteen (15) ft. on either side.
- G. There shall be no minimum setback requirement from other residential zones except as may be provided herein.
- H. Distance between buildings.
1. In the layout of a multiple family development on a site within a RMO Zone, the following minimum distances shall be maintained:
 - (a) between any building or portion thereof designed for residential use and any
 - (b) between all main buildings and detached accessory buildings: forty (40) ft.;
 - (c) between the ends of all buildings, where walls are parallel to each other: forty (40) ft.;
 - (d) between the ends of all buildings, where walls are parallel to each other and driveways are introduced in order to reach parking area: fifty (50) ft.;

- (e) from the front facade of a structure to the front or rear of an opposite structure where walls are parallel: seventy (70) ft.;
- (f) from the rear facade of a structure to the rear facade of an opposite structure, where walls are parallel: sixty (60) ft.;
- (g) from the front facade of a building to the sidewall of an adjoining building, where walls are parallel: forty (40) ft.;
- (h) there shall be no minimum sideyard setback requirements except those stipulated in all subsections of Section F above, where fee simple sales developments are proposed by the developer.

2. The term "parallel" as used in this section shall include the meaning "approximating or approaching parallel position," but in any event the deviation from true parallel shall not exceed twenty degrees (20°), provided that, in the event of cluster-type development, the distance shall be as approved by the Planning Board in its site plan approval. In no event shall there be more than eight (8) building units per structure. There shall be a horizontal break of at least 4 feet in the facade at least every 4 units in a row.

- I. Parking. Not less than two (2) off-street automobile parking spaces shall be required for each dwelling unit, inclusive of at least one garage space. In addition, off-street parking areas shall be provided at the rate of one-half (1/2) parking space per dwelling unit in strategic locations. These parking areas shall not contain more than ten (10) spaces in one location. All parking areas shall be so placed as not to interfere with any recreation or service area, or interfere with vehicular traffic or cartways, and shall not be less than twenty-five (25) feet from any other residential zone.

In no event shall parking be permitted within the cartway. The Borough of Oceanport Police Department shall have full power of enforceability in this matter.

- J. Dwelling units per acre.

There shall be no more than an average of six (6) dwelling units per gross acre. There shall be no more than an average of seven (7) units per developable acre. For the purpose of the within paragraph, the term "developable" shall mean those areas included within the site which are suitable for development and do not lie within any flood-plain area.

1. No dwelling unit shall contain more than two (2) bedrooms nor have a habitable area less than 1,250 square feet.

K. Height of Building.

No building shall exceed the height of thirty (30) feet or two (2) stories (exclusive of basement) whichever is greater.

L. Paving.

All areas provided for use by vehicles and all pedestrian walks shall be constructed in accordance with all requirements of the subdivision ordinance except that as to interior private roadways there shall be provided a cartway of not less than twenty-six (26) feet in width. All cartway paving shall be provided with curbing per Borough specifications. All curb radii shall be a minimum of fifteen (15) feet.

M. Service.

Areas for loading and unloading delivery trucks and other vehicles and for the servicing of refuse collection, fuel and other services shall be so arranged that they may be used without blockage or interference with the use of accessways or automobile parking facilities.

N. Access.

Provision shall be made for safe and efficient ingress and egress to and from public streets and highways serving the development without undue congestion to or interference with normal traffic flow. The Planning Board shall satisfy itself as to the adequacy of the thoroughfare to carry the additional traffic engendered by the development as well as to the street frontage of the proposed district.

- O. Utilities. All buildings within the development shall be served by a public sanitary sewage disposal system and public water supply or available public utilities. All utility lines shall be placed underground.

- P. Lighting facilities provided shall be arranged in a manner which will protect the highway and neighboring properties from unreasonable direct glare or hazardous interference of any kind. Lighting facilities shall be required where deemed necessary for the safety and convenience of residents.

- Q. Landscaped planting shall be provided around buildings, parking areas and as otherwise required by this ordinance, as well as along the perimeter of land occupied by a multi-family development. Such planting shall consist of nondeciduous material at least six (6) feet in height and no more than forty percent (40%) open.

R. Open Space.

The developer shall be required where possible to preserve or incorporate natural features such as woods, streams and open space areas, which add to the overall cohesive development of the area. However, all conditions deemed hazardous by the

Planning Board, including natural feature hazards, are to be eliminated, or all precautions deemed appropriate by the Planning Board to reduce the hazard are to be provided by the developer.

S. Recreation.

The developer shall provide community areas, playgrounds, and other facilities suitable for the recreational convenience of the residents.

T. Home Owner Association.

The developer shall present to the governing body of the Borough for its approval a Declaration of Covenants, Conditions and Restrictions whereby the Borough will be assured of the Home Owner Association's responsibility and rights for such things as, but not limited to: trash and garbage collection, snow removal, cartway maintenance, animal restrictions, and building modifications. Prior to said Borough approval, the developer shall be responsible for the implementation and continuation of the items of maintenance set forth above. The Home Owner Association shall satisfy all criteria set forth in R.S. 40:55D-43 and among other things shall also satisfy the following criteria:

1. Such Association shall be organized as a non-profit corporation prior to the sale of any dwelling unit.
2. The Association and any property owned by it shall be free of all liens and encumbrances.
3. Membership in such Association shall be mandatory as to all unit owners.
4. All restrictions pertaining to utilization of open space shall be permanent in nature.
5. The Association shall be responsible for the payment of liability insurance and all local taxes as well as responsible for the maintenance of all facilities owned by it.
6. The Association, its bylaws, and rules and regulations shall be subject to the approval of the governing body of the Borough of Oceanport.

U. Trash and Garbage Receptacles.

All trash and garbage receptacles shall be provided below ground and shall have adequate capacity to accomodate the waste disposal requirements of one and two bedroom units.

V. Fire walls shall be provided between adjacent units, running to the roof.

W. Heating.

Before construction the developer must produce an affidavit from a heating engineer certifying that each dwelling unit can maintain an inside temperature of seventy degrees Fahrenheit (70° F.) with an outside temperature of minus ten degrees Fahrenheit (-10° F.).

X. Storage.

The developer shall provide an additional space of a minimum of five hundred (500) useable cubic feet within each multi-family dwelling unit separate from the normal closet space, for the storage of items not necessary to everyday living requirements.

Y. Boats and Trailers.

No outside parking or storage is permitted.

Z. An easement shall be granted to the Borough providing for access for emergency vehicles for ingress and egress over the aforementioned roadways.

Section 2. Schedule III of a codified ordinance of the Borough of Oceanport known as "Borough of Oceanport Zoning Ordinance" passed and approved on July 3, 1969, be and the same hereby is amended to read as follows:

*See attached Schedule III.

Section 3. The zoning map of a codified ordinance of the Borough of Oceanport known as "Borough of Oceanport Zoning Ordinance" passed and approved on July 3, 1969, be and the same is hereby amended to depict the following:

*See attached zoning map.

Section 4. All ordinances and resolutions or parts of resolutions, inconsistent with this amending ordinance, be and the same are hereby repealed.

Section 5. This amending ordinance shall become effective upon due passage and publication according to law.

Passed and approved by Mayor and Council 9/6/79.

PATRICIA L. VARCA
A/BOROUGH CLERK

* See page 46 for above mentioned attachments.

SCHEDULE III

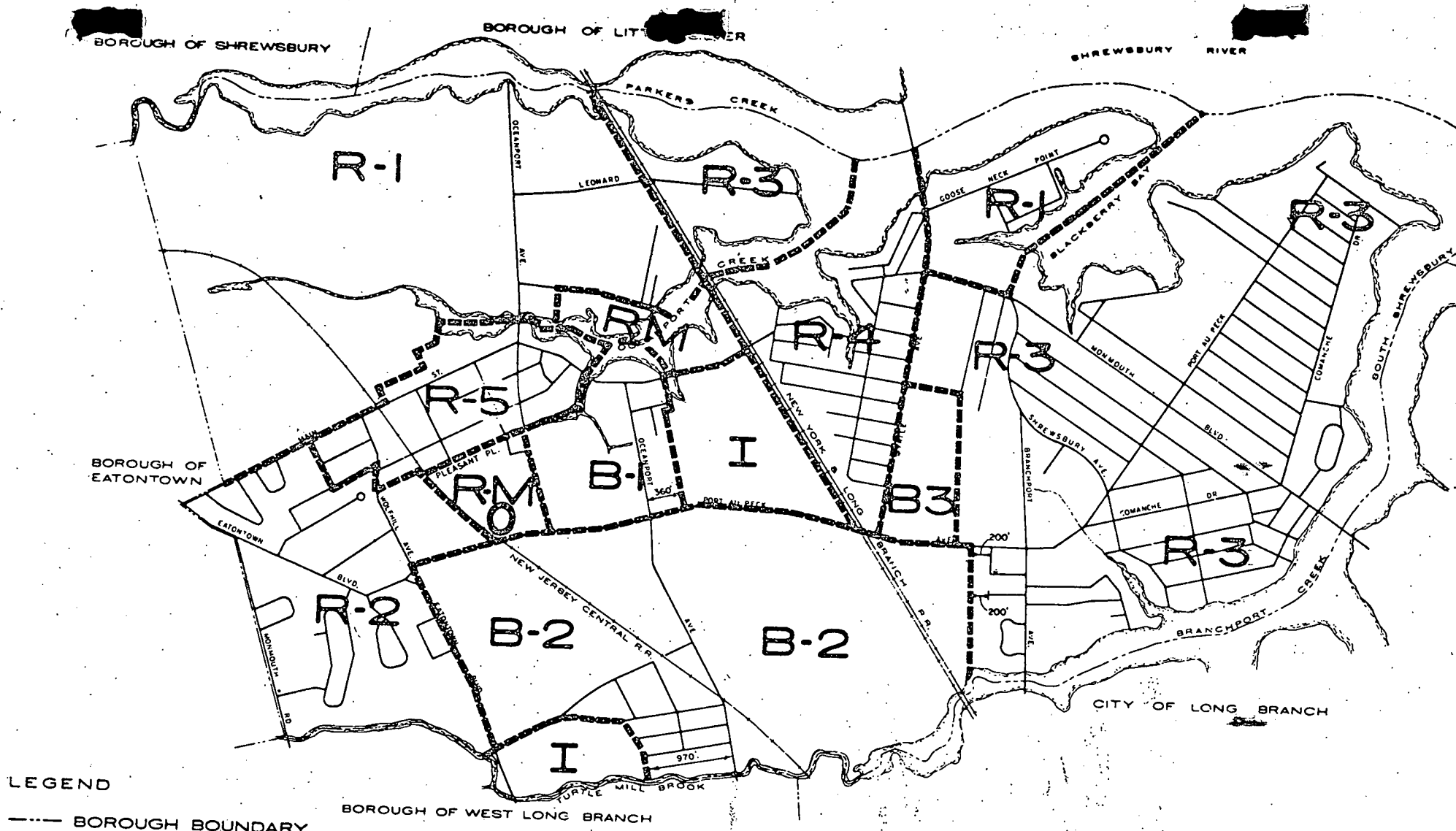
MINIMUM HABITABLE FLOOR AREA PER FAMILY (square feet)*

| | <u>R-1 Single- Family</u> | <u>R-2 Single- Family</u> | <u>R-3 Single- Family</u> | <u>R-4 Single- Family</u> | <u>R-4 Two- Family</u> | <u>R-5 Single- Family</u> | <u>R-5 Two- Family</u> |
|-------------|-----------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|---|-----------------------------------|--|
| 1-Story | 2,000 | 1,500 | 1,400 | 1,200 | -- | 1,200 | -- |
| 1-1/2 Story | 2,200 total 1,500 1st floor | 1,600 total 1,200 1st floor | 1,600 total 1,200 1st floor | 1,600 total 1,200 1st floor | -- -- | 1,600 total 1,200 1st floor | -- -- |
| 2 Story | 2,200 total 1,350 1st floor | 2,000 total 1,150 1st floor | 2,000 total 1,150 1st floor | 1,800 total 1,050 1st floor | -- -- | 1,800 total 1,050 1st floor | -- -- |
| Bi-Level | 2,200 total 1,500 1st floor | 1,600 total 1,200 2nd floor | 1,600 total 1,200 2nd floor | 1,600 total 1,200 2nd floor | (Side-by-side vertical 1,450. Total 1,000 1st floor) | 1,600 total 1,200 2nd floor | (Side-by-side vertical 1,450. Total 1,000 1st floor) |
| Split-Level | 2,200 total 1,500 2nd floor | 1,600 total 1,200 2nd floor | 1,600 total 1,200 2nd floor | 1,600 total 1,200 2nd floor | (Over and under horizontal 1,000. Total 1,000 1st floor) | 1,600 total 1,200 2nd floor | (Over-and under hori- zontal 1,000. Total 1,000 1st floor) |

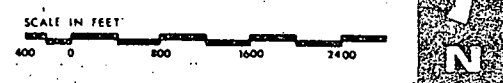
MINIMUM HABITABLE FLOOR AREA (MULTIFAMILY) (square feet)*

| | <u>Apartments</u> | <u>Condominiums and Cooperatives</u> | <u>Fee Simple Owner- Townshouses</u> |
|-----------|-------------------|--|--|
| 1-Bedroom | 700 | 1,000 | 1,250 |
| 2-Bedroom | 900 | 1,250 | 1,250 |

*Square Footage given is per living unit.



ZONING MAP **BOROUGH OF OCEANPORT** MONMOUTH CO., NEW JERSEY



DECEMBER, 1975
 Revised: January 1977
 REVISED: AUGUST, 1977

AN ORDINANCE ESTABLISHING A PROGRAM FOR THE COLLECTION AND RECYCLING OF USED NEWSPAPERS, THE ESTABLISHMENT OF A COALITION OF MUNICIPALITIES IN WHICH SAID PROGRAM IS TO BE CARRIED OUT, TO PROVIDE FOR THE ADOPTION AND PROMULGATION OF REGULATIONS BY SAID COALITION AND TO FIX PENALTIES FOR THE VIOLATION OF SAID REGULATIONS.

WHEREAS, by reason of the growing problem of solid waste disposal and its impact on our environment; and,

WHEREAS, conservation of recycling materials has become an important public concern; and,

WHEREAS, there is an increasing necessity to conserve our material resources; and,

WHEREAS, the collection of used newspapers for recycling purposes from residences in the Borough of Oceanport will foster and promote the general public welfare.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Oceanport as follows:

Section 1. Definitions.

(a) "Used Newspaper" - The term "used newspapers" as used herein shall be deemed to include paper of the type commonly referred to as news print and distributed at stated intervals, usually daily or weekly having printed thereon news and opinions and containing advertisements and other matters of public interest. Expressly excluded, however, are all magazines or other periodicals as well as all other paper products of any nature whatsoever.

(b) "Solid Waste" - The term "solid waste" as used herein shall be deemed to include all garbage and rubbish normally placed at the curb by the residents of the Borough for regular twice-weekly municipal collection.

(c) "Person" - The term "person" shall mean any person, firm, partnership, association, corporation, company or organization of any kind.

Section 2. Pursuant to the "Interlocal Service Act", N.J.S.A. 40:8A-1 et seq. the Governing Body of the Borough of Oceanport is hereby authorized to enter into an Agreement the form of which is annexed hereto and made a part hereof by and among The Borough of Fair Haven, The Borough of Monmouth Beach, The Borough of Little Silver, The Borough of Oceanport, The Borough of West Long Branch, The Borough of Shrewsbury and The Borough of Tinton Falls. The Borough of Monmouth Beach will enter into said Interlocal Agreement if, and only if, the Governing Bodies of all of the other Boroughs above named agree to and simultaneously enter into said agreement.

Section 3. For the purpose of administering the provisions of this Ordinance and said Agreement there is hereby established a

"Regional Recycling Coalition" which shall be comprised of one representative from each of the above named member municipalities, each such representative to be selected in such manner and to serve for such term and the Governing Body of the municipality he represents may from time to time determine.

Section 4. On and after the date fixed and promulgated by the Governing Body of the Borough of Oceanport, it shall be mandatory for all persons who are owners, lessees and occupants of residential dwellings in the Borough to separate used newspapers from all other solid waste produced by such residents and to separately bundle newspapers for pick-up, collection and recycling.

Section 5. Said newspapers shall be compacted and shall be tied securely in bundles not exceeding fifty (50) pounds in weight with a rope or cord sufficient in strength to facilitate handling. Such bundles shall be placed separately at the curb for collection no earlier than on the day preceding those days to be designated for collection by the Regional Recycling Coalition under the rules and regulations promulgated in accordance with the terms hereof.

Section 6. From the time of placement at the curb by any resident of used newspapers for collection in accordance with the terms hereof, such used newspapers shall be and become the property of the Regional Recycling Coalition or its authorizing agent. It shall be a violation of this Ordinance for any person unauthorized by the Regional Recycling Coalition to collect or pick up or cause to be collected or picked up any such newspapers during the twenty-four hour period commencing at 6:00 p.m. on any day preceding a day designated for collection under the rules promulgated by the Regional Recycling Coalition in accordance with the terms hereof. Any and each such collection in violation hereof from one or more residences during said twenty-four hour period shall constitute a separate and distinct offense punishable as hereinafter provided.

Section 7. This ordinance is in no way intended to prohibit separate newspaper drives by outside charitable organizations on days other than those designated for collection by the Borough.

Section 8. The Regional Recycling Coalition is hereby authorized and directed to establish and promulgate reasonable regulations as to the manner, days and times for the collection of used newspapers in accordance with the terms hereof.

Section 9. Any person, firm or corporation who violates or neglects to comply with Section 6 of this Ordinance or any regulation promulgated pursuant thereto, shall, upon conviction thereof be punished by a fine not to exceed Two Hundred (\$200.00) Dollars. Any person, firm or corporation who violates or neglects to comply with Section 4 or Section 5 of this Ordinance or any regulation promulgated pursuant thereto, shall, upon conviction thereof be punished by a fine not to exceed Two Hundred (\$200.00) Dollars.

Section 10. It shall be the duty of the Police Departments of the respective member municipalities of the Regional Recycling Coalition to see to the enforcement of this Ordinance and to prosecute all violations hereof.

Section 11. All ordinances or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistency only.

Passed and approved by Mayor and Council 10/18/79

Patricia L. Varca
Borough Clerk

ORDINANCE #437

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF
LOT 21B IN BLOCK 72K BY GIFT

WHEREAS, the Estate of Allan A. Cole holds title to the property known as lot 21B in block 72K on the tax map of the Borough of Oceanport; and,

WHEREAS, the Borough has been advised by the attorney for the above captioned estate that they wish to make a gift to the Borough of the subject property;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport that they hereby accept the conveyance of lot 21B in block 72K, by gift, and that the Borough Attorney be authorized to prepare a deed.

Passed and approved by Mayor and Council 10/18/79.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF
LOTS 1 AND 2 IN BLOCK 72C AND LOT 71 IN
BLOCK 72A BY GIFT

WHEREAS, Seagull Ltd. holds title to the property known as Lots 1 and 2 in Block 72C located at the corner of Spring Lake and Myrtle Ave. and Lot 71 in Block 72A, located at the corner of Bradley and Sea Girt Ave., on the tax map of the Borough of Oceanport; and

WHEREAS, the Borough has been advised by Seagull Ltd. that they wish to make a gift to the Borough of the subject property;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport that they hereby accept the conveyance of Lots 1 and 2 in Block 72C and Lot 71 in Block 72A, by gift, and that the Borough Attorney be authorized to prepare a deed.

Passed and approved by Mayor and Council 11/15/79

Patricia L. Varca
Borough Clerk

ORDINANCE #439

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED
"AN ORDINANCE TO FIX AND DETERMINE THE SALARIES
OF CERTAIN BOROUGH OFFICIALS" PASSED AND APPROVED
ON MARCH 16, 1939

BE IT ORDAINED by the Mayor and Council of the
Borough of Oceanport, in the County of Monmouth, and
State of New Jersey as follows:

1. That Section 1, paragraph I of an ordinance entitled
"An Ordinance to Fix and Determine the Salaries of Certain
Borough Officials" passed and approved on March 16, 1939,
be and the same is hereby amended to read as follows:

SECTION 1. The yearly salaries of the officials
and employees herein named beginning January 1, 1979 be
and hereby are fixed respectively as follows:

I. STREETS AND ROADS

| | |
|--------------------------|-------------|
| Road Supervisor | \$15,725.00 |
| Road Foreman | \$13,325.00 |
| Road Helper I | \$10,425.00 |
| Road Helper II | \$ 9,350.00 |
| Road Heler C.E.T.A. | \$ 9,350.00 |
| Laborer Trainee | \$ 7,200.00 |
| Extra Labor and Overtime | \$ 3,050.00 |

SECTION 2. All ordinances and resolutions or parts
of ordinances and resolutions; inconsistent with this amending
ordinance be and the same are hereby repealed.

SECTION 3. This amending ordinance shall become effective
upon due passage and publication according to law.

Passed and approved by Mayor and Council 12/6/79.

PATRICIA L. VARCA
BOROUGH CLERK

ORDINANCE #440

AN ORDINANCE GRANTING TO FUTUREVISION CABLE ENTERPRISES, INC. THE RIGHT TO ERECT, MAINTAIN AND OPERATE IN, UNDER, OVER, ALONG, ACROSS AND UPON THE STREETS, LANES, AVENUES, SIDEWALKS, ALLEYWAYS, BRIDGES AND HIGHWAYS AND OTHER PUBLIC PLACES IN THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY TELEVISION, TRANSMISSION AND DISTRIBUTION FACILITIES AND SUBSEQUENT ADDITIONS THERETO FOR THE PURPOSES OF TRANSMISSION AND DISTRIBUTION BY CABLE OF TELEVISION SIGNALS TO ENABLE SALE OF THEIR COMMUNITY TELEVISION ANTENNA SERVICE TO THE RESIDENTS OF THE BOROUGH AND FOR OTHER PURPOSES AND REGULATING THE USE THEREOF.

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, County of Monmouth and State of New Jersey as follows:

SECTION 1. It is hereby declared that community antenna television (CATV) service provided through a CATV system promotes the public interest by elimination of unsightly television antennas and, by originating local programming of public interest, promotes citizen awareness of and participation in governmental and local community affairs.

SECTION 2:(a). It is hereby granted to Futurevision Cable Enterprises, Inc., its successors and assigns, hereinafter referred to as the "Company" the non-exclusive right to erect, maintain and operate television, transmission and distribution facilities and additions thereto in, under, over, along, across and upon the streets, lanes, avenues, sidewalks, alleyways, bridges, highways and other public places in the Borough of Oceanport, County of Monmouth and State of New Jersey and subsequent additions thereto for purposes of transmission and distribution of audio and visual impulses and television energy in accordance with the rules and regulations of the United States of America, the State of New Jersey and the ordinances and regulations of this municipality. The consent granted herein to the Company shall apply to the entirety of the Municipality and any property hereafter annexed thereto and shall incorporate by reference the map shown as Appendix 7 in the application of the Company.

(b). The right to use and occupy the said streets, lanes, avenues, sidewalks, alleyways, bridges, highways and other public places in the municipality for the purposes herein set forth shall not be exclusive, and the municipality reserves the right to grant a similar use of said streets, lanes, avenues, sidewalks, alleyways, bridges, highways and other public places to any person at any time during the period of this franchise, subject to the obtaining of a Certificate of Approval pursuant to N.J.S.A. 48:5A-15.

SECTION 3. Whenever used in this ordinance, the word "television" shall mean any system for transmission of audio signals and visual images and any other type of closed circuit transmission and signal transmission by means of impulses, except as hereinafter provided.

SECTION 4. The Company is hereby granted the further right, privilege and authority to lease, rent or in any manner obtain the use of towers, poles, lines, cables and other equipment and facilities from any and all holders of public licenses and franchises within the limits of this municipality and to use such towers, poles, lines, cables and other equipment and facilities subject to all existing and future ordinances and regulations of this municipality. The poles used for the Company's distribution system shall be those erected and maintained by the local public utilities when and where practicable provided mutually satisfactory rental agreements can be entered into with said utility companies.

SECTION 5. The Company shall not construct, operate, alter, repair, replace or remove any facilities whatsoever, in, along, on, under, across or above streets in the jurisdiction of the municipality without first having its plans approved by the Office of Cable Television.

(a) Restoration. In the event that the Company or its agents shall disturb any pavement, street surfaces, sidewalks, driveways, or other surfaces in the natural topography, the Company shall at its sole expense restore and replace such places or things so disturbed in as good condition as existed prior to the commencement of such work.

(b) Relocation. If at any time during the period of this consent the Municipality shall alter or change the grade of any street, alley or other way or place, the Company, upon reasonable notice by the Municipality, shall, at its own expense, remove, relay and relocate its equipment.

(c) Temporary Removal of Cables. The Company shall, upon request of the Municipality at the Company's expense, temporarily raise, lower or remove its lines in order to facilitate the moving of municipal buildings or machinery or in other like circumstances. Whenever, the request for removal is made by private parties, the cost will be borne by those same parties.

(d) Removal or Trimming of Trees. During the exercise of its rights and privileges upon this franchise, the Company shall have the authority to trim trees upon and overhanging streets, alleys, sidewalks and public places of the Municipality so as to prevent the branches of the trees from coming in contact with the wires and cables of the Company. Such trimming shall be only to the extent necessary to maintain proper clearance for the company's wireless cables.

SECTION 6. All of the Company's cables, transmission lines and the like, together with such appurtenances as may be necessary, shall be installed underground wherever possible; provided, however, the company may utilize existing poles of other utilities in such areas where said utilities are not located underground. The Company shall relocate all overhead cables, lines and the like at its own cost and expense at such time when other utilities provide for underground service.

SECTION 7. No poles or other wire-holding structures shall be erected by the Company unless the technical specifications have been previously approved by the Department of Public Utilities.

SECTION 8. The Company at its own expense shall:

(a) Indemnify and save the municipality and its officers, agents and servants against any and all claims for personal injuries or property damage and other claims and costs, in the defense, settlement or other disposition of any litigation, dispute or controversy whatsoever arising from the grant and consent given by Section 2 hereof or the Company's construction, operating, alteration, repair, replacement or removal of a CATV system or providing CATV service in the jurisdiction.

(b) Defend the municipality and its officers, agents and servants against any and all claims, actions, or suits filed against any of them jointly with the Company or otherwise, alleging a copyright infringement, testing the validity of this ordinance or that which is granted hereunder or seeking damages for any act alleged of the Company or its officers, agents, servants, employees, contractors or subcontractors, and may, in its sole discretion, appeal any adverse judgement.

(c) Pay any final judgement entered against the municipality or its officers, agents or servants, jointly with the Company or otherwise, in any proceeding described in Section 8(b) hereof, and

(d) Maintain policies of insurance issued by carriers licensed to do business in New Jersey as follows:

(1) Public liability insurance, naming the municipality and its officers, agents and servants as insured parties, with limits of liability no less than:

(a) \$500,000.00 for injury or death to any one person and \$1,000,000.00 for personal injury or death from any one accident.

(b) \$500,000.00 for property damage from any accident, and

(c) \$250,000.00 or all other types of liability, and

(d) Workmen's Compensation insurance on all of its employees working in the jurisdiction of the municipality.

The policy or policies of insurance or a certified copy thereof shall be deposited with and kept on file in the office of the municipal clerk.

SECTION 9. The franchise granted to the Company by this ordinance shall remain in force and effect from and after the enactment date of this ordinance and shall continue in force and effect thereafter for the term of ten (10) years, provided, however, that the municipality reserves the right to petition the Board of Public Utilities for a revocation or cancellation of its consent.

SECTION 10. Extension of Service. The Company shall be required to proffer service to any person's residence or business located in those areas of the franchise territory in accordance with the proposal for the provision of services as described in its application. Any additional extension of the system which is necessary in the future but not contemplated in the application shall be made in accordance with the Board's line extension policy now or hereafter promulgated.

The municipality having determined the rates proposed in the application and subsequent amendments thereto, for cable television reception services, are reasonable, approves them as presented. These rates shall be filed with the Office of Cable Television and may only be altered upon petition and approval by the Board of Public Utilities.

The Company shall complete construction as shown on its map within one (1) year of the date upon which it files a Registration Statement with the F.C.C. The construction shall commence within ninety (90) days after receipt of all required State, Federal and utility approvals.

SECTION 11. Pursuant to the terms and conditions of the Act, the Company shall, during each year of operations under the consent granted herein, pay to the Municipality two (2%) percent of the gross revenues from all recurring charges received by the Company from subscribers to its cable television reception service in the Municipality.

SECTION 12. A public hearing concerning the franchise herein granted to the Company was held after proper public notice pursuant to the terms and conditions of the Act. Said hearing having been held as above stated and said hearing having been fully open to the public, and the Municipality having received at said hearing all comments regarding the qualifications of the Company to receive this franchise, the Municipality hereby finds that the Company possesses the necessary legal, technical, character, financial and other qualifications and that the Company's operating and construction arrangements are adequate and feasible.

SECTION 13. The Company shall, at all times, maintain adequate records of the gross receipts from all income sources and these shall be made available at any reasonable times to inspection by the municipality through its duly authorized and designated agents and officers. The Company shall make an annual report to the municipality of the Company's activities and gross income.

ORDINANCE #440

All payments which are due to the municipality under the terms of this ordinance shall be paid to the municipality no later than January 25 of each calendar year.

SECTION 14. The Company shall not sell, lease, assign or transfer the franchise granted herein without first complying with the requirements of N.J.S.A. 48:5A-1 et seq.

SECTION 15. The right is hereby reserved to the municipality to adopt, in addition to the provisions herein contained and existing applicable ordinances, such additional regulations as it shall find necessary in the exercise of the police power; provided, however, that such regulations, by ordinance or otherwise, shall be reasonable, and not in conflict with the rights herein granted or with the applicable laws, rules and regulations of this State or of the United States.

SECTION 16. (a) Neither the Company nor any subsidiary thereof shall engage in the business of selling, repairing or installing television receivers or radio receivers within the municipality during the term of this franchise.

(b) This franchise authorizes only the operation of a CATV system as provided for herein, and does not take the place of any other franchise, license or permit which might be required by law of the Company.

SECTION 17. The Company shall erect no master antenna or other antennas in the Borough of Oceanport.

SECTION 18. The Company shall operate a CATV system capable of carrying the minimum number of channels, as determined by the regulations, now or hereafter, promulgated by state and federal authorities.

SECTION 19. The Company shall:

During the term of this franchise, and any renewal thereof, the Company shall maintain a local business office or agent for the purpose of receiving, investigating and resolving all complaints regarding the quality of service, equipment malfunctions and similar matters. Such local business office shall be open during normal business hours, and in no event less than 9:00 A.M. - 5:00 P.M.; Monday through Friday, except holidays.

The Borough Administrator, or in his absence, the Borough Clerk, is hereby designated as the Complaint Officer for the municipality pursuant to the provisions of N.J.S.A. 48:5A-26B. All complaints shall be received and processed in accordance with the provisions of N.J.A.C. 14:17-7.1.

SECTION 20. The Company shall be required to have the capacity to override at the headend the audio portion of the system in order to permit the broadcasting of emergency messages by the municipal Governing Body.

SECTION 21. All services rendered and all rules, regulations and rates adopted by the Company shall have general application throughout the municipality, and the Company shall give no preference or advantage to any person or subject any person to prejudice or disadvantage.

SECTION 22. The municipality shall have the right, during the term of this franchise, to install and maintain upon any poles owned by the Company wire and pole fixtures necessary for a police and fire alarm system, on the condition that such wire and pole fixtures do not interfere with the CATV operations of the Company, and upon a demonstration by the governing body of "special reasons" to the Office of Cable Television justifying such use.

SECTION 23. If the Company shall violate any of the terms or conditions of this franchise, and should the Company continue to violate same for a period of thirty (30) days after the Company shall have been notified in writing by the municipality to desist from such violations so specified, then the municipality may petition the Board of Public Utilities for a revocation or cancellation of its municipal consent.

SECTION 24. In the event that the Municipality determines that it is necessary and feasible for it to contract with the Company for the purposes of providing interconnection services, the Company shall be required to apply to the Board for approval to enter into and establish the terms and conditions of such contract. All costs for such application to the Board shall be borne by the Municipality. Any such interconnection shall be done in accordance with prior F.C.C. authorization and in accordance with Paragraph 22 of the Clarification of Rules, F.C.C. 74384 46 FCC 2d 175 (1974), and F.C.C. Rules and Regulations, 5576 252 (a) and 5576 252, 41 Fed. Reg. 20665 (June 30, 1976).

SECTION 25. In the event that the Municipality determines that it is necessary and feasible for it to contract with the company for the purpose of providing two-way service, the Company shall be required to apply to the Federal Communications Commission for approval to enter into and establish the terms and conditions of such contract. All costs for such application shall be borne by the Municipality.

SECTION 26: In the event that the Municipality determines that it is necessary and feasible for it to contract with the Company for the purpose of providing other specialized services; then the Company shall be required to apply to the Board and the F.C.C. for approval to enter into and establish the terms and conditions of such contract. All costs for such application to the Board and the F.C.C. shall be borne by the Municipality.

SECTION 27. The Company agrees not to oppose intervention by the municipality in any suit or proceeding to which the Company is a party, concerning or involving Company or the municipality's rights under this franchise.

SECTION 28. The Company shall maintain records showing:

- (a) the name and current address of all owners of shares of stock in or bonds of the Company.
- (b) the name and address of all current subscribers to the Company's CATV service in the municipality.
- (c) the company's properties in the municipality together with all plans and specifications thereof.

ORDINANCE # 440

SECTION 29. The municipality may inspect the records of the Company required to be maintained by Section 28 hereof or its financial records at any time during normal business hours at the office of the Company where such records are kept.

SECTION 30. Notice, when required to be given herein, shall be given in writing delivered personally or mailed, certified mail, return receipt requested, postage prepaid, to:

(a) The Company, at Monmouth Mall, Eatontown, New Jersey, 07724, and

(b) The municipality, at the Borough Hall, 222 Monmouth Blvd., Oceanport, New Jersey 07757, to the attention of the Clerk.

SECTION 31. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or Federal or State agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof:

SECTION 32. It is understood that should any State or Federal Agency or body modify, change or alter any of its provisions with respect to cable television generally, such modifications, changes or alterations shall be incorporated into this consent consistent with the applicable dates specified in the change.

SECTION 33. All of the minutes taken in connection with this application, and all of the correspondence submitted in connection therewith, and all of the written commitments contained in the written application, except as modified herein, are to be considered to be binding upon the application as the terms and conditions of this consent, and that application shall be annexed hereto and made a part hereof by reference, provided that any provisions of the application in conflict with the provisions of the Cable Television Act, N.J.S.A. 48:5A-1 et seq., and/or FCC Rules and Regulations 5576.1 et seq. (1973) is amended and as clarified, FCC Clarification of Rules 37 Red. Reg. 14288 through 14300 (April 1974), shall not be construed as effective under the terms of this grant and such provisions in the application which exceed the FCC Rules and Regulations are considered unenforceable.

SECTION 34. This municipal consent shall become effective as of the date upon which the municipality receives written notifications that the Company accepts the terms and conditions herein, and upon publication of this ordinance in accordance with law.

PASSED AND APPROVED BY MAYOR AND COUNCIL 2/²¹7/80.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX AND DETERMINE THE SALARIES OF CERTAIN BOROUGH OFFICIALS" PASSED AND APPROVED ON MARCH 13, 1939

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth, and State of New Jersey as follows:

1. That Section 1 of the Ordinance entitled "An Ordinance to Fix and Determine the Salaries of Certain Borough Officials"; passed and approved on March 13, 1939, be and the same is hereby amended to read as follows:

Section 1: The yearly salaries of the officials and employees herein named beginning January 1, 1980, be and the same is hereby amended to read as follows:

A. ADMINISTRATION AND EXECUTIVE

| | |
|-----------------------------------|-------------|
| Mayor | \$ 1,500.00 |
| Councilmen, each (6) (\$1,000.00) | 6,000.00 |
| Administrator | 21,400.00 |
| Administrative Assistant | 9,330.00 |
| Secretary | 8,600.00 |
| Clerk/Typist, CETA | 7,200.00 |
| Borough Clerk | 1,500.00 |

B. FINANCIAL ADMINISTRATION

| | |
|-------------------------------------|-------------|
| Treasurer | \$10,440.00 |
| Administrative Assistant Bookkeeper | 11,200.00 |
| Clerk/Typist, CETA | 7,200.00 |

C. BOARD OF ASSESSORS

| | |
|-------------------|-------------|
| Secretary | \$10,000.00 |
| Member A | 1,300.00 |
| Member B | 1,000.00 |
| Assessment Clerks | 1,850.00 |

D. COLLECTION OF TAXES

| | |
|---------------|-------------|
| Tax Collector | \$ 5,650.00 |
|---------------|-------------|

E. PLANNING BOARD

| | |
|-----------|-------------|
| Secretary | \$ 1,575.00 |
|-----------|-------------|

F. BOARD OF ADJUSTMENT

| | |
|-----------|-----------|
| Secretary | \$ 925.00 |
|-----------|-----------|

G. POLICE DEPARTMENT

| | |
|--------------------|-------------|
| Chief of Police | \$22,350.00 |
| Captain | 19,475.00 |
| Detective Sergeant | 18,650.00 |
| Sergeants | 18,650.00 |

G. POLICE DEPARTMENT continued.....

| | |
|---|-------------|
| Patrolman I (Commencing fourth year and each year of service thereafter) | \$16,500.00 |
| Patrolman II (Commencing third year of service) | 15,250.00 |
| Patrolman III (Commencing second year of service) | 13,975.00 |
| Patrolman IV (Commencing first year of service) | 10,610.00 |
| Dispatchers (First year of employment) | 8,450.00 |
| Dispatchers (Commencing second year of employment and thereafter) | 9,250.00 |
| Records Clerk | 1,125.00 |
| School Crossing Guards | 2,600.00 |

H. MUNICIPAL COURT

| | |
|-----------------------|-------------|
| Municipal Court Judge | \$ 5,300.00 |
| Court Clerk | 2,700.00 |
| Deputy Court Clerk | 800.00 |
| Clerical Help | 100.00 |

I. STREETS AND ROADS

| | |
|--------------------------------|-------------|
| Road Supervisor | \$17,050.00 |
| Buildings & Grounds Supervisor | 14,160.00 |
| Road Helper I | 11,310.00 |
| Road Helper II | 10,150.00 |
| Laborer Trainees, CETA | 7,800.00 |
| Extra Labor and Overtime | 4,800.00 |

J. HOUSING AND COMMUNITY DEVELOPMENT

| | |
|---------------------------|-------------|
| Director | \$21,900.00 |
| Principal Staff Secretary | 10,200.00 |

K. BUILDINGS AND GROUNDS

| | |
|-----------|-------------|
| Custodian | \$ 7,800.00 |
|-----------|-------------|

L. RECREATION AND EDUCATION

| | |
|---------------------------------------|-------------|
| Recreation Director | \$ 2,600.00 |
| Recreation Aides & Assistants (Total) | 4,300.00 |
| Building Custodian | 1,100.00 |
| Librarian | 1,250.00 |
| Construction Official | \$ 5,850.00 |
| Building Subcode Official | 2,450.00 |
| Plumbing Subcode Official | 2,100.00 |
| Fire Subcode Official | 800.00 |
| Welfare Director | 975.00 |

M. CASUAL LABOR - \$3.10 to \$3.60 per hour

N. LONGEVITY will be allowed at the rate of \$200.00 for each five (5) years of service completed by all full time employees. (40 hours per week, 52 weeks per year) This provision shall be retroactive to January 1, 1980.

Passed and approved by Mayor and Council 3/20/80.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE TO AMEND ORDINANCE NUMBER 170 ENTITLED "AN ORDINANCE PROVIDING FOR THE REGISTRATION, LICENSING AND REGULATION OF DOGS IN THE BOROUGH OF OCEANPORT, MONMOUTH COUNTY, NEW JERSEY", PASSED AND APPROVED ON JULY 2, 1953, AS AMENDED AND SUPPLEMENTED

BE IT ORDAINED, by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth, and State of New Jersey, as follows:

SECTION I: 34-1 of a codified ordinance of the Borough of Oceanport known as "An Ordinance Providing for the Registration, Licensing and Regulation of Dogs in the Borough of Oceanport, Monmouth County, New Jersey"; passed and approved on July 2, 1953, as amended and supplemented, be and the same is hereby amended to read as follows:

34-1 Licenses required; license fee; expiration; duplicate tags. (Amended 10-5-67 by Ord. No. 258)

Each and every dog shall be duly licensed and shall bear evidence of such license at all times in accordance with the laws of the State of New Jersey. The annual fee for such license shall be four dollars and fifty cents (\$4.50) for each dog, plus fifty cents (\$0.50) for the registration tag of each dog. The said licenses, registration tags and renewals thereof shall expire on the last day of January in each year. In the event that any registration tag is lost, stolen or mutilated beyond recognition, the owner of said dog shall secure a duplicate or new tag. The fee for said duplicate or new tag shall be the sum of one dollar (\$1.).

SECTION II: All ordinances and resolutions, or parts of resolutions, inconsistent with this amending ordinance, be and the same are hereby repealed.

SECTION III. This ordinance shall become effective upon due passage and publication according to law.

Passed and approved by Mayor and Council 5/1/80.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED
 "THE BOROUGH OF OCEANPORT ZONING ORDINANCE",
 ADOPTED JULY 3, 1969.

BE IT ORDAINED, by the Mayor and Council of the Borough
 of Oceanport, in the County of Monmouth, and State of New
 Jersey, as follows:

SECTION 1. An Ordinance entitled "The Borough of
 Oceanport Zoning Ordinance" passed and approved on July 3,
 1969, as amended and supplemented, be and the same is hereby
 amended to read as follows:

ARTICLE III
 ESTABLISHMENT OF ZONES
 § 3:10 DESIGNATION OF ZONES

For the purpose of this Ordinance, the Borough of
 Oceanport is hereby divided into the following classes of
 zones:

- R-1 Residential - Single Family
- R-2 Residential - Single Family
- R-3 Residential - Single Family
- R-4 Residential - Single Family
- R-5 Residential - Single Family and Two-Family
- R-M Residential - Multi-Family
- RMO Residential Multiple-Family Development
 (Fee Simple Owner)
- B-1 Retail Commercial
- B-2 General and Recreational Commercial
- B-3 Professional and Office
- I Industrial

ARTICLE VI
 SUPPLEMENTARY USE REGULATIONS
 § 68-22 MULTIPLE-FAMILY DEVELOPMENT

- J. DWELLING UNITS PER ACRE. There shall be no more than
 an average of six (6) dwelling units per gross acre.
 There shall be no more than an average of seven (7)
 units per developable acre. For the purpose of the
 within paragraph, the term "developable" shall mean
 those areas included within the site which are
 suitable for development and do not lie within any
 floodplain area. "Developable area" also means all
 that area included within the site which is an
 integral part of the site design, including but not
 limited to structures, parking areas, access driveways,
 walkways, recreation areas, common areas, open spaces
 and any other area devoted to the aesthetic considerations
 conducive to the development.

SECTION II. Schedules I, II and III are amended in
 accordance with the revised exhibits which are attached hereto.

SECTION III. This Ordinance shall take effect immediately
 upon its final passage and publication according to law.

SCHEDULE I
PERMITTED LAND USES PER ZONING DISTRICT

| District | Permitted Principal Uses | Permitted Accessory Uses | Special Exception Uses |
|---|--|---|---|
| R-1 Single-Family | Single-family detached dwelling Park and playground Municipal buildings Library | Private garages for no more than 3 motor vehicles | Churches and other places of worship |
| R-2 Single-Family | | Private boat launching and docking facilities for no more than 3 boats | Public and private schools having curricula comparable to that offered in the public school |
| R-3 Single-Family | | Signs Other accessory uses and structures customarily appurtenant to a permitted principal use | Fire station |
| R-4 ¹ Single-Family | | Private swimming pools and private tennis courts | Commercial nursery and greenhouse in R-3 District only |
| R-5 ² Single-Family Two-Family | Single-family detached dwelling Two-family dwelling Park, playground and open space | Same as residential districts above | Same as residential districts above Commercial nursery and greenhouse |
| R-M Multifamily | Multiple-family dwelling | Same as residential districts above | Same as residential districts above |
| RMO Multifamily | Multiple-Family Development (Fee Simple Owner) | | |
| B-1 Retail Commercial | Retail or personal service establishment, such as but not limited to: Barbershops and beauty parlors Eating and drinking establishments Contractor facilities Food stores Laundries, hand or automatic Radio and television stores Business and professional offices Banks and other financial institutions Indoor amusement enterprises, including theaters, bowling alleys and other similar uses or places of assembly Medical and dental office buildings and testing laboratories Office equipment and business machine sales and service Funeral parlors Department stores, specialty shops and personal service establishments designed to serve the borough as a whole Hotels and motels Newspaper publishing plants Bus and rail terminals Elderly housing New car sales Shopping centers containing any or all of the above | Signs Incidental storage Parking and loading facilities Other accessory uses and structures customarily appurtenant to a principal permitted use | Gasoline stations |

**SCHEDULE II
BULK AND COVERAGE CONTROLS**

| | R-1 Single- Family | R-2 Single- Family | R-3 Single- Family | R-4 ¹ Single- Family | R-5 ¹ Single- Family | Two- Family | R-M Multi- family | RMO * Multi- Family Development | B-1 Retail Commer. | B-2 General & Recreational Commercial | B-3 Professional & Office | I Industrial |
|--------------------------------|--------------------------|--------------------------|--------------------------|---------------------------------------|---------------------------------------|----------------|-------------------------|--|--------------------------|--|---------------------------------|-----------------|
| Minimum Lot Area (square feet) | 30,000 | 15,000 | 12,000 | 10,000 | 10,000 | 7,000† | 5 acres | | 22,500† | 80,000 | 62,500 | 40,000 |
| Minimum Lot Width (feet) | 150 | 125 | 120 | 100 | 100 | 70† | 350 | | 150 | 250 | 250 | 200 |
| Minimum Lot Depth (feet) | 150 | 120 | 100 | 100 | 100 | 100 | 350 | | 150 | 250 | 250 | 200 |
| Maximum Height (stories/feet) | 2/30 | 2/30 | 2/30 | 2/30 | 2/30 | 2/30 | 2/30 | | 2/30 | 2/30 | 2/30 | 2/30 |
| Maximum Lot Coverage (percent) | | | | | | | | | | | | |
| Principal Building | 25 | 25 | 25 | 25 | 25 | 25 | 25 | | 30 | 15 | 25 | 30 |
| Accessory Building | 5 | 5 | 5 | 5 | 5 | 5 | 5 | | 5 | 5 | — | 5 |
| Maximum Dwellings per Acre | 1.4 | 2.8 | 3.5 | 4 | 4 | 6 | 12 | | — | — | — | — |
| Minimum Yards (feet) | | | | | | | | | | | | |
| Principal Building | | | | | | | | | | | | |
| Front | 50 | 30 | 30 | 30 | 30 | 30 | 75 | | 50 | 100 | 100 | 50 |
| Side (one/both) | 15/35 | 10/25 | 10/25 | 10/20 | 10/20 | 15/30 | 30/60 | | 25/50 | 50/100 | 50/100 | 25/50 |
| Rear | 40 | 40 | 25 | 25 | 25 | 25 | 50 | | 25 | 60 | 100 | 25 |
| Accessory Building | | | | | | | | | | | | |
| Side | 20 | 15 | 10 | 10 | 10 | 10 | 30 | | 20 | 50 | — | 20 |
| Rear | 10 | 10 | 5 | 5 | 5 | 5 | 50 | | 10 | 50 | — | 10 |

†Per dwelling unit.

‡Shopping centers: minimum lot area of five (5) acres and subject to site plan review (see § 68-10 of this ordinance).

* For bulk and coverage controls see Chapter 68-22.1 of this ordinance.

Schedules I, II and III are hereby attached.

SCHEDULE III
MINIMUM HABITABLE FLOOR AREA PER FAMILY
(square feet)†

| | R-1 Single- Family | R-2 Single- Family | R-3 Single- Family | R-4 Single- Family | R-5' Single- Family | R-5' Two- Family |
|-------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|---|
| 1-Story | 2,000 | 1,500 | 1,400 | 1,200 | 1,200 | — |
| 1½-Story | 2,200 total 1,500 1st floor | 1,600 total 1,200 1st floor | 1,600 total 1,200 1st floor | 1,600 total 1,200 1st floor | 1,600 total 1,200 1st floor | — |
| 2-Story | 2,200 total 1,350 1st floor | 2,000 total 1,150 1st floor | 2,000 total 1,150 1st floor | 1,800 total 1,050 1st floor | 1,800 total 1,050 1st floor | — |
| Bi-Level | 2,200 total 1,500 2nd floor | 1,600 total 1,200 2nd floor | 1,600 total 1,200 2nd floor | 1,600 total 1,200 2nd floor | 1,600 total 1,200 2nd floor | (Side-by-side vertical 1,450 total 1,000 1st floor) |
| Split-Level | 2,200 total 1,500 2nd floor | 1,600 total 1,200 2nd floor | 1,600 total 1,200 2nd floor | 1,600 total 1,200 2nd floor | 1,600 total 1,200 2nd floor | (Over-and-under horizontal 1,000 total 1,000 1st floor) |

MINIMUM HABITABLE FLOOR AREA (MULTIFAMILY)
(square feet)†

| | Apartments | Condominiums and Cooperatives | Fee Simple Owner- Townhouses |
|-----------|------------|----------------------------------|---------------------------------|
| 1-Bedroom | 700 | 1,000 | 1,250 |
| 2-Bedroom | 900 | 1,250 | 1,250 |

†Square footage given is per living unit.

PASSED AND APPROVED BY MAYOR AND COUNCIL 5/15/80

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE TO AMEND ORDINANCE NUMBER 289
ENTITLED "THE LAND SUBDIVISION ORDINANCE OF
THE BOROUGH OF OCEANPORT" PASSED AND APPROVED
ON DECEMBER 3, 1970, AS AMENDED AND SUPPLEMENTED

BE IT ORDAINED, by the Mayor and Council of the Borough
of Oceanport, in the County of Monmouth, and State of New
Jersey, as follows:

SECTION 1. Section 55-4 of a codified ordinance of the
Borough of Oceanport known as "The Land Subdivision Ordinance
of the Borough of Oceanport" passed and approved on December 3,
1970, be and the same is hereby amended to read as follows:

Section 55-4 - Definitions.

STREET - Any street, avenue, boulevard,
road, lane, parkway, viaduct,
alley or other way which is an
existing state, county or
municipal roadway, or a street
or way shown upon a plat
heretofore approved pursuant
to law or approved by official
action, or a street or way on a
plat duly filed and recorded in
the office of the County Recording
Officer prior to the appointment
of a Planning Board and the grant
to such Board of the power to
review plats, and includes the
land between the street lines,
whether improved or unimproved,
and may comprise pavement,
shoulders, gutters, sidewalks,
parking areas and other areas
within the street lines.

SECTION 2. All ordinance and resolutions, or parts of
resolutions, inconsistent with this amending ordinance be, and
the same are hereby repealed.

SECTION 3. This amending ordinance shall become effective
upon due passage and publication according to law.

Passed and approved by Mayor and Council 5/15/80.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX AND DETERMINE THE SALARIES OF CERTAIN BOROUGH OFFICIALS" PASSED AND APPROVED ON MARCH 16, 1939

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth, and State of New Jersey as follows:

1. That Section 1, paragraph G of an ordinance entitled "An Ordinance to Fix and Determine the Salaries of Certain Borough Officials" passed and approved on March 16, 1939, be and the same is hereby amended to read as follows:

Section 1. The yearly salaries of the officials and employees herein named beginning January 1, 1980, be and the hereby are fixed respectively as follows:

G. POLICE DEPARTMENT

| | |
|---|-----------|
| Chief of Police | \$22,550. |
| Captain | 19,900. |
| Sergeants | 18,900. |
| Detective Sergeant | 18,900. |
| Patrolman I (Commencing fourth year and each year of service thereafter) | 17,900. |
| Patrolman II (Commencing third year of service) | 16,000. |
| Patrolman III (Commencing second year of service) | 14,000. |
| Patrolman IV (Commencing first year of service) | 11,600. |

Section 2. All ordinances and resolutions or parts of ordinances and resolutions, inconsistent with this amending ordinance be and the same are hereby repealed.

Section 3. This amending ordinance shall become effective upon due passage and publication according to law.

Passed and approved by Mayor and Council 6/5/80.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE VACATING A PORTION OF EAST MAIN STREET (FORMERLY OCEANPORT AVENUE) AND BRIDGEWATERS DRIVE, IN THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AND EXTINGUISHING THE PUBLICS RIGHT THEREUNDER

WHEREAS, the action of the governing body of the Borough of Oceanport in realigning the intersection of East Main Street and Bridgewaters Drive has resulted in a portion of East Main Street and Bridgewaters Drive being no longer needed for public use; and

WHEREAS, it appears to the governing body of the Borough of Oceanport that the public's interest would be better served by releasing the said lands from public use;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport in the County of Monmouth, State of New Jersey, as follows:

SECTION 1 - That the public's right, if any, in the hereinafter described portion of East Main Street and Bridgewaters Drive is hereby vacated and the public's right arising from this dedication is released and extinguished:

BEGINNING at a point, said point being located 7'[±] northerly on a course of N28°25'W from the intersection of the northerly line of Bridgewaters Drive with the easterly line of Oceanport Avenue and running;

Thence (1) N 28°25'W along the easterly line of Oceanport Avenue a distance of 40'[±] to an angle point therein;

Thence (2) S75°40'W along the northerly line of Oceanport Avenue a distance of 134'[±] to a point as shown on a map entitled "Map of Property to be Acquired - Lot 1, Block 77G" Borough of Oceanport - Monmouth County, New Jersey dated February 6, 1979, revised December 14, 1979, and prepared by Richard M. Schulz, P.E. L.S., Oceanport Borough Engineer;

Thence (3) easterly on a curve to the right having a radius of 1,013.00', and arch length of 19'[±] to a point of compound curvature herein;

Thence (4) still easterly on a curve to the right having a radius of 178.00', an arch length of 99'[±] to a point of reverse curvature herein;

Thence (5) easterly and northeasterly on a curve to the left having a radius of 23.00', and arch length of 27'[±] to a point of reverse curvature herein;

Thence (6) northeasterly on a curve to the right having a radius of 9'[±] to the point and place of BEGINNING;

Containing 2,875 square feet more or less. The above description is and is intended to be a portion of Oceanport Avenue running along the southerly lines of Lot 1, Block 77G as shown on the official tax map of the Borough of Oceanport and has been prepared in accordance with the aforesaid "Map of Property to be Acquired".

SECTION 2 - This ordinance shall become effective upon final passage and publication according to law.

Passed and approved by Mayor and Council 6/19/80.

PATRICIA L. VARCA
BOROUGH CLERK

ORDINANCE #447

ORDINANCE AUTHORIZING THE CONVEYANCE OF BOROUGH
LANDS BY PRIVATE SALE

WHEREAS, the Borough of Oceanport is the owners of Lots 13-24 and 13-25 in Block 69 on the official tax map of the Borough of Oceanport; and

WHEREAS, N.J.S.A. 40A: 12-13 (b) (5) permits a municipality to sell public lands by private sale to contiguous property owners when said lands are less than the minimum size required for development and are without capital improvements; and

WHEREAS, the aforementioned lots are less than the minimum size required for development and are without capital improvements; and

WHEREAS, the contiguous property owners RITA C. SWANN and WALTER M. and MADELINE DANGLER, are each desirous of purchasing Lots 13-24 and 13-25 respectively;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, pursuant to N.J.S.A. 40A:12-13 (b) (5) that the governing body be authorized to convey Lot 13-24 in Block 69 to RITA T. SWANN for a consideration of \$750.00 and Lot 13-25 to WALTER M. and MADELINE DANGLER for a consideration of \$750.00; and

BE IT FUTHER ORDAINED that this sale be conditioned upon the following:

1. Full payment of the consideration referred to above;
2. That the sale is made subject to all applicable laws and ordinances of the State of New Jersey and the Borough of Oceanport.
3. That should the title to the property prove to be unmarketable for any reason, the liability of the Borough shall be limited to the repayment to the purchaser of the amount of deposit and any portion of the purchase price and shall not extend to any further costs, expenses, damages or claims. Notice of any alleged defect in title or claim of unmarketability must be served upon the Borough in writing no later than thirty (30) days after the publication and passage of this ordinance.
4. The payment of pro rated real estate taxes for the balance of 1980 as of the date of closing.
5. To abide by the appropriate zoning, sub-division health and building regulations and codes..
6. That the failure to close title as agreed shall forfeit to the Borough of Oceanport any and all monies deposited with the Borough.

7.. That the title shall close with forty-five (45) days of the passage of this ordinance by the Borough and Council or within such time as may be reasonably be required by the Borough.

BE IT FURTHER ORDINANCED that this ordinance shall become effective after passage and publication according to law.

Passed and approved by Mayor and Council 6/19/80.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED
"AN ORDINANCE TO FIX AND DETERMINE THE SALARIES
OF CERTAIN BOROUGH OFFICIALS" PASSED AND APPROVED
ON MARCH 16, 1939

BE IT ORDAINED by the Mayor and Council of the Borough
of Oceanport, in the County of Monmouth and State of New
Jersey, as follows:

1. That Section 1, paragraph I of an ordinance entitled
"An Ordinance to Fix and Determine the Salaries of Certain
Borough Officials" passed and approved on March 16, 1939, be
and the same is hereby amended to read as follows:

SECTION 1. The yearly salaries of the officials
and employees herein named beginning January 1, 1980, be
and the same are fixed respectively as follows:

I. STREETS AND ROADS

| | |
|--|-----------|
| Road Supervisor | \$17,050. |
| Buildings & Grounds Supervisor | 14,160. |
| Road Helper I | 11,310. |
| Road Helper II | 10,150. |
| Road Helper Trainee (Effective 6/5/80) | 9,350. |
| Laborer Trainees, CETA | 7,800. |
| Extra Labor and Overtime | 4,800. |

SECTION 2. All ordinances and resolutions or
parts of ordinances and resolutions, inconsistent with
this amending ordinance be and the same are hereby repealed.

SECTION 3. This amending ordinance shall become
effective upon due passage and publication according to law.

Passed and approved by Mayor and Council 6/19/80

PATRICIA L. VARCA
BOROUGH CLERK

BOND ORDINANCE APPROPRIATING \$75,000 AND AUTHORIZING THE ISSUANCE OF \$71,250 OF BONDS OR NOTES OF THE BOROUGH FOR THE PURPOSE OF PURCHASING A FIRE ENGINE AND RELATED EQUIPMENT BY THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, AND STATE OF NEW JERSEY

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring) AS FOLLOWS:

SECTION I:

The property described in Section III of this bond ordinance is hereby authorized to be acquired by the Borough of Oceanport, New Jersey. For the said purpose stated in said Section III, there is hereby appropriated the sum of \$75,000.00, including the sum of \$3,750.00 as the down payment for said improvement or purpose required by law and now available therefor by virtue of provision in previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

SECTION II:

For the financing of said improvement or purpose, and to meet the part of said \$75,000.00 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$71,250.00 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds, and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount equal to said principal amount of bonds are hereby authorized to be issued pursuant to and within the limitations prescribed by said law.

SECTION III:

- (A) The purpose for the financing of which said obligations are to be issued is the purchase of a fire engine and related equipment.
- (B) The estimated maximum amount of bonds or notes to be issued for said purpose pursuant to this ordinance is \$71,250.-0.
- (C) The estimated cost of said purpose is \$75,000.00.

SECTION IV:

The following additional matters are hereby determined, declared, recited and stated:

- (A) The said purpose described in Section III of this bond ordinance is not a current expense and is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

- (B) The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance is 10 years.
- (C) The supplemental debt statement required by law has been duly made and filed in the office of the Borough Clerk and a complete, executed duplicate thereof has been filed in the office of the Director of the Division of Local Finance in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$71,250.00 and the said obligations authorized will be within all debts limitations prescribed by said law.
- (D) An aggregate amount not exceeding \$1,000.00 for items of expense listed in and permitted under section 40A:2-20 of said law may be included as part of the cost of said improvement and is included in the foregoing estimate thereof.

SECTION V:

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the local unit for the payment of said obligations and interest thereon without limitation of rate or amount.

SECTION VI:

The bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

PATRICIA L. VARCA
BOROUGH CLERK

Passed and approved by Mayor and Council 8/7/80

ORDINANCE #450

AN ORDINANCE PROVIDING FOR THE CREATION
AND ORGANIZATION OF AN ENVIRONMENTAL
COMMISSION IN THE BOROUGH OF OCEANPORT,
ITS MEMBERSHIP, GENERAL POWERS AND DUTIES.

BE IT ORDAINED by the Borough Council of the Borough of Oceanport, in the County of Monmouth and State of New Jersey, as follows:

SECTION 1. Creation of Commission. There is hereby created an Environmental Commission in the Borough of Oceanport for the protection, development or use of the natural resources located within the territorial limits of said Borough pursuant to the provisions of N.J.S.A. 40:56A, as amended and supplemented.

Section 2. Members, Appointment, Terms of Office, Compensation. The Mayor in his discretion shall appoint the members of the Environmental Commission, which shall consist of five (5) persons, residents of the Borough of Oceanport, one of whom shall also be a member of the Planning Board. The Commissioners first appointed shall hold office for terms as follows: Two (2) members for one (1) year; two (2) members for two (2) years; and one (1) member for three (3) years respectively, from the date in the year in which said appointments are made until their successors are duly appointed and have qualified. Thereafter, all appointments shall be for the term of three (3) years, and vacancies shall be filled for the unexpired term only, in the same manner as an original appointment. The members shall receive no compensation for their services.

Section 3. Powers of Commission. The Commission shall have the following powers:

(a) Promote the conservation and development of the natural resources and environment of the Borough of Oceanport.

(b) Plan, implement and inform the public about local environmental programs.

(c) Conduct research into the use and possible use of the open land areas of the Borough of Oceanport and coordinate the activities of unofficial bodies organized for similar purposes.

(d) Recommend to the Planning Board plans and programs for inclusion in a municipal master plan and the development and use of such open areas.

(e) Study and make recommendations concerning open space preservation, water resources management, air pollution control, solid and liquid waste management, noise control, soil and landscape protection, environmental appearance and protection of flora and fauna.

(f) Advertise, prepare, print and distribute books, maps, charts, plans and pamphlets which in its judgment it deems necessary for its purposes.

(g) Manage donated or purchased lands for conservation and environmental purposes and operate environmental programs.

(h) Act as the coordinating agency of the community on conservation and environmental matters and a liason between the municipality and regional, county, state and federal agencies ministering to those needs.

SECTION 4. Index Maintained. The Commission shall compile and keep an index of all open areas, publicly or privately owned, including swamps and other wetlands, in order to obtain information on the proper use of such areas.

SECTION 5. Acquisitions by Commission. The Commission, subject to the approval of the Borough Council, may acquire property, both real and personal, in the name of said Borough, by gift, purchase, grant, bequest, devise or lease for any of its purposes and shall administer the same for such purposes subject to the terms of the conveyance or gift.

Such an acquisition may be to acquire the fee or any lesser interest, development right, easement (including conservation easement), covenant or other contractual right as may be necessary to acquire, maintain, improve, protect, limit the future use of, or otherwise conserve and properly utilize open spaces and other land and water areas in the Borough.

SECTION 6. Records and Annual Report. The Commission shall keep records of its meetings and activities and shall make an annual report on or before the first day of December of each year and submit the same to the Borough Council, which report shall be comprehensive and detailed covering operations, receipts, disbursements and expenditures for the full year.

SECTION 7. Organization. The Mayor shall designate one of the members to serve as Chairman and Presiding Officer of the Commission. The Commission is authorized to adopt bylaws governing its procedural operation.

SECTION 8. Removal of Commissioner. The Borough Council may remove any member of the Commission for cause, on written charges served upon the member and after a hearing thereon at which the member shall be entitled to be heard in person or by counsel.

SECTION 9. Appropriations. The Borough Council may annually fix, determine and appropriate a sum sufficient for the care and maintenance of such property acquired for the uses and purposes herein stated, and for the expenses of the Commission, which shall be raised by taxation in the same manner as other taxes.

SECTION 10. Severability. Should any action, clause or phrase of this Ordinance be declared by the Courts to be invalid, the same shall not effect the validity of the Ordinance as a whole, nor any part thereof other than the part so declared to be invalid.

SECTION 11. Effective Date. This Ordinance shall take effect immediately as provided by law.

Passed and approved by Mayor and Council 12/4/80

PATRICIA L. VARCA, BOROUGH CLERK

ORDINANCE #451

AN ORDINANCE AMENDING ORDINANCE NUMBER 287 ENTITLED "AN ORDINANCE ADOPTING A FIRE PREVENTION CODE PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION AND ESTABLISHING A BUREAU OF FIRE PREVENTION AND PROVIDING OFFICIALS THEREFOR AND DESIGNATING THEIR POWERS AND DUTIES" PASSED AND APPROVED ON OCTOBER 1, 1970, AS AMENDED AND SUPPLEMENTED.

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth and State of New Jersey, as follows:

Section 1. Chapter 37-1, and 37-4 through 37-9 of a codified ordinance of the Borough of Oceanport know as "An Ordinance Adopting a Fire Prevention Code Prescribing Regulations Governing Conditions Hazardous to Life and Property From Fire or Explosion and Establishing a Bureau of Fire Prevention and Providing Officials therefor and Designating their Powers and Duties" passed and approved on October 1, 1970, be and the same is hereby amended to read as follows:

Chapter 37-1. Adoption of Fire Prevention Code

It is hereby adopted by the Mayor and Council, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that those certain codes known as the "BOCA Basic Fire Prevention Code/1981" and the N.F.B.A. No. 101 Life Safety Code/1980, save and except for such portions as are hereinafter deleted, modified or amended, of which codes not less than three copies have been and now are filed in the Office of the Clerk of the Borough of Oceanport, and the same are hereby adopted and incorporated as wholly as if set forth at length herein, and from the date on which this Ordinance shall take effect, the provisions thereof shall be controlling within the limits of the Borough of Oceanport.

Chapter 37-4. Establishment of Districts in which Storage of Explosive and Blasting Agents is to be Prohibited.

The storage of explosive and blasting agents is hereby prohibited throughout the entire Borough of Oceanport.

Chapter 37-5. Establishment of Limits of Districts in which Storage of Flammable Liquid in Outside Above-Ground Tanks is to be Prohibited.

- A. The storage of flammable liquids in outside above-ground tanks is hereby prohibited throughout the entire Borough of Oceanport, except this section shall not apply to tanks with the capacity of 275 gallons or less.
- B. Bulk plants for flammable or combustible liquids are hereby prohibited throughout the entire Borough of Oceanport.

Chapter 37-6. Establishment of Limits in which Bulk Storage of Liquified Petroleum Gases is to be Restricted.

The bulk storage of liquified petroleum gases is hereby prohibited throughout the entire Borough of Oceanport.

Chapter 37-7. Establishment of Motor-Vehicle Routes for Vehicles transporting Explosives and Blasting Agents.

The routes referred to in the Codes for vehicles transporting explosives and blasting agents are hereby established as follows: Vehicles transporting explosives shall avoid congested traffic and densely populated areas.

Chapter 37-8. Establishment of Motor-Vehicle Routes for Vehicles transporting Hazardous Chemicals or other dangerous Articles.

The routes referred to in the Codes for vehicles transporting hazardous chemicals and other dangerous articles are hereby established as follows: Transportation to comply with DOT regulations.

Chapter 37-9. Establishment of Fire Lanes on Public Devoted to Public Use.

The Fire Marshall of the Borough of Oceanport is authorized to establish fire areas on property devoted to public use, including but not by way of limitation, shopping centers, churches, swimming pools, and similar uses involving parking of a sufficient number of motor vehicles to make necessary such regulation for the protection of persons and property in case of fire or other emergencies. The fire areas shall be established to insure fire equipment and other emergency vehicles have an unobstructed means of ingress and egress to such properties and the buildings, persons, vehicles, fire hydrants, including wall hydrants,

and siamese connections for automatic sprinkler and standpipe systems thereon in case of fire or other emergency. The number, location, width, length and markings of such areas shall be determined by the Fire Marshall. Such determinations shall be based upon the size, height and location of the building or buildings; use to which the property is put; number of motor vehicles operated and parked upon the property; and the number of persons using and occupying the premises; existing means of ingress and egress; total area of property, including size of parking lot or lots.

Section 2. All ordinances and resolutions or parts of resolutions, inconsistent with this amending ordinance, be and the same are hereby repealed.

Section 3. This amending ordinance shall become effective upon due passage and publication according to law.

Passed and approved by Mayor and Council 3/19/81.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE ESTABLISHING AND FIXING FEES
PERTAINING TO THE OCEANPORT PLANNING BOARD
AND THE ZONING BOARD OF ADJUSTMENT

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport that the following fee schedule shall pertain to applications filed with the Oceanport Planning Board and the Oceanport Zoning Board of Adjustment:

SECTION 1 - Oceanport Planning Board

A. Minor Subdivision

- (1) \$25 each new lot plus \$25 remainder.
- (2) \$50 consolidation and resubdivision to adjust lot lines.

B. Sketch Plat - Major Subdivision

- (1) 1 to 3 lots \$15 per lot.
- (2) 4 to 10 lots \$20 per lot.
- (3) 11 or more lots \$25 per lot.
- (4) On all applications there shall be a planning, engineering and technical review fee of \$100.

C. Sketch Plat - Site Plan

Upon application of a plan for site plan approval, an application fee of \$75 shall be paid in addition to the following fees for engineering, planning and technical review. Such fees shall be determined from summation of the individual amounts determined from the following schedule:

(1) Gross Tract Area:

- (a) Less than 20,000 sq.ft. \$100.
- (b) More than 20,000 sq.ft.
but less than 1 acre \$125.
- (c) 1 acre or more:
 - (i) 1 to 3 acres \$150 acre.
 - (ii) 4 to 10 acres \$75 acre.
 - (iii) 10 or more acres \$35 acre.

(2) Building Area (added or new construction) - Non-Residential

- (a) Less than 5,000 sq.ft. \$100.
- (b) More than 5,000 sq.ft.
but less than 15,000 sq.ft. \$135.
- (c) More than 15,000 sq.ft.
but less than 25,000 sq.ft. \$150.

(d) 25,000 sq.ft. or more
(up to 100,000 sq.ft.)

- (i) 1st 20,000 sq.ft. \$150.
- (ii) Each additional 10,000
sq.ft. or portion thereof \$ 30.
- (e) 100,000 sq.ft. or more \$425.

(3) Dwelling Units (Residential)

- (a) 1 to 100 units \$ 10 per unit.
- (b) 101 to 300 units and/or lots \$ 5 per unit/lot.
- (c) 301 or more units and/or lots 2 per unit/lot.

D. Preliminary Plat - Major Subdivision

- (1) \$50 per lot with a minimum of \$250.
- (2) Inspection - upon approval of the
final plat of a major subdivision,
a fee for construction, inspection
and administration shall be due as
follows prior to filing of the final
plat and commencement of construction
activity:

- (a) 1 to 5 lots \$300 per lot.
- (b) 6 to 10 lots \$250 per lot.
- (c) 10 to 19 lots \$225 per lot.
- (d) 20 or more lots \$200 per lot.

SECTION 2 - Oceanport Board of Adjustment

- A. Variance for Area or Yard (1 lot) \$ 60.
- B. Variance for Area or Yard (2 or more) \$ 75.
- C. Use Variance \$100.
- D. Resubmission (application for extension of expired
variance) \$ 75.
- E. Special Use Permit \$100.
- F. All other forms of Variance Applications
(i.e. building to land percentage, square
footage to building floor space) \$ 60.
- G. If application requests more than one form
of relief as expressed in items (A) through
(D), then the fee charged shall be the higher
figure had the application been for a single
form of relief.

SECTION 3 - The fees established above for the Planning Board and Zoning Board of Adjustment shall also apply whenever either Board is exercising powers which they share concurrently with one another.

SECTION 4 - This ordinance shall become effective upon due passage and publication according to law.

Passed and approved by Mayor and Council 4/16/81.

PATRICIA L. VARCA, BOROUGH CLERK

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED
 "AN ORDINANCE TO FIX AND DETERMINE THE
 SALARIES OF CERTAIN BOROUGH OFFICIALS"
 PASSED AND APPROVED ON MARCH 16, 1939

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth, State of New Jersey as follows:

1. That Section 1 of the Ordinance entitled "An Ordinance to Fix and Determine the Salaries of Certain Borough Officials" passed and approved on March 16, 1939, be and the same is hereby amended to read as follows:

SECTION 1: The yearly salaries of the officials and employees herein named beginning January 1, 1981, be and the same is hereby amended to read as follows:

A. ADMINISTRATION AND EXECUTIVE

| | |
|---------------------------------|-----------|
| Mayor | \$ 1,500. |
| Councilmen, each (6) (\$1,000.) | 6,000. |
| Administrator | 23,500. |
| Administrative Assistant | 10,300. |
| Secretary | 8,600. |
| Borough Clerk | 2,000. |
| Clerical Help | 3,550. |

B. FINANCIAL ADMINISTRATION

| | |
|-------------------------------------|---------|
| Treasurer | 11,300. |
| Administrative Assistant Bookkeeper | 12,100. |
| Clerk/Typist, CETA | 8,450. |

C. BOARD OF ASSESSORS

| | |
|------------------|---------|
| Secretary | 10,650. |
| Member A | 1,500. |
| Member B | 1,200. |
| Assessment Clerk | 2,000. |

D. COLLECTION OF TAXES

| | |
|---------------|--------|
| Tax Collector | 6,150. |
|---------------|--------|

E. PLANNING BOARD

| | |
|-----------|--------|
| Secretary | 1,700. |
|-----------|--------|

F. ZONING BOARD OF ADJUSTMENT

| | |
|-----------|------|
| Secretary | 950. |
|-----------|------|

G. POLICE DEPARTMENT

| | |
|--------------------|---------|
| Chief of Police | 24,500. |
| Captain | 21,600. |
| Detective Sergeant | 20,800. |
| Sergeants | 20,500. |

| | |
|--|-----------|
| Detective | \$19,700. |
| Patrolman I (Commencing fifth year and each year of service thereafter) | 19,400. |
| Patrolman II (Commencing fourth year of service) | 17,300. |
| Patrolman III (Commencing third year of service) | 14,000. |
| Patrolman IV (Commencing second year of service) | 13,250. |
| Patrolman V (Commencing first year of service) | 12,500. |
| Dispatchers (First year of employment) | 9,050. |
| Dispatchers (Commencing second year of employment and thereafter) | 10,050. |
| School Crossing Guards | 2,800. |
| H. <u>MUNICIPAL COURT</u> | |
| Municipal Court Judge | 5,500. |
| Court Clerk | 3,900. |
| Deputy Court Clerk | 850. |
| Clerical Help | 100. |
| I. <u>PUBLIC WORKS DEPARTMENT</u> | |
| Road Supervisor | 18,000. |
| Buildings & Grounds Supervisor | 16,000. |
| Helper I | 11,000. |
| Helper II | 10,000. |
| Helper III | 8,450. |
| Laborer Trainees, CETA | 8,450. |
| Extra Labor and Overtime | 2,800. |
| J. <u>HOUSING & COMMUNITY DEVELOPMENT</u> | |
| Housing & CD Program Coordinator | 12,300. |
| K. <u>BUILDINGS & GROUNDS</u> | |
| Custodian, CETA | 8,450. |
| L. <u>RECREATION AND EDUCATION</u> | |
| Recreation Director | 2,700. |
| Recreation Aides & Assistants (Total) | 4,300. |
| Building Custodian | 1,200. |
| Librarian | 1,375. |

| | |
|---------------------------|-----------|
| Construction Official | \$ 6,350. |
| Housing Inspector | 2,650. |
| Plumbing Subcode Official | 2,300. |
| Fire Subcode Official | 900. |

| | |
|------------------|--------|
| Welfare Director | 1,050. |
|------------------|--------|

M. CASUAL LABOR - \$3.35 - \$3.75 per hour

N. LONGEVITY will be allowed at the rate of \$200.00 for each five (5) years of service completed by all full time employees. (40 hours per week, 52 weeks per year) This provision shall be retroactive to January 1, 1981.

Passed and approved by Mayor and Council 5/7/81.

PATRICIA L. VARCA
BOROUGH CLERK

ORDINANCE AUTHORIZING THE CONVEYANCE OF
BOROUGH LANDS BY PRIVATE SALE

WHEREAS, the Borough of Oceanport is the owner of Lot 21 in Block 8 on the Official Tax Map of the Borough of Oceanport, formerly known as lots 89 and 91 in Block 9; and

WHEREAS, N.J.S.A. 40A:12-13(b)(5) permits a municipality to sell public lands by private sale to a contiguous property owner when said lands are less than the minimum size required for development, and are without capital improvements; and

WHEREAS, the aforementioned lot is less than the minimum size required for development and without capital improvements; and

WHEREAS, the contiguous property owners, RONALD and LINDA STUBBINGTON, are desirous of purchasing Lot 21 in Block 8;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, pursuant to N.J.S.A. 40A:12-13(b)(5) that the governing body be authorized to convey Lot 21 in Block 8, to RONALD and LINDA STUBBINGTON, for a consideration of THREE THOUSAND (\$3,000.00) DOLLARS; and

BE IT FURTHER ORDAINED that this sale be conditioned upon the following:

1. Full payment of the consideration referred to above;
2. That the sale is made subject to all applicable laws and ordinances of the State of New Jersey and the Borough of Oceanport;
3. That should the title to the property prove to be unmarketable for any reason, the liability of the Borough shall be limited to the repayment to the purchaser of the amount of deposit and any portion of the purchase price, and shall not extend to any further costs, expenses, damages or claims. Notice of any alleged defect in title or claim of unmarketability must be served upon the Borough in writing no later than thirty (30) days after the publication and passage of this ordinance.
4. To abide by the appropriate zoning, subdivision health and building regulations and codes.
5. That the failure to close title as agreed shall forfeit to the Borough of Oceanport any and all monies deposited with the Borough.
6. That the title shall close within forty-five (45) days of the passage of this Ordinance by the Borough and Council or within such time as may reasonably be required by the Borough.

BE IT FURTHER ORDAINED, that this Ordinance shall become effective after passage and publication according to law.

Passed and approved by Mayor and Council 6/4/81.

PATRICIA L. VARCA, BOROUGH CLERK

AN ORDINANCE AMENDING ORDINANCE
NUMBER 5 ENTITLED "AN ORDINANCE
ESTABLISHING AND REGULATING THE
FIRE DEPARTMENT AND PROVIDING FOR
THE PROTECTION OF LIFE AND PROPERTY
FROM FIRE IN THE BOROUGH OF OCEANPORT,
NEW JERSEY" PASSED AND APPROVED ON
DECEMBER 2, 1920, AS AMENDED AND
SUPPLEMENTED.

BE IT ORDAINED BY THE MAYOR AND COUNCIL of the Borough
of Oceanport, in the County of Monmouth, and State of New
Jersey as follows:

Section 1. Section 8-2 of an Ordinance entitled "An
Ordinance establishing and regulating the Fire Department and
providing for the protection of life and property from fire
in the Borough of Oceanport, New Jersey" passed and approved
on December 2, 1920 and codified in Chapter 8 of the Code of
the Borough of Oceanport, is hereby amended to read as follows:

Section 8-2. The Fire Department of this borough shall
consist of the Oceanport Volunteer Fire Department, the
Port-au-Peck Chemical Company, Oceanport Hook & Ladder Fire Co. and of such other com-
panies and apparatus as may be hereafter otherwise provided for.
The officers of said companies shall be such as are elected by
the respective companies under their charters and bylaws.

Section 2. All ordinances and resolutions or parts of
ordinances and resolutions, inconsistent with this amending
ordinance, be and the same are hereby repealed.

Section 3. This amending and supplemental ordinance shall
become effective upon due passage and publication according to
law.

Passed and approved by Mayor and Council 6/18/81.

PATRICIA L. VARCA
BOROUGH CLERK

ORDINANCE AUTHORIZING THE EXCHANGE OF
CERTAIN LANDS BETWEEN THE BOROUGH OF
OCEANPORT, A MUNICIPAL CORPORATION OF
THE STATE OF NEW JERSEY, AND CONRAD F.
DI SIENO AND DOROTHY J. DI SIENO.

WHEREAS, the Borough of Oceanport is the owner of a certain parcel of land commonly known as Lot 12 in Block 27 as shown on the Official Tax Map of the Borough of Oceanport; and

WHEREAS, this lot fronts on a paper street known as Mohican Avenue and accordingly is of no utility to the Borough; and

WHEREAS, CONRAD F. DISIENO and DOROTHY J. DI SIENO are the owners of Lot 13 in Block 27 on the Official Tax Map of the Borough of Oceanport, and have applied to the Oceanport Planning Board for a minor subdivision pertaining to this lot; and

WHEREAS, CONRAD F. DI SIENO and DOROTHY J. DI SIENO have offered to exchange a portion of their lands for those owned by the Borough as described above; and

WHEREAS, the Governing Body of the Borough of Oceanport has determined that such an exchange is in the public's interest because the lands to be conveyed by the Di Sienos will enlarge the public right-of-way at the westerly terminus of Cayuga Avenue and will afford to the Borough the ability at some future date to install a cul-de-sac:

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport as follows:

1. THE BOROUGH OF OCEANPORT shall convey to CONRAD F. DI SIENO and DOROTHY J. DI SIENO all right, title and interest it may have to Lot 12 in Block 27 on the Official Tax Map of the Borough of Oceanport in exchange for CONRAD F. DI SIENO and DOROTHY J. DI SIENO conveying to the Borough of Oceanport the following lands:

"BEGINNING at a point in the south line of Cayuga Avenue, being the northwest corner of Lot 13 in Block 27 as shown on the Official Tax Map of the Borough of Oceanport; thence (1) South $83^{\circ} 50'$ East a distance of 120.71 feet to a point of tangency; thence (2) Southwesterly along a curve having a radius of 25.00 feet and an arc length of 30.77 feet to a point of reverse curvature; thence (3) along a curve to the right having a radius of 50.00 feet and an arc length of 140.09 feet to the point or place of BEGINNING."

2. The aforestated exchange is specifically contingent upon CONRAD F. DI SIENO and DOROTHY J. DI SIENO obtaining approval of their minor subdivision application from the Oceanport Planning Board and is further contingent upon CONRAD F. DI SIENO and DOROTHY J. DI SIENO reimbursing the Borough of Oceanport for any engineering and legal fees incurred by the Borough in regard to perfecting this exchange of lands.

Passed and approved by Mayor and Council 9/3/81.

PATRICIA L. VARCA
BOROUGH CLERK

ORDINANCE AUTHORIZING THE MAYOR
AND MUNICIPAL CLERK TO EXECUTE
AN AGREEMENT WITH MONMOUTH
COUNTY FOR COOPERATIVE
PARTICIPATION IN THE COMMUNITY
DEVELOPMENT PROGRAM PURSUANT TO
THE INTERLOCAL SERVICES ACT

WHEREAS, certain federal funds are potentially available to Monmouth County under Title I of the Housing and Community Development Act of 1974, as amended commonly known as Community Development Block Grant Program; and

WHEREAS, it is necessary to establish a legal basis for the County and its people to benefit from this program; and

WHEREAS, an Agreement has been proposed under which the Borough of Oceanport and the County of Monmouth in cooperation with other municipalities will establish an interlocal Services Program pursuant to N.J.S.A. 40:8A-1; and

WHEREAS, it is in the best interest of the Borough of Oceanport to enter into such an agreement;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Governing Body of the Borough of Oceanport that the agreement entitled "Agreement Between the County of Monmouth and certain municipalities located herein for the establishment of a cooperative means of conducting certain community development activities," a copy of which is attached hereto, be executed by the Mayor and Municipal Clerk in accordance with the provisions of law; and

BE IT FURTHER ORDAINED that this ordinance shall take effect immediately upon its enactment.

Passed and approved by Mayor and Governing Body 12/3/81.

PATRICIA L. VARCA
BOROUGH CLERK

ORDINANCE #458

AN ORDINANCE VACATING ALL OF RANSOM COURT, CERTAIN UNNAMED ROADS AND PORTIONS OF GOLD STREET LOCATED IN OR ADJOINING BLOCK 81 ON THE OFFICIAL TAX MAP OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND RELEASING AND EXTINGUISHING THE PUBLIC RIGHTS IN AND TO SAME.

WHEREAS, request has been made for the vacation of all of Ransom Court, certain unnamed roads and portions of Gold Street in or adjoining Block 81 on the Official Tax Map of the Borough of Oceanport, County of Monmouth and for the releasing and extinguishing of the public rights in and to same; and

WHEREAS, the Borough Council of the Borough of Oceanport has considered evidence that all of Ransom Court, the certain unnamed road and the portions of Gold Street hereinafter more particularly described are not needed for use by the general public as part of the public road system of the Borough of Oceanport; and

WHEREAS, it has been found and determined by the Borough Council of the Borough of Oceanport, County of Monmouth, with respect to all of Ransom Court and an unnamed road (45-feet wide) hereinafter described as Parcel A-1 that: (a) said Ransom Court and said unnamed road are paper streets originally laid out on a certain map entitled "Preliminary Map, Property of Reverdy C. Ransom, Borough of Oceanport, prepared by J. W. Seaman & Son, Professional Engrs. Long Branch, New Jersey, dated July 15, 1950"; (b) said Parcel A-1 does not conform to modern road standards as to width or alignment; (c) the Borough Council would not authorize or permit the improvement of said Parcel A-1 as public roads as same are presently laid out and would not accept said Parcel A-1 as a part of the public road system of the Borough of Oceanport; and (d) said Parcel A-1 is not needed for public road purposes; and

WHEREAS, it has been found and determined by the Borough Council of the Borough of Oceanport, County of Monmouth, with respect to the aforementioned portions of Gold Street (hereinafter collectively referred to as the "Gold Street Portions") that: (a) certain sections of said Gold Street Portions are paper streets not presently in use; (b) certain sections of said Gold Street Portions have been superseded, and/or made obsolete by the widening and improvement of Oceanport Avenue; and (c) said Gold Street Portions where not presently in use are not needed for public road purposes and where in use are no longer needed for public road purposes; and

WHEREAS, it has been further found and determined by the Borough Council of the Borough of Oceanport, County of Monmouth, that said Parcel A-1 and said Gold Street Portions lend themselves to higher and better uses than as and for public road purposes, and that it is in the public interest and in the best interest of the general public and the Borough of Oceanport that the public easements, rights and interest in and to said Parcel A-1 and the Gold Street Portions should be vacated, released and extinguished.

ORDINANCE #458

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Oceanport, County of Monmouth as follows:

1. That all of Ransom Court and the unnamed road shown on the aforementioned Map of Property of Reverdy C. Ransom and outlined on the official tax map of the Borough of Oceanport, County of Monmouth hereinafter described as Parcel A-1 located within Block 81 on the official tax map of the Borough of Oceanport, County of Monmouth and the portions of Gold Street adjoining Block 81 on the said official tax map and the unnamed road extending Gold Street into Block 81 on said official tax map, which are hereinafter described as Parcels A-2, A-3, A-4, B-1, C-1, D-1 and E-1 and all of the public easements, rights and interests therein be and are hereby vacated, released and extinguished:

All those certain lots, tracts or parcels situate, lying and being in the Borough of Oceanport, County of Monmouth and State of New Jersey, more particularly described as follows:

SEE SCHEDULED "A" ATTACHED,

CONSISTING OF 8 PAGES

Parcel A-1

Being Ransom Court and an unnamed road (45 foot wide) as shown on map entitled "Preliminary Map, Property of Reverdy C. Ransom, Borough of Oceanport, prepared by J. W. Seaman & Son, Professional Engrs. Long Branch, New Jersey, dated July 15, 1950" on the Borough of Oceanport Tax Map, Sheet 13, within Block 81 and lying within the perimeter of the premises described in the Sixth Tract of a certain deed dated July 14, 1962 and recorded July 19, 1962 in the Monmouth County Clerk's Office in Deed Book 3165 page 542 and specifically including that portion of Ransom Court being more particularly described as follows:

BEGINNING at the intersection of the Southerly line of said Ransom Court and the Westerly line of Gold Street, being also the Northeast corner of Lot 25E Block 81, as shown on aforesaid tax map.

1. South Fifty-five degrees Fifty-seven minutes West (S. 55° 57' W.) along the Southerly line of Ransom Court, a distance of One Hundred Sixty-one and Fifty Hundredths Feet (161.50') to a point.
2. Southwesterly, westerly on a curve to the right having a radius of Seventy-nine and Zero Hundredths Feet (79.00') still along line of Ransom Court, a distance of Ninety-nine and Sixty-eight Hundredths Feet (99.68') to a point.
3. Westerly, Southwesterly on a curve to the left having a radius of Fifty and Zero Hundredths Feet (50.00') still along line of Ransom Court, a distance of Sixty-two and Seven Hundredths Feet (62.07') to a point.
4. South Fifty-seven degrees Seven minutes West (S. 57° 07' W.), still along the line of Ransom Court, a distance of Thirty-seven and Eighty Hundredths Feet (37.80') to a point.
5. North Thirty-two degrees Fifty-three minutes West (N. 32° 53' W.) a distance of Eighteen and Twenty-one Hundredths Feet (18.21') to a point in Ransom Court.
6. North Fifty-seven degrees Seven minutes East (N. 57° 07' E.) a distance of Eighty-six and Sixty-seven Hundredths Feet (86.67') to a point.
7. South Eighty-one degrees Twenty-eight minutes East (S. 81° 28' E.) a distance of Twelve and twenty-five Hundredths Feet (12.25') to a point.
8. South Eighty degrees Twenty-seven minutes Thirty seconds East (S. 80° 27' 30" E.) a distance of Fourteen and Ninety-eight Hundredths Feet (14.98') to a point.
9. North Fifty-seven degrees Seven minutes East (N. 57° 07' E.), a distance of Eleven and Sixty-seven Hundredths Feet (11.67') to a point in the Easterly line of Ransom Court.

10. Southeasterly on a curve to the right having a radius of Ninety-five and Zero Hundredths Feet (95.00') along the said line of Ransom Court, a distance of Twenty-one and Thirty-six Hundredths Feet (21.36') to a point.
11. Southeasterly, easterly on a curve to the left having a radius of Thirty-four and Zero Hundredths Feet (34.00') along the line of Ransom Court, a distance of Forty-two and Ninety Hundredths Feet (42.90') to a point.
12. North Fifty-five degrees Fifty-seven minutes East (N. 55° 57' E.) still along the line of Ransom Court, a distance of One Hundred Sixty-one and Ninety-eight Hundredths Feet (161.98') to the intersection of the Westerly line of Gold Street and the Northerly line of Ransom Court.
13. South Thirty-three degrees Twenty-seven minutes East (S. 33° 27' E.) crossing Ransom Court and on the projection of the Westerly line of Gold Street, a distance of Forty-five and Zero Hundredths Feet (45.00') to the point and place of BEGINNING.

Parcel A-2

Being a portion of Gold Street being more particularly described as follows:

BEGINNING at the intersection of the Northerly line of Ransom Court and the Westerly line of Gold Street being the Southeast Corner of Lot 24-2, Block 81, as shown on aforesaid tax map.

1. North Thirty-three degrees Twenty-seven minutes West (N. 33° 27' W.) along the said Westerly line of Gold Street, a distance of Five Hundred Seventeen and Eighty-seven Hundredths Feet (517.87') to the Southeast corner of Lot 21, Block 81.
2. North Fifty-six degrees Thirty-three minutes East (N. 56° 33' E.) a distance of Sixteen and Fifty Hundredths Feet (16.50') to the centerline of said Gold Street.
3. South Thirty-three degrees Twenty-seven minutes East (S. 33° 27' E.) along the said Centerline of Gold Street, a distance of Two Hundred Seventy-seven and Forty-nine Hundredths Feet (277.49') to a point in the new Westerly right of way line of Oceanport Avenue.
4. Southeasterly on a curve to the left having a radius of Seven Thousand Five Hundred Fifty-five and Zero Hundredths Feet (7,555.00') along the said new right of way line of Oceanport Avenue, a distance of Two Hundred Forty and Thirty-five Hundredths Feet (240.35') to a point.

5. South Fifty-five degrees Fifty-seven minutes West (S. 55° 57' W.) a distance of Eleven and Zero Hundredths Feet (11.00') to the point and place of BEGINNING.

Parcel A-3

Being a portion of Gold Street being more particularly described as follows:

BEGINNING at the Northeast corner of Lot 21, Block 81, as shown on said tax map, also being in the Westerly line of Gold Street.

1. North Thirty-three degrees Twenty-seven minutes West (N. 33° 27' W.) along the said Westerly line of Gold Street, a distance of Fifty-five and Twenty-nine Hundredths Feet (55.29') to a point.
2. South Fifty-eight degrees Fifteen minutes Thirty seconds West (S. 58° 15' 30" W.) along the Southerly line of Gold Street, a distance of Two Hundred Twelve and Ninety-four Hundredths Feet (212.94') to a point.
3. North Thirty degrees Thirty-three minutes Forty seconds West (N. 30° 33' 40" W.) crossing an extended portion of Gold Street and along the Westerly line of Gold Street, a distance of One Hundred Eighty-two Feet more or less (182'+) to the Flood Plain Limit line.
4. North Fifty-nine degrees Twenty-six minutes Twenty seconds East (N. 59° 26' 20" E.) a distance of Sixteen and Fifty Hundredths Feet (16.50') to the center line of said Gold Street.
5. South Thirty degrees Thirty-three minutes Forty seconds East (S. 30° 33' 40" E.) along the said center line of Gold Street, a distance of One Hundred Sixty-five Feet more or less (165+) to a point.
6. North Fifty-eight degrees Fifteen minutes Thirty seconds East (N. 58° 15' 30" E.) still along the centerline of Gold Street, a distance of Two Hundred Twelve and Eleven Hundredths Feet (212.11') to a point.
7. South Thirty-three degrees Twenty-seven minutes East (S. 33° 27' E.) still along the centerline of Gold Street, a distance of Seventy-one and Thirty Hundredths Feet (71.30') to a point.
8. South Fifty-six degrees Thirty-three minutes West (S. 56° 33' W.) a distance of Sixteen and Fifty Hundredths Feet (16.50') to the point and place of BEGINNING.

Parcel A-4

Being an extended portion of Gold Street, being more particularly described as follows:

BEGINNING at a point which point is the Southeast corner of Lot 15, Block 81 as shown on the tax map also being the intersections of the Westerly line of Gold Street and the Northerly line of an extension of Gold Street.

1. South Thirty degrees Thirty-three minutes Forty seconds East (S. 30° 33' 40" E.) crossing Gold Street on the extension of the said Westerly line of Gold Street, a distance of Twenty and Eight Hundredths Feet (20.08') to a point in the Southerly line of Gold Street.
2. South Fifty-eight degrees Fifteen minutes Thirty seconds West (S. 58° 15' 30" W.) along the Northerly line of an extension of Gold Street, a distance of Three Hundred Seventy-six and Sixty-four Hundredths Feet (376.64') to a point.
3. North Fifteen degrees Sixteen minutes Twenty seconds West (N. 15° 16' 20" W.) along the end of an extension of Gold Street, a distance of Thirteen and Sixty Hundredths Feet (13.60') to a point.
4. North Fifty-eight degrees Eleven minutes Twenty seconds East (N. 58° 11' 20" E.) along the Northerly line of an extension of Gold Street, a distance of Seventy-two and Sixty Hundredths Feet (72.60') to a point.
5. North Thirty degrees Thirty-three minutes Forty seconds West (N. 30° 33' 40" W.) still along an extension of Gold Street, a distance of Six and Sixty Hundredths Feet (6.60') to a point.
6. North Fifty-eight degrees Eleven minutes Twenty seconds East (N. 58° 11' 20" E.) still along the Northerly line of an extension of Gold Street and along the Southerly line of Lots 17, 16, 15 Block 81, a distance of Two Hundred Eighty-six and Forty-four Hundredths Feet (286.44') to the point and place of BEGINNING.

Parcel B-1

Description of a portion of Gold Street to be vacated along Lot 23, Block 80-B, Borough of Oceanport, County of Monmouth, State of New Jersey.

BEGINNING at the Southeast corner of Lot 23, Block 80-B, as shown on the Borough of Oceanport Tax Map and in the Northerly line of Gold Street.

1. South Fifty-eight degrees Fifteen minutes Thirty seconds West (S. $58^{\circ} 15' 30''$ W.) along the said Northerly line of Gold Street and the Southerly line of said Lot 23, Block 80-B, a distance of Two Hundred Eleven and Twenty-eight Hundredths Feet (211.28') to a point.
2. North Thirty degrees Thirty-three minutes Forty seconds West (N. $30^{\circ} 33' 40''$ W.) along the Easterly line of Gold Street and the Westerly line of Lot 23 Block 80-B, a distance of One Hundred Forty-eight Feet more or less (148'±) to a point.
3. South Fifty-nine degrees Twenty-six minutes Twenty seconds West (S. $59^{\circ} 26' 20''$ W.), a distance of Sixteen and Fifty Hundredths Feet (16.50') to the center line of Gold Street.
4. South Thirty degrees Thirty-three minutes Forty seconds East (S. $30^{\circ} 33' 40''$ E.) along the centerline of Gold Street, a distance of One Hundred Sixty-five Feet more or less (165'±) to a point.
5. North Fifty-eight degrees Fifteen minutes Thirty seconds East (N. $58^{\circ} 15' 30''$ E.) still along the center line of Gold Street, a distance of Two Hundred Twelve and Eleven Hundredths Feet (212.11') to a point.
6. North Fourteen degrees Seven minutes Twenty seconds East (N. $14^{\circ} 07' 20''$ E.) a distance of Twenty-two and Ninety-nine Hundredths Feet (22.99') to the point and place of BEGINNING.

Parcel C-1

Description for a portion of Gold Street to be vacated which fronts on Lot 23 Block 80-B, Borough of Oceanport, County of Monmouth, State of New Jersey.

BEGINNING at a point in the Westerly line of Lot 22 Block 80-B, also said point being the Southeast corner of Lot 23, Block 80-B, as shown on the Borough of Oceanport Tax Map Sheet #13; thence

1. South Thirty-three degrees Twenty-seven minutes East (S. $33^{\circ} 27'$ E.) along the Easterly line of Gold Street, a distance of Eighty-seven and Thirty-one Hundredths Feet (87.31') to a point; thence
2. South Fifty-six degrees Thirty-three minutes West (S. $56^{\circ} 33'$ W.), a distance of Sixteen and Fifty Hundredths Feet (16.50') to the centerline of Gold Street.
3. North Thirty-three degrees Twenty-seven minutes West (N. $33^{\circ} 27'$ W.) along the said centerline of Gold Street, a distance of Seventy-one and Thirty Hundredths Feet (71.30') to a point; thence
4. North Fourteen degrees Seven minutes Twenty seconds East (N. $14^{\circ} 07' 20''$ E.) a distance of Twenty-two and Ninety-nine Hundredths Feet (22.99') to the point and place of BEGINNING.

Parcel D-1

Description for a vacation of a portion of Gold Street which fronts Lots 21 Block 81, Borough of Oceanport, County of Monmouth, State of New Jersey.

BEGINNING at the Southeast corner of Lot 21, Block 81, as shown on the Borough of Oceanport Tax Map, Sheet #13, being also in the Westerly line of Gold Street.

1. North Thirty-three degrees Twenty-seven minutes Zero seconds West (N. $33^{\circ} 27' 00''$ W.) along the Westerly line of Gold Street, and the Easterly line of Lot 21, Block 81, a distance of Fifty and Sixteen Hundredths Feet (50.16') to a point.
2. North Fifty-six degrees Thirty-three minutes Zero seconds East (N. $56^{\circ} 33' 00''$ E.) a distance of Sixteen and Fifty Hundredths Feet (16.50') to the center line of Gold Street.
3. South Thirty-three degrees Twenty-seven minutes Zero seconds East (S. $33^{\circ} 27' 00''$ E.) along the said center line of Gold Street a distance of Fifty and Sixteen Hundredths Feet (50.16') to a point.
4. South Fifty-six degrees Thirty-three minutes Zero seconds West (S. $56^{\circ} 33' 00''$ W.) a distance of Sixteen and Fifty Hundredths Feet (16.50') to the point and place of BEGINNING.

Parcel E-1

Description for a vacation of a portion of Gold Street which fronts on Lot 25E Block 81, Borough of Oceanport, County of Monmouth, State of New Jersey.

BEGINNING at a point in the Northeast corner of Lot 25E Block 81, as shown on the Borough of Oceanport Tax Map sheet #13 being also the intersection of the Southerly line of Ransom Court and the Westerly line of said Gold Street; thence

1. North Fifty-five degrees Fifty-seven minutes Zero seconds East (N. $55^{\circ} 57' 00''$ E.) a distance of Eight Feet more or less ($8' \pm$) to a point; thence
2. Southerly on a curve to the left having a radius of Seven Thousand Five Hundred Fifty-five and Zero Hundredths Feet ($7,555.00'$) along the new right-of-way line of Oceanport Avenue, a distance of One Hundred Seventeen Feet more or less ($117' \pm$) to a point; thence
3. North Thirty-three degrees Twenty-seven minutes West (N. $33^{\circ} 27' W.$) along the Westerly line of Gold Street, a distance of One Hundred Twenty Feet more or less ($120' \pm$) to the point and place of BEGINNING.

The above descriptions have been prepared in accordance with a map entitled "Map Showing Existing Streets To Be Vacated", Tax Map Sheet Numbers 8 & 13," Borough of Oceanport, Monmouth, New Jersey, prepared by Schoor Engineering Inc. Consulting & Municipal Engineers, 356 Main Street, Matawan, New Jersey 07747.

The references to lots and blocks on the Borough of Oceanport Tax Map refer to said lot and block designations as shown on the Borough of Oceanport Tax Map, 1978 Revision, which lot and block designations have been changed on the current Borough of Oceanport Tax Map.

Passed and approved by Mayor and Council February 18, 1982.

Patricia L. Varca
Borough Clerk

AN ORDINANCE APPROPRIATING \$59,900 FOR A
COMPLETE REVALUATION PROGRAM IN THE
BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH,
STATE OF NEW JERSEY

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, County of Monmouth, State of New Jersey, that pursuant to N.J.S. 40A:4-53 (Ch. 48, P.O. 1956 as amended by Ch. 144, P.L. 1965 and Ch. 38, P.L. 1969) the sum of \$59,900.00 is hereby appropriated for Preparation and Execution of a complete program of revaluation of real property for use of the local assessor, and shall be deemed a special emergency appropriation as defined and provided for in N.J.S. 40A:4-55.

The authorization to finance the appropriation shall be provided for in succeeding annual budgets by the inclusion of at least 1/5 of the amount authorized pursuant to this act (N.J.S. 40A:4-55).

Passed and approved by Mayor and Council April 15, 1982.

PATRICIA L. VARCA
BOROUGH CLERK

SOIL REMOVAL ORDINANCE OF THE
BOROUGH OF OCEANPORT

1. Definitions.
2. Permit required; exceptions.
3. Permit application; topographical map.
4. Fees.
5. Considerations governing grant of permit.
6. Meeting on application; notice to neighboring property owners.
7. Regulation of soil moving operations.
8. Deposit of removed soil.
9. Performance bond.
10. Enforcement officer; inspections.
11. Abandonment or delay of project; extension of permit.
12. Violations and penalties.
13. Effect on other provisions; inconsistencies.

1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

PERSON - Includes corporations, companies, associations, societies, firms, partnerships and joint-stock companies, as well as individuals.

SOIL - Any earth, top soil, clay, loam, gravel, brick, concrete, masonry materials, stone, sand, dirt, or rock without regard to the presence or absence of organic matter.

SOIL MOVING - Any removal of soil from or depositing of soil on any premises except as otherwise exempted by this chapter.

TOP SOIL - Upper layer of soil which contains humus and bacteria necessary to plant growth.

2. Permit required; exceptions.

No person shall remove or deposit soil on any premises in the Borough of Oceanport unless a permit therefore is first secured from the

Construction Official as hereinafter set forth; provided, however, that no permit shall be required for the following:

- A) The moving of excess soil resulting from foundation or cellar excavations or grading incidental thereto.
 - B) The moving of less than 200 cubic yards of soil upon any lot containing less than twenty thousand (20,000) square feet on which there is an existing or proposed one or two family dwelling.
 - C) The moving of soil for gardening primarily for home consumption or landscaping for aesthetic purposes.
 - D) The moving of soil for the agricultural use of lands.
 - E) The moving of soil which does not result in either substantial changes in grade and/or elevation or does not significantly alter drainage runoff patterns from said lot.
 - F) The moving of soil in connection with government approved dredging projects.
3. Permit application; topographical map.
- A) Application for soil moving permit shall be filled with the Construction Official, in triplicate, accompanied by the fee set forth in Section 4 hereof, setting forth the following:
 - 1) The name and address of the applicant.
 - 2) The name and address of owner if other than the applicant.
 - 3) The description and location of the land in question, including the Tax Map lot and block numbers.
 - 4) The purpose or reason for moving the soil.
 - 5) The kind and quantity, in cubic yards, of soil to be moved.
 - 6) The destination of soil to be moved.
 - 7) The proposed date of commencement and completion of the soil moving.
 - 8) The name, address and telephone number of the person having direct charge over the soil moving operation.
 - B) The Construction Official shall refer the application(s) to the Borough Engineer if 200 cubic yards of soil or more are to be moved and may also refer

application(s) for movement of lesser quantities of soil if he deems it necessary.

If required by the Borough Engineer, and in all cases where more than 200 cubic yards of soil are to be moved, the application shall be accompanied by a topographical map, in triplicate, of the lands in question. Said map shall be prepared and certified by a licensed professional engineer or a licensed land surveyor, on a scale of not less than fifty (50) feet to the inch, showing the following:

- 1) The present grades on a fifty foot grid layout.
- 2) The proposed finished grades.
- 3) The quantity in cubic yards of the soil to be moved.
- 4) The grades of all streets and lots within one hundred (100) feet of the property in question.
- 5) Proposed slopes and lateral supports.
- 6) Present and proposed surface water drainage.

4. Fees.

- A) Along with the application, there shall be deposited with the Borough Clerk a permit fee calculated in accordance with the following schedule:

| <u>CUBIC YARDS OF SOIL TO BE MOVED</u> | <u>PERMIT FEE</u> |
|--|---|
| Up to 200 | \$ 15.00 |
| Above 200 | \$100.00 plus a sum computed at \$0.10 per cubic yard multiplied by the number of yards in excess of 500. |

- B) The charge in accordance with the schedule hereinbefore set forth shall include all engineering and other services the Borough may deem desirable or necessary to assure an orderly soil operation in full compliance with provisions of this chapter.

5. Considerations governing grant of permit.

- A) In acting upon applications for soil moving permits, the Construction Official shall take into consideration the public health, safety and general welfare, with emphasis given to the following factors:

- 1) Soil erosion by water and wind.
- 2) Drainage.
- 3) Soil fertility.

- 4) Lateral support, slope and grades of abutting streets and lands.
 - 5) Environmental impact.
 - 6) Coordinated, adjusted and harmonious physical development of the Borough.
6. Appeal to Borough Council, notice to neighboring property owners.
- A) The applicant may appeal in writing to the Borough Council at a meeting to be held not less than thirty (30) nor more than sixty (60) days thereafter. Upon being advised by the Borough Clerk, the applicant shall serve written notice, either by personal service or by certified mail, return receipt requested, upon all property owners within two hundred (200) feet of the extreme limits of the property as their names appear on the Borough tax records. Said notice shall be served as aforesaid, not later than seven (7) days prior to the date of the meeting scheduled for consideration of the application. The applicant shall deliver an affidavit of service to the Borough Clerk at least two (2) days prior to the date of said meeting.
 - B) If, following the hearing during which all persons shall be given an opportunity to be heard, the Borough Council shall be of the opinion that the proposed soil moving will conform to the consideration set forth in section 5A, above, permission to move soil shall be granted.

7. Regulation of soil moving operations.

If a permit to move soil is issued in accordance with the provisions of this chapter, the operation conducted thereunder shall be subject to the following conditions:

- A) The person or persons receiving the permit shall properly level off, remove debris and grade the premises to conform to the contour lines established and approved within the time periods established by the Construction Official. Said time periods shall in no event extend thirty (30) days beyond each soil moving.
- B) Operations shall be conducted only between the hours of 8:00 a.m. and 9:00 p.m. Monday through Saturday.
- C) Soil moving operations shall be restricted to street routes established by the Construction Official.

- D) All reasonable means shall be employed by the person or persons conducting a soil moving or grading or excavating operation to prevent air pollution by large quantities of dust and dirt. Such means may include spraying water or non polluting dampening agents on the surface of the ground.
- E) Unless authorized by the Borough Council, the person or persons receiving the permit shall not remove from the premises any top soil. The top soil shall be set aside and shall be respread over the premises, in conformity with the contour lines approved by the Construction Official.
- F) Unless authorized by the Borough Council, the person or persons receiving the permit shall not remove any soil to a destination outside of the Borough of Oceanport.
- G) Where applicable, all soil moving shall be done in compliance with the requirements of the Monmouth County Soil Conservation District in effect at the time the soil is to be moved.

8. Deposit of removed soil.

Where soil moving is permitted, no person, owner, developer or excavator shall deposit soil upon, fill in or raise the grade of any lot without first making provisions for:

- A) The use in said work of soil or such other materials as will not result in deviation from the proposed final grades or the uniformity thereof by reasons of shrinkage or settlement.
- B) The collection and storage upon the lot of original topsoil so that it is not buried beneath soil or other material of inferior quality. Said topsoil shall be respread uniformly over the entire area or surface of the fill soil or other material. In the event that it is not practicable to use the original topsoil, topsoil not inferior in quality to that of the original topsoil shall be used to a depth of not less than six (6) inches.
- C) The preservation of existing watercourses, in accordance with the plans on file.
- D) The planting of shrubbery and trees as may be directed by the Shade Tree Committee.
- E) At no time will excavations be permitted to go below the final grade as established by the approved plans.
- F) The seeding of the entire area upon completion of the restoration of the topsoil with seed which will germinate so as to minimize soil erosion by wind and water.

9. Performance Bond.

The Construction Official may require the applicant to post with the Borough a performance guaranty conditioned upon full compliance with all the terms and conditions of approval. The amount of the bond shall be in accordance with the recommendations of the Borough Engineer, which amount shall be sufficient to ensure the faithful performance of the work to be undertaken as approved. The form of the bond shall be approved by the Borough Attorney. If a bond is not obtainable, the Borough Council may waive the bonding requirement and establish other requirements to secure compliance with the permit.

10. Construction Official; inspections.

The Construction Official is hereby designated as the officer whose duty it shall be to enforce the provisions of this chapter. He shall, from time to time, upon his initiative, and whenever directed by the Borough Council, inspect the premises for which permits have been granted to ensure compliance with the terms of the permit and of this chapter.

11. Abandonment or delay of project; extension of permit.

- A) In the event that in the opinion of the Construction Official the soil moving project has been abandoned or cannot be completed within the time set forth in the soil moving permit, the Construction Official may so certify to the Borough Council in writing. The Borough Council may then revoke the permit or call upon any surety on the performance guaranty to complete the project after hearing on seven (7) days' written notice to the permittee by certified mail at the address on the permit application. In the event a cash deposit guaranty is posted, the Borough may complete the project and deduct the cost thereof from the deposit.
- B) A permit hereunder shall be in force for one (1) year. Applications for the extension of the permit shall be made upon the submission of the data required in Section 3 hereof. As of the date of the application for renewal, a renewal permit may be issued by the Construction Official once, but for a period of no longer than one (1) year.

12. Violations and penalties.

Any person violating any of the provisions of this chapter shall be subject to a fine not exceeding five hundred (\$500.00) dollars or imprisonment for a term not exceeding ninety (90) days, or both, in the discretion of the Judge before whom such conviction may be had. Each and every violation of this chapter, or each day that any provision of this chapter shall have been violated, shall be construed as a separate and distinct violation thereof.

13. Effect on other provisions; inconsistencies.

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies. Nothing herein contained shall be deemed to modify or repeal any of the provisions of the Zoning Ordinance of the Borough of Oceanport and in the event of an inconsistency between this chapter and the Zoning Ordinance, the inconsistency shall be resolved in favor of the enforcement of the Zoning Ordinance.

Passed and approved by Mayor and Council April 15, 1982.

PATRICIA L. VARCA
BOROUGH CLERK

ORDINANCE AUTHORIZING THE MAYOR AND MUNICIPAL
CLERK TO EXECUTE AN AGREEMENT WITH MONMOUTH
COUNTY TO MODIFY THE INTERLOCAL SERVICE
AGREEMENT DATED DECEMBER 8, 1981

WHEREAS, certain Federal funds are potentially available to Monmouth County under Title I of the Housing and Community Development Act of 1977, commonly known as Community Development Block Grant Program; and

WHEREAS, it is necessary to amend an existing Interlocal Service Agreement for the County and its people to benefit from this Program; and

WHEREAS, an Agreement has been proposed under which the Municipality of the Borough of Oceanport and the County of Monmouth in cooperation with other municipalities will modify an Interlocal Services Act pursuant to N.J.S.A. 40:8A-1; and

WHEREAS, it is in the best interest of the Municipality of the Borough of Oceanport to enter into such an agreement;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Governing Body of the Municipality of the Borough of Oceanport, that the agreement entitled "Agreement to Modify Interlocal Services Agreement Dated December 8, 1981 for the Purpose of Inserting a Description of Activities for the Eighth, Ninth and Tenth Year Monmouth County Community Development Block Grant Program", a copy of which is on file in the Municipal Clerk's office, be executed by the Mayor and Municipal Clerk in accordance with the provisions of law; and

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon its enactment.

Passed and approved by Mayor and Council April 15, 1982.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED
"AN ORDINANCE TO FIX AND DETERMINE THE
SALARIES OF CERTAIN BOROUGH OFFICIALS"
PASSED AND APPROVED ON MARCH 16, 1939

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth, State of New Jersey, as follows:

1. That Section 1 of the ordinance entitled "An Ordinance to Fix and Determine the Salaries of Certain Borough Officials" passed and approved on March 16, 1939, be and the same is hereby amended to read as follows:

SECTION 1: The yearly salaries of the officials and employees herein named beginning January 1, 1982, be and the same is hereby amended to read as follows:

A. ADMINISTRATION AND EXECUTIVE

| | |
|-------------------------------|-----------|
| Mayor | \$ 1,500. |
| Councilmen, each (6) (1,000.) | 6,000. |
| Administrator | 25,750. |
| Administrative Assistant | 11,200. |
| Secretary | 8,450. |
| Borough Clerk | 2,500. |

B. FINANCIAL ADMINISTRATION

| | |
|-------------------------------------|---------|
| Treasurer | 12,200. |
| Administrative Assistant Bookkeeper | 13,070. |
| Tax Office Clerk | 9,120. |

C. BOARD OF ASSESSORS

| | |
|------------------|---------|
| Assessor | 11,200. |
| Deputy | 1,700. |
| Deputy | 1,400. |
| Assessment Clerk | 2,000. |

D. COLLECTION OF TAXES

| | |
|---------------|--------|
| Tax Collector | 6,640. |
|---------------|--------|

E. PLANNING BOARD

| | |
|-----------|--------|
| Secretary | 1,600. |
|-----------|--------|

F. ZONING BOARD OF ADJUSTMENT

| | |
|-----------|--------|
| Secretary | 1,000. |
|-----------|--------|

G. ENVIRONMENTAL COMMISSION

| | |
|-----------|------|
| Secretary | 250. |
|-----------|------|

H. MUNICIPAL COURT

| | |
|-----------------------|-----------|
| Municipal Court Judge | \$ 5,900. |
| Court Clerk | 2,900. |
| Deputy Court Clerk | 900. |
| Extra Judge | 350. |

I. POLICE DEPARTMENT

| | |
|--------------------|---------|
| Chief of Police | 27,300. |
| Captain | 23,435. |
| Detective Sergeant | 22,560. |
| Sergeants | 22,240. |
| Detective | 21,375. |

| | |
|---|---------|
| Patrolman I (Commencing fifth year and each year of service thereafter) | 21,050. |
|---|---------|

| | |
|--|---------|
| Patrolman II (Commencing fourth year of service) | 18,770. |
|--|---------|

| | |
|--|---------|
| Patrolman III (Commencing third year of service) | 15,190. |
|--|---------|

| | |
|--|---------|
| Patrolman IV (Commencing second year of service) | 14,375. |
|--|---------|

| | |
|--|---------|
| Patrolman V (Commencing first year of service) | 13,500. |
|--|---------|

| | |
|--|---------|
| Dispatchers (First year of employment) | 10,050. |
|--|---------|

| | |
|---|---------|
| Dispatchers (Commencing second year of employment and thereafter) | 11,000. |
|---|---------|

| | |
|---------------|--------|
| Records Clerk | 1,200. |
|---------------|--------|

| | |
|------------------------|--------|
| School Crossing Guards | 3,000. |
|------------------------|--------|

J. PUBLIC WORKS DEPARTMENT

| | |
|--------------------------------|---------|
| Road Supervisor | 18,350. |
| Buildings & Grounds Supervisor | 18,350. |
| Helper I | 11,000. |
| Helper II | 10,600. |
| Helper III | 10,200. |
| Extra Labor and Overtime | 5,000. |

K. RECREATION AND EDUCATION

| | |
|---------------------------------------|--------|
| Recreation Director | 2,700. |
| Recreation Aides & Assistants (total) | 4,300. |
| Building Custodian | 1,200. |
| Librarian | 1,475. |

| | |
|---------------------------|-----------|
| Construction Official | \$ 6,800. |
| Housing Inspector | 2,950. |
| Plumbing Subcode Official | 2,600. |
| Fire Subcode Official | 1,500. |
| Welfare Director | 1,150. |

L. CASUAL LABOR - \$3.75 - \$4.25 per hour.

M. LONGEVITY will be allowed at the rate of \$200.00 for each five (5) years of service completed by all full time employees. (40 hours per week, 52 weeks per year) This provision shall be retroactive to January 1, 1982.

Passed and approved by Mayor and Council 5/6/82.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE VACATING A PORTION OF
RIDDLE PLACE WHICH WAS PREVIOUSLY
DEDICATED AS A PUBLIC STREET BUT
NEVER OPENED AND EXTINGUISHING
PUBLIC RIGHT THEREUNDER

WHEREAS, there appears on the official tax map of the Borough of Oceanport, a certain "paper street" commonly known as Riddle Place; and

WHEREAS, this street is not opened to the public and it appearing to the governing body that the public interest would be better served by releasing a portion of said lands from said dedication;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Oceanport, in the County of Monmouth and State of New Jersey, as follows:

Section 1. That the public rights, if any, arising from that portion of a street known as Riddle Place, appearing on the Official Tax Map of the Borough of Oceanport, and described as follows:

BEGINNING at a point in the southerly line of Riddle Place at the termination of the following three courses and distances, along said southerly line, from the point of intersection of the north-westerly line of Bridgewaters Drive with the aforesaid southerly line of Riddle Place. (A) South 83 degrees 48 minutes 00 seconds West 354.97 feet; (B) South 02 degrees 11 minutes 00 seconds West 29.66 feet; (C) South 89 degrees 38 minutes 00 seconds West 40.04 feet and running from said beginning point (1) South 89 degrees 38 minutes 00 seconds West along the southerly line of Riddle Place 224 feet more or less to the easterly mean high water line of Oceanport Creek, thence (2) Northwestwardly along said mean high water line 23 feet more or less to its intersection with the northerly line of Riddle Place, thence (3) North 89 degrees 38 minutes 00 seconds East along the northerly line of Riddle Place, said line being 20.00 feet northwardly from, measured at right angles thereto, the above-described first course 233.66 feet to an angle point in the said line, thence (4) South 02 degrees 11 minutes 00 seconds West 20.02 feet to the point or place of Beginning,

is hereby vacated and the public right arising from said dedication is released and extinguished.

SECTION 2. This Ordinance shall take effect upon final passage and publication as provided by law.

Passed and approved by Mayor and Council 5/6/82.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE TO AMEND ORDINANCE
NUMBER 170 ENTITLED "AN ORDINANCE
PROVIDING FOR THE REGISTRATION,
LICENSING AND REGULATION OF DOGS
IN THE BOROUGH OF OCEANPORT,
MONMOUTH COUNTY, NEW JERSEY",
PASSED AND APPROVED ON JULY 2, 1953,
AS AMENDED AND SUPPLEMENTED

BE IT ORDAINED, by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth and State of New Jersey, as follows:

SECTION I: 34-1 of a codified ordinance of the Borough of Oceanport known as "An Ordinance Providing for the Registration, Licensing and Regulation of Dogs in the Borough of Oceanport, Monmouth County, New Jersey", passed and approved on June 2, 1953, as amended and supplemented, be and the same is hereby amended to read as follows:

34-1. Licenses required; license fee; expiration, duplicate tags.

Each and every dog shall be duly licensed and shall bear evidence of such license at all times in accordance with the laws of the State of New Jersey. The annual fee for such license shall be six dollars and fifty cents for each dog, plus one dollar (~~\$1.00~~) for the registration tag of each dog. The said licenses, registration tags and renewals thereof shall expire on the last day of January in each year. In the event that any registration tag is lost, stolen or mutilated beyond recognition, the owner of said dog shall secure a duplicate or new tag. The fee for said duplicate or new tag shall be the sum of one dollar (\$1.00).

SECTION II: All ordinances and resolutions or parts of resolutions, inconsistent with this amending ordinance, be and the same are hereby repealed.

SECTION III: This ordinance shall become effective upon due passage and publication according to law.

Passed and approved by Mayor and Council 7/15/82.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE AUTHORIZING \$70,000.00
FOR A COMPLETE REVALUATION PROGRAM
IN THE BOROUGH OF OCEANPORT, COUNTY
OF MONMOUTH, STATE OF NEW JERSEY

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, County of Monmouth, State of New Jersey, that pursuant to N.J.S. 40A:4-53 (Ch. 48, P.O. 1956 as amended by Ch. 144, P.L. 1965 and Ch. 38, P.L. 1969) the sum of \$70,000.00 is hereby appropriated for Preparation and Execution of a complete program of revaluation of real property for use of the local assessor, along with related changes to the Borough's tax map, and shall be deemed a special emergency appropriation as defined and provided for in N.J.S. 40A:4-55.

The authorization to finance the appropriation shall be provided for in succeeding annual budgets by the inclusion of at least 1/5 of the amount authorized pursuant to this act (N.J.S. 40A:4-55).

An Ordinance entitled "An Ordinance Appropriating \$59,900.00 for a Complete Revaluation Program in the Borough of Oceanport, County of Monmouth, State of New Jersey" passed and approved on April 15, 1982 is hereby repealed.

This Ordinance shall take effect upon final passage and publication according to law.

Passed and approved by Mayor and Council 10/7/82.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE TO AMEND ORDINANCE NO. 436 ENTITLED "AN ORDINANCE ESTABLISHING A PROGRAM FOR THE COLLECTION AND RECYCLING OF USED NEWSPAPERS, THE ESTABLISHMENT OF A COALITION OF MUNICIPALITIES IN WHICH SAID PROGRAM IS TO BE CARRIED OUT, TO PROVIDE FOR THE ADOPTION AND PROMULGATION OF REGULATIONS BY SAID COALITION AND TO FIX PENALTIES FOR THE VIOLATION OF SAID REGULATIONS" ADOPTED OCTOBER 18, 1979.

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport in the County of Monmouth and State of New Jersey as follows:

Section 1. Section 4 of Ordinance No. 436 entitled, "An Ordinance establishing a program for the collection and recycling of used newspapers, the establishment of a coalition of municipalities in which said program is to be carried out, to provide for the adoption and promulgation of regulations by said coalition and to fix penalties for the violation of said regulations" adopted October 18, 1979, be and the same is hereby amended to read as follows:

"Section 4. On and after the date fixed and promulgated by the Governing Body of the Borough of Oceanport, it shall be mandatory for all persons who are owners, lessees and occupants of residential dwellings in the Borough to separate used newspapers from all other solid waste produced by such residents and to separately bundle newspapers for pick-up, collection and recycling.

In the event that the Regional Recycling Coalition, for any reason whatsoever, fails to perform its duties and responsibilities under this Ordinance for a period of four (4) consecutive weeks, then, the Governing Body of the Borough of Oceanport may by resolution elect to administer and enforce the provisions of this Ordinance and in the event of said election the governing body shall have all the powers previously delegated to the Regional Recycling Coalition.

Section 2. All ordinances and resolutions, or parts of ordinances and resolutions, inconsistent with this amending ordinance be and the same are hereby repealed.

Section 3. This amending ordinance shall become effective upon due passage and publication according to law.

Passed and approved by Mayor and Council 10/21/82.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE VACATING A PORTION OF
WINHAR PLACE WHICH WAS PREVIOUSLY
DEDICATED AS A PUBLIC STREET, BUT
NEVER OPENED, AND EXTINGUISHING
THE PUBLIC RIGHT THEREUNDER.

WHEREAS, this street is not opened to the public and it appearing to the governing body that the public interest would be better served by releasing said lands from said dedication;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of Oceanport, in the County of Monmouth and State of New Jersey, as follows:

Section 1. That the public rights, if any, arising from the said street appearing on the Official Tax Map of the Borough of Oceanport as a portion of Winhar Place and described as follows:

BEGINNING at the point of intersection of the easterly line of Seneca Place with the southerly line of Winhar Place as shown on Sheet 16 of the tax map of the Borough of Oceanport and running; thence (1) northerly along the northerly extension of the easterly line of Seneca Place across and through Winhar Place a distance of 50'+ to a point, the said point being the intersection of the northerly line of Winhar Place and the easterly line of Smith Street; thence (2) easterly along the northerly line of Winhar Place and the southerly outline of Block 49 a distance of 127.23'+ to a point in the westerly high water line of the Shrewsbury River; thence (3) southerly along the westerly high water line of the Shrewsbury River a distance of 50'+ to a point in the Southerly line of Winhar Place; thence (4) westerly along the southerly line of Winhar Place and along the northerly outline of Block 53 a distance of 148'+ to the point and place of Beginning.

Being and intended to be all of that portion of Winhar Place being bounded on the west by the easterly line of Seneca Place, on the north by Block 49, on the east by the high water line of the Shrewsbury River, and on the south by the northerly line of Block 53, all as shown on the aforesaid tax map of the Borough of Oceanport.

Reserving thereout and therefrom an easement to the Borough of Oceanport for the preservation and maintenance of existing drainage facilities therein, including the right to erect, construct, install, use, inspect, repair, replace, remove and maintain drainage facilities of any kind and any other appurtenances relating thereto lying within the vacated roadbed of Winhar Place including any public utilities located therein.

Subject to such facts as an accurate survey of the roadbed of Winhar Place may disclose.

Subject to such claims the State of New Jersey may have in, to and along the high water line of the aforesaid Shrewsbury River.

is hereby vacated and the public right arising from said dedication is released and extinguished.

Section 2. This Ordinance shall take effect upon final passage and publication as provided by law.

Passed and approved by Mayor and Council 9/2/82.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE AMENDING AND SUPPLEMENTING AN ORDINANCE ENTITLED "AN ORDINANCE OF THE BOROUGH OF OCEANPORT ESTABLISHING A STATE UNIFORM CONSTRUCTION CODE ENFORCING AGENCY, A CONSTRUCTION FEE SCHEDULE, AND A CONSTRUCTION BOARD OF APPEALS PURSUANT TO CHAPTER 217, LAWS OF NEW JERSEY 1975, AND TITLE 5, CHAPTER 23 OF THE NEW JERSEY ADMINISTRATIVE CODE" PASSED AND APPROVED ON DECEMBER 16th, 1976.

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport in the County of Monmouth, State of New Jersey, as follows:

Section 1. Chapter 30-3A of a codified Ordinance of the Borough of Oceanport known as "An Ordinance of the Borough of Oceanport Establishing a State Uniform Construction Code Enforcing Agency, A Construction Fee Schedule, and A Construction Board of Appeals Pursuant to Chapter 217, Laws of New Jersey 1975, And Title 5, Chapter 23 of the New Jersey Administrative Code" passed and approved on December 16th, 1976, be and the same is hereby Amended to read as follows:

Chapter 30-3. FEES.

A. The fee for a Construction Permit shall be the sum of the subcode fees listed in (1) through (3) hereof and shall be paid before the permit is issued.

(1) The Building Subcode Fee shall be:

- (a) For new construction, .007 cents per cubic foot of building or structure volume; provided that the minimum fee shall be \$10.00.
- (b) For renovations, alterations and repairs, \$5.00 per \$1,000.00 of estimated cost of work; provided that the minimum fee shall be \$10.00.
- (c) For additions, .007 cents per cubic foot of building or structure volume for the added portions; provided that the minimum fee shall be \$5.00.

- (d) For combinations of renovations and additions, the sum of the fee is computed separately as renovations and additions.

Section 2. All Ordinances and Resolutions or parts of Resolutions, inconsistent with this Amending Ordinance, be and the same are hereby repealed.

Section 3. This Amendatory Ordinance shall become effective upon due passage and publication according to law.

Passed and approved by Mayor and Council 12/16/82.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE #290 ENTITLED "AN ORDINANCE TO ESTABLISH TRAFFIC REGULATIONS FOR THE ROADWAYS OF THE BOROUGH OF OCEANPORT IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY" PASSED AND APPROVED ON DECEMBER 3rd, 1970

BE IT ORDAINED by the Governing Body of the Borough of Oceanport in the County of Monmouth, State of New Jersey, as follows:

Section 1. Chapter 64-6 of a Codified Ordinance of the Borough of Oceanport known as "An Ordinance to Establish Traffic Regulations for the Roadways of the Borough of Oceanport in the County of Monmouth, State of New Jersey" passed and approved on December 3rd, 1970, be and is hereby Amended and Supplemented to provide as follows:

Chapter 64-1.1. OVERNIGHT PARKING.

Notwithstanding any contrary provision of this Ordinance, no person shall park a vehicle on any street or roadway within the Borough of Oceanport from the First day of November to the Fifteenth day of April between the hours of 2:00 A.M. and 5:00 A.M.

Section 2. All Ordinances and Resolutions or parts of Resolutions, inconsistent with this Amending Ordinance, be and the same are hereby repealed.

Section 3. This Amendatory Ordinance shall become effective upon due passage and publication according to law.

Passed and approved by Mayor and Council 2/17/83.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE TO REGULATE AND LICENSE
AUTOMATIC AMUSEMENT DEVICES WITHIN
THE BOROUGH OF OCEANPORT, COUNTY OF
MONMOUTH, STATE OF NEW JERSEY

BE IT ORDAINED by the governing body of the Borough of Oceanport, Monmouth County, New Jersey, as follows:

SECTION 1. DEFINITIONS:

- A. AUTOMATIC AMUSEMENT DEVICE. Any machine which upon insertion of a coin, slug, token plate or disc, may be operated by the public generally for use as a game, entertainment, or amusement, whether or not registering a score, including but not limited to such devices as marble machines, pinball machines, skill ball, mechanical grab machines, and all games, operations or transactions similar thereto under whatever name they may be indicated.

It shall include video type games or machines, or similar devices that use a display screen for points, lines, dots of light that can be manipulated to simulate games or other types of entertainment. It shall not include nor shall this ordinance apply to music playing devices.

- B. PERSON. Any person, firm, corporation, partnership or association.
- C. OPERATOR. Any person in whose premises any automatic amusement device is placed or kept for operation.
- D. DISTRIBUTOR. Any person who supplies any automatic amusement device to another for use in his premises, whether under lease or any similar arrangement.

SECTION 2. PURPOSE AND OBJECTIVE.

The purpose of this Ordinance is to license, regulate and control those automatic amusement devices which are operated for the purpose of making a profit. The objective of this Ordinance is to regulate the business of amusement devices so as to prevent nuisances to patrons and the public, fire hazards from overcrowding, poor ingress and egress at premises where amusement devices are located, the promotion of gambling, loitering, or the creation of an unhealthy atmosphere for the youth of the community or other foreseeable undesirable effects of such devices.

SECTION 3. PERMITS: LICENSES REQUIRED: EXCEPTIONS:

- A. PERMIT: LICENSE REQUIRED. No person shall maintain or operate for profit in any store, building or other place where the general public is invited to enter, or in any building or other place wherein any club or organization meetings are held within the Borough of Oceanport any automatic amusement device without first obtaining a license therefor.

- B. EXEMPTIONS. The license requirements of this Ordinance shall not apply to any church, fraternal, civic, social, or veterans organization or other religious groups, charitable or non-profit organization which operates any coin-controlled amusement device for the use of its members and their guests and on premises owned or controlled by it.

SECTION 4. APPLICATION:

- A. All applications for a license under this chapter shall be made and delivered to the Borough Clerk on forms to be supplied for the purpose and shall be subscribed and sworn to by the applicant.
- B. The application for the license shall contain the following:
1. Name and address of the applicant;
 2. Name under which the place is being operated and the location of the same;
 3. Number and type of alcoholic beverage license, where applicable;
 4. Number and type of machines sought to be licensed;
 5. Location where each automatic amusement game is to be located;
 6. Name and address of the person from whom each device is to be purchased, rented or otherwise obtained;
 7. Description of each automatic amusement game sought to be licensed including for each device, the name of the manufacturer, model number and serial number.
 8. The name and residence address of the manager and/or other person principally in charge of the operation of the business premises.

SECTION 5. LIMITATIONS ON NUMBER AND LOCATIONS OF AUTOMATIC AMUSEMENT DEVICES.

- A. The number of automatic amusement devices that may be located in any one location shall be governed by the physical space available in any business location for the use of said devices except that the maximum number of automatic amusement devices per establishment shall be three (3).
- B. The following rules shall govern the location within all business premises of automatic amusement devices:
1. Each device shall be located at least ten (10) feet from the entranceway to the premises in which located and placed so that it does not obstruct or interfere with the free and unfettered passage to and from the premises of patrons or users of the premises.
 2. Each device shall have an unobstructed perimeter zone or distance of four (4) feet around the sides of the three (3) linear borders of said device wherein the users of said device may use, watch or wait to use said device. The area which is required hereunder for each

such machine shall not be encroached upon by the area of any other machine. It is the intent of this Ordinance that for the purposes of preventing overcrowding and assuring safe passage of the general public that each machine shall have its own unobstructed perimeter zone.

SECTION 6. FEES.

- A. The fee for all applications for licenses pursuant to this Ordinance shall be Twenty-five Dollars (\$25.00) in addition to a licensing fee of Twenty-five Dollars (\$25.00) per year.

SECTION 7. LICENSE TERM: TRANSFERABILITY: RENEWAL.

- A. All licenses issued under this chapter shall be for a term of one (1) year, commencing on January 1st and expiring on December 31st of the year of issuance.
- B. A license may be transferred from one machine to another by giving notice to the Borough Clerk to that effect and giving a description of the new machine including manufacturer, model number and serial number. A license may be transferred from one place to another by giving notice to the Borough Clerk to that effect and supplying the required information as to the new premises. There shall be a fee for all transfers from one place to another in the amount of Twenty-five Dollars (\$25.00) per place or transfer.
- C. An application for renewal shall be submitted to the Borough Clerk no later than November 1st, together with a renewal fee.

SECTION 8. GAMBLING AND SUPERVISION:

- A. No person shall, in his place of business, permit gambling in connection with the playing of any mechanical amusement game.
- B. An automatic amusement device may only be used or operated during the hours of operation of the premises in which located, and when the operator or an employee of the operator is present in the premises.

SECTION 9. INVESTIGATION.

The Chief of Police or his designee may make an investigation of the premises and the applicant to determine the truth of the facts set forth in the application. The Fire Marshall shall inspect the premises to determine whether the proposed automatic amusement devices comply with the requirements of this Ordinance. The Chief of Police and the Fire Marshall, shall, upon completion of their inspection, either approve or disapprove the issuance of the license to said applicant. If the applicant is approved, the Borough Clerk shall issue the necessary license upon the receipt of the license fee or fees as herein provided.

SECTION 10. REVOCATION: POSTING, ETC.A. REVOCATION OF LICENSE:

Anytime after the granting of said license, the Chief of Police or the Fire Marshall may recommend to the Mayor and Council that it revoke the same, if after the hearing, it finds that:

1. There is gambling on the premises;
2. The information furnished by the applicant on the application was false or incorrect;
3. There has been a violation of the Laws of the State of New Jersey, of this or other Ordinances of the Borough of Oceanport; or
4. The presence of the machines has resulted in obscene and loud language disturbing to the public or to other patrons of the premises, or has created a nuisance, excessive noise, litter, traffic or rowdiness by patrons.

B. POSTING AND DISPLAYING.

An operator's license granted pursuant to this Ordinance shall:

1. Be posted in a conspicuous place of the location for which said license was granted.
2. State the name and address of the licensee.
3. State the manufacturer, model number and serial number for each and every mechanical amusement game for which said license was issued.

SECTION 11. VIOLATIONS AND PENALTIES:

Any person who violates any provision of this Ordinance shall, upon conviction thereof, be punished by a fine not exceeding Five Hundred Dollars (\$500.00) or by imprisonment for a term not exceeding ninety (90) days, or both. Each day that a violation occurs or is committed shall constitute a separate offense.

SECTION 12. Any ordinances or part of ordinances inconsistent with this Ordinance are hereby repealed.SECTION 13. Should any word, phrase, sentence, subsection or section of this Ordinance be held invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby and shall continue in full force and effect.SECTION 14. This Ordinance shall take effect immediately upon publication and final passage by law.

Passed and approved by Mayor and Council 3/3/83.

PATRICIA L. VARCA
BOROUGH CLERK

ORDINANCE AUTHORIZING THE MAYOR AND
MUNICIPAL CLERK TO EXECUTE AN AGREEMENT
WITH MONMOUTH COUNTY TO MODIFY THE
INTERLOCAL SERVICES AGREEMENT DATED
DECEMBER 8, 1981

WHEREAS, certain federal funds are potentially available to Monmouth County under Title I of the Housing and Community Development Act of 1977, commonly known as Community Development Block Grant Program; and

WHEREAS, it is necessary to amend an existing Interlocal Services Agreement for the County and its people to benefit from this Program; and

WHEREAS, an Agreement has been proposed under which the Borough of Oceanport and the County of Monmouth in cooperation with other municipalities will modify an Interlocal Services Act pursuant to N.J.S.A. 40:8A-1; and

WHEREAS, it is in the best interest of the Borough of Oceanport to enter into such an agreement;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Governing Body of the Borough of Oceanport, that the agreement entitled "Agreement to Modify Interlocal Services Agreement dated December 8, 1981 for the Purpose of Inserting a Description of Activities for the Ninth Year Monmouth County Community Development Block Grant Program", a copy of which is on file in the Borough Clerk's Office, be executed by the Mayor and Municipal Clerk in accordance with the provisions of law; and

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon its enactment.

Passed and approved by Mayor and Council 3/17/83.

PATRICIA L. VARCA
BOROUGH CLERK

ORDINANCE #472

AN ORDINANCE APPROVING AND ADOPTING THE 1983
MUNICIPAL BUDGET FOR THE BOROUGH OF OCEANPORT
AND AUTHORIZING AN INCREASE IN FINAL
APPROPRIATIONS AS PERMITTED BY P.L. 1983

WHEREAS, P.L. 1976, c. 68, the Local Cap Law, provided that in the preparation of its budget a municipality shall limit any increase in said budget to 5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, P.L. 1983, c. 49, amending said Local Cap Law, permits municipalities to increase final appropriations by a percentage rate greater than 5% but not exceeding the index rate as defined in that amendatory law, in any year in which said index rate exceeds 5%, when authorized by ordinance; and

WHEREAS, the index rate for 1983 has been certified by the Director of the Division of Local Government Services in the Department of Community Affairs as 7.5%; and

WHEREAS, the Mayor and Council of the Borough of Oceanport finds it advisable and necessary to increase its 1983 budget by more than 5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Mayor and Council hereby determines that a 2.18% increase in the budget for said year, amounting to \$26,558.10 in excess of the increase in final appropriations permitted by a 5% CAP, is advisable and necessary; and

WHEREAS, this additional amount will be appropriated for the purposes set forth below, increasing the total appropriation for each such purpose from what would otherwise be provided under the limitations of a 5% CAP, as also set forth below:

| | | |
|--------------------------|------------------|--------------------|
| Police Salaries & Wages: | <u>If fails:</u> | <u>If Enacted:</u> |
| | \$414,250.66 | \$440,808.76 |

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, that the 1983 municipal budget be approved and adopted, increasing final appropriations as permitted by P.L. 1983, c. 49 and as prescribed above, a majority of the full authorized membership of this governing body affirmatively concurring; and

BE IT ALSO ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance, upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Passed and approved by Mayor and Council 4/18/83.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED
 "AN ORDINANCE TO FIX AND DETERMINE THE SALARIES OF
 CERTAIN BOROUGH OFFICIALS" PASSED AND APPROVED ON
 MARCH 16, 1939.

BE IT ORDAINED by the Mayor and Council of the Borough of
 Oceanport, in the County of Monmouth, State of New Jersey, as follows:

1. That Section 1 of the ordinance entitled "An Ordinance to
 Fix and Determine the Salaries of Certain Borough Officials" passed and
 approved on March 16, 1939, be and the same is hereby amended to read
 as follows:

SECTION 1: The yearly salaries of the officials and employees
 herein named beginning January 1, 1983, be and the same is hereby amended
 to read as follows:

A. ADMINISTRATIVE AND EXECUTIVE

| | |
|---------------------------------|-----------|
| Mayor | \$ 1,500. |
| Councilmen, each (6) (\$1,000.) | 6,000. |
| Administrator | 27,900. |
| Administrative Assistant | 12,150. |
| Secretary | 9,170. |
| Borough Clerk | 2,700. |

B. FINANCIAL ADMINISTRATION

| | |
|-------------------------------------|---------|
| Treasurer | 13,200. |
| Administrative Assistant Bookkeeper | 14,180. |
| Tax Office Clerk | 9,600. |

C. BOARD OF ASSESSORS

| | |
|------------------|---------|
| Assessor | 12,000. |
| Deputy | 2,000. |
| Deputy | 1,700. |
| Assessment Clerk | 2,200. |

D. COLLECTION OF TAXES

| | |
|---------------|--------|
| Tax Collector | 7,200. |
|---------------|--------|

E. PLANNING BOARD

| | |
|-----------|--------|
| Secretary | 1,750. |
|-----------|--------|

F. ZONING BOARD OF ADJUSTMENT

| | |
|-----------|--------|
| Secretary | 1,000. |
|-----------|--------|

G. ENVIRONMENTAL COMMISSION

| | |
|-----------|------|
| Secretary | 250. |
|-----------|------|

H. MUNICIPAL COURT

| | |
|-----------------------|-----------|
| Municipal Court Judge | \$ 6,400. |
| Court Clerk | 3,300. |
| Deputy Court Clerk | 1,400. |

I. POLICE DEPARTMENT

| | |
|--|---------|
| Chief | 27,300. |
| Captain | 25,000. |
| Detective Sergeant | 24,475. |
| Sergeants | 24,130. |
| Detective | 23,190. |
| Patrolman I (Commencing fifth year & each year of service thereafter) | 22,840. |
| Patrolman II (Commencing fourth year of service) | 20,360. |
| Patrolman III (Commencing third year of service) | 16,480. |
| Patrolman IV (Commencing second year of service) | 15,600. |
| Patrolman V (Commencing first year of service) | 13,500. |
| Dispatchers (First year of employment) | 10,900. |
| Dispatchers (Commencing second year of employment and thereafter) | 11,935. |
| Records Clerk | 1,300. |
| School Crossing Guards | 3,250. |

J. PUBLIC WORKS DEPARTMENT

| | |
|-----------------------------|---------|
| Public Works Superintendent | 20,000. |
| Road Supervisor | 18,350. |
| Helper I | 12,000. |
| Helper II | 10,600. |
| Helper III | 10,200. |
| Extra Labor and Overtime | 3,650. |

K. RECREATION AND EDUCATION

| | |
|---------------------------------------|--------|
| Recreation Director | 3,000. |
| Recreation Aides & Assistants (total) | 4,000. |
| Building Custodian | 1,200. |
| Librarian | 1,500. |
| Construction Official | 7,200. |
| Housing Inspector | 2,950. |
| Plumbing Subcode Official | 3,000. |
| Fire Subcode Official | 1,800. |
| Welfare Director | 1,250. |

L. CASUAL LABOR - \$3.75 - \$4.25 per hour.M. LONGEVITY will be allowed at the rate of \$200.00 for each five (5) years of service completed by all full time employees. (40 hours per week, 52 weeks per year) This provision shall be retroactive to January 1, 1983.

BOND ORDINANCE APPROPRIATING \$220,000 AND AUTHORIZING THE ISSUANCE OF \$209,000 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY

BE IT ORDAINED by the Borough Council of the Borough of Oceanport, in the County of Monmouth, and State of New Jersey, (not less than two-thirds of all members thereof affirmatively concurring) as follows:

SECTION 1. The improvements or purposes described in Section 3 of this Bond Ordinance are hereby respectively authorized as general improvements to be made or acquired by the Borough of Oceanport, New Jersey. For the said improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of monies therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor, and amounting in the aggregate to \$220,000, including the aggregate sum of \$11,000 as the down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of the provision in a previously adopted budget or budgets of the Borough for the down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes and to meet the part of said \$220,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$209,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds, and to temporarily finance said improvements or purposes, negotiable notes of the Borough in the principal amount not exceeding \$209,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said law. Any funds received from the State of New Jersey or the County of Monmouth for any improvements or purposes shall be applied to the payment of the cost of such improvements or purposes and the amount of bonds to be issued for such improvements or purposes shall be reduced accordingly.

SECTION 3. The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose and the estimated maximum amount of bonds or notes to be issued for such purposes are respectively as follows:

| <u>IMPROVEMENT OR PURPOSE</u> | <u>APPROPRIATION & ESTIMATED COST</u> | <u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u> |
|---|---|--|
| (a) Reconstruction of roof to municipal building at 222 Monmouth Boulevard, Oceanport, New Jersey | \$ 70,000 | \$ 66,500 |
| (b) Purchase of emergency generator | 20,000 | 19,000 |

| <u>IMPROVEMENT OR PURPOSE</u> | <u>APPROPRIATION & ESTIMATED COST</u> | <u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u> |
|--|---|--|
| (c) Purchase of new ambulance and incidental apparatus and equipment. | \$ 45,0000 | \$ 42,750 |
| (d) Purchase of new "dump" truck and incidental apparatus and equipment | 45,000. | 42,750. |
| (e) Major repairs, reconditioning and overhauling of fire engine and apparatus | <u>40,000</u> | <u>38,000</u> |
| TOTALS: | <u>\$220,000</u> | <u>\$209,000</u> |

The excess of the appropriations made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

SECTION 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this Bond Ordinance are not current expenses and are each a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specifically assessed on properties specifically benefitted thereby.

(b) The average period of usefulness of said purpose within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the said purpose, according to the reasonable life thereof computed from the date of said bonds authorized by this Ordinance is five (5) years.

(c) The supplemental debt statement required by said Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Finance in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said Law is increased by the authorization of the bonds and notes provided for in this Bond Ordinance by \$209,000 and the said obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Law.

(d) Amounts not exceeding \$15,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering or architectural costs, and other items of expense listed in and permitted under Section 40A:2-20 of said Law may be included as part of the costs of said improvements and are included as part of the costs of said improvements and are included in the foregoing estimate thereof.

SECTION 5. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal and of interest on the said obligations authorized by this Bond Ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

SECTION 6. This Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by said Local Bond Law.

Passed and approved by Mayor and Council 4/21/83.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE TO AMEND
ORDINANCE NO. 170 ENTITLED
"AN ORDINANCE PROVIDING FOR
THE REGISTRATION, LICENSING
AND REGULATION OF DOGS IN
THE BOROUGH OF OCEANPORT,
MONMOUTH COUNTY, NEW JERSEY"
PASSED AND APPROVED ON JULY 2,
1953, AS AMENDED AND SUPPLEMENTED

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth and State of New Jersey as follows:

SECTION 1: 34-1 of a codified ordinance of the Borough of Oceanport known as "An Ordinance Providing for the Registration, Licensing and Regulation of Dogs in the Borough of Oceanport, Monmouth County, New Jersey", passed and approved on June 2, 1953, as amended and supplemented, be and the same is hereby amended to read as follows:

34-1 - Licenses required; license fees; expiration, duplicate tags.

Each and every dog shall be duly licensed and shall bear evidence of such license at all times in accordance with the laws of the State of New Jersey. The annual fee for such license shall be six dollars and eighty cents (\$6.80) for each dog, plus one dollar and twenty cents (\$1.20) for the registration tags of each dog. In addition, a surcharge of \$3.00 for each non-spayed and non-neutered dog. The said licenses, registration tags and renewals, thereof, shall expire on the last day of January in each year. In the event that any registration tag is lost, stolen or mutilated beyond recognition, that owner of said dog shall secure a duplicate or new tag. The fee for said duplicate or new tag shall be the sum of one dollar (\$1.00).

SECTION II: All ordinances and resolutions or parts of resolutions, inconsistent with this amending ordinance, be and the same are hereby repealed.

SECTION III: This ordinance shall become effective upon due passage and publication according to law.

Passed and approved by Mayor and Council 9/1/83.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE AMENDING AN ORDINANCE NUMBER 474 ENTITLED "BOND ORDINANCE APPROPRIATING \$220,000 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY" PASSED AND APPROVED ON APRIL 21, 1983.

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth, State of New Jersey (not less than two-thirds (2/3) of all members thereof affirmatively concurring) as follows:

SECTION 1. Section 3 of an Ordinance Number 474 entitled "Bond Ordinance appropriating \$220,000 and authorizing the issuance of \$209,000 bonds or notes of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of Oceanport, in the County of Monmouth, State of New Jersey" passed and approved on April 21, 1983 is hereby amended to read as follows:

SECTION 3. The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose and the estimated maximum amount of bonds or notes to be issued for such purposes are respectively as follows:

| <u>Improvement or Purpose</u> | <u>Appropriation and Estimated Cost</u> | <u>Estimated Maximum Amount of Bonds and Notes</u> |
|---|---|--|
| (a) Reconstruction of roof to municipal building located at 222 Monmouth Blvd., Oceanport, NJ | \$ 49,500. | \$ 47,025. |
| (b) Purchase of emergency generator | \$ 20,000. | \$ 19,000. |
| (c) Purchase of new ambulance and incidental apparatus and equipment | \$ 43,500. | \$ 41,325. |
| (d) Purchase of new "dump" truck and incidental apparatus and equipment | \$ 46,000. | \$ 43,700. |
| (e) Major repairs, reconditioning and overhauling of fire engine and apparatus | \$ 61,000. | \$ 57,950. |
| TOTALS: | \$220,000. | \$209,000. |

SECTION 2. All ordinances and resolutions or parts of ordinances or resolutions, inconsistent with this ordinance be and the same are hereby repealed.

SECTION 3. This Amendatory Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by said Local Bond Law.

Passed and approved by the Mayor and Council September 15, 1983.

PATRICIA L. VARCA
BOROUGH CLERK

ORDINANCE AUTHORIZING THE MAYOR AND MUNICIPAL
CLERK TO EXECUTE AN AGREEMENT WITH MONMOUTH
COUNTY TO MODIFY THE INTERLOCAL SERVICES
AGREEMENT DATED DECEMBER 8, 1981

WHEREAS, certain Federal funds are potentially available to Monmouth County under Title I of the Housing and Community Development Act of 1977, commonly known as Community Development Block Grant Program; and

WHEREAS, it is necessary to amend an existing Interlocal Services Agreement for the County and its people to benefit from this Program; and

WHEREAS, an Agreement has been proposed under which the Municipality of the Borough of Oceanport and the County of Monmouth in cooperation with other municipalities will modify an Interlocal Services Act pursuant to N.J.S.A. 40:8A-1; and

WHEREAS, it is in the best interest of the Borough of Oceanport to enter into such an Agreement;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Governing Body of the Borough of Oceanport that the Agreement entitled "Agreement to Modify Interlocal Services Agreement dated December 8, 1981 for the Purpose of Inserting a Description of Activities for the Tenth Year Monmouth County Community Development Block Grant Program", a copy of which is on file in the Municipal Clerk's office, be executed by the Mayor and Municipal Clerk in accordance with the provisions of law; and

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon its enactment.

Passed and approved by Mayor and Council 11/3/83.

PATRICIA L. VARCA
BOROUGH CLERK

BOND ORDINANCE ~~PROVIDING~~ FOR THE RECONSTRUCTION OF MAIN STREET FROM EATONTOWN BOULEVARD TO OCEANPORT AVENUE IN AND BY THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$75,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$71,250 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE COST THEREOF.

BE IT ORDAINED by the Borough Council of the Borough of Oceanport, in the County of Monmouth, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Oceanport, New Jersey as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$75,000, including the sum of \$3,750 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$71,250 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the reconstruction of Main Street from Eatontown Boulevard to Oceanport Avenue, all as shown on and in accordance with the plans and specifications therefor on file in the office of the Clerk, which plans are hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget of the Borough of Oceanport is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of the bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 5 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$71,250, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$15,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose.

Section 7. The Borough expects to receive a grant from the State of New Jersey in the amount of \$56,900 in aid of the improvement authorized herein. All such grant monies received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation or rate of amount.

Section 9. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Passed and approved by Mayor and Council on December 15, 1983.

PATRICIA L. VARCA
BOROUGH CLERK

BOND ORDINANCE PROVIDING FOR THE COMPLETION OF CONSTRUCTION OF OLD WHARF PARK IN AND BY THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$52,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$50,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE COST THEREOF.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF OCEANPORT IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Oceanport, New Jersey as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$52,500, including the sum of \$2,500 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$50,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the completion of construction of Old Wharf Park, all as shown on and in accordance with the plans and specifications therefor on file in the office of the Clerk, which plans are hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is \$308,500 including the amount appropriated herein.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof.

The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget of the Borough of Oceanport is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is fifteen (15) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey.. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$50,000, and the obligations authorized herein will be within all debt limitations prescribed by that law.

(d) An aggregate amount not exceeding \$2,500 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. All grant monies received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and

the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Passed and approved by Mayor and Council December 28, 1983.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE CREATING THE POSITION OF MUNICIPAL
PROSECUTOR FOR THE BOROUGH OF OCEANPORT AND
FIXING THE QUALIFICATIONS, TERM AND DUTIES
THEREFOR

Be it ordained by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth and State of New Jersey, as follows:

Section 1. Position created.

The office of Municipal Prosecutor is hereby created in and for the Borough of Oceanport by and subject to the provisions of this ordinance and the employment of a person to fill such office is hereby authorized.

Section 2. Qualifications; term; appointment.

A. The person appointed to the office of Municipal Prosecutor shall be a duly licensed attorney in good standing of the State of New Jersey and shall hold office for a term not exceeding one (1) year or beyond December 31 of the year of his or her appointment. However, if no replacement has been appointed to fill the office after December 31 of the year of the appointment, said person shall continue to serve until replaced or until his or her services are terminated by vote of the governing body. The Mayor shall nominate and, with the advice and consent of the Council, appoint the Municipal Prosecutor. Such nomination shall be made at the annual organization meeting of the governing body. If the Mayor fails to nominate a person within thirty (30) days of the organizational meeting or the Council fails to confirm any nomination made by the Mayor, then after the expiration of said thirty (30) days the Council shall appoint the Municipal Prosecutor. No appointment shall be made except by vote of a majority of the members of the Council present at the meeting, provided that at least three (3) affirmative votes shall be required for such purpose, the Mayor to have no vote thereon except in case of a tie. This procedure for the appointment of a Municipal prosecutor upon the nomination by the Mayor and confirmation by the Council shall also apply in the event of a vacancy in the office, with the Mayor being obligated to make a nomination within thirty (30) days from the date of the vacancy.

B. The person nominated to serve as Municipal Prosecutor pursuant to the terms of this Article and to serve until December 31, 1984, shall be nominated by the Mayor, with the advice and consent of the Council. The Mayor shall make such nomination within thirty (30) days from the effective date of this Article. If the Mayor fails to nominate within said thirty (30) days or the Borough Council fails to confirm any nomination made by the Mayor, then after the expiration of said thirty (30) days the Council shall appoint the Municipal Prosecutor. No appointment shall be made except by the vote of a majority of the members of the Council present at the meeting, provided at least three (3) affirmative votes shall be required for such purpose, the Mayor to have no vote thereon except in case of a tie.

Section 3. Compensation.

The Municipal Prosecutor shall receive such compensation as shall be fixed from time to time by the Borough Council in a Salary Ordinance.

Section 4. Powers and duties.

The person appointed to the office of the Municipal Prosecutor shall represent the members of the Police Department of the Borough of Oceanport in proceedings brought in the Municipal Court of the Borough of Oceanport as may, from time to time, be required by the Chief of Police of the Borough of Oceanport.

Section 5. Severability.

If for any reason any provision of this ordinance shall be held to be invalid by a final judgment of a court of competent jurisdiction, such holding shall not be held to affect the validity of any other provision of this ordinance. The Mayor and Council of the Borough of Oceanport hereby declares that it would have passed all valid provisions of this ordinance notwithstanding any such invalid portion.

Section 6. Repealer.

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency only.

Section 7. When effective.

This ordinance shall take effect immediately after final passage and publication as required by law.

Passed and approved by Mayor and Council February 2, 1984.

PATRICIA L. VARCA
BOROUGH CLERK

ORDINANCE #481

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF CERTAIN PROPERTY KNOWN AS LOT 2 IN BLOCK 103 IN AND BY THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$157,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$150,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE COST THEREOF.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF OCEANPORT IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The property described in Section 3 of this bond ordinance is hereby authorized to be acquired by the Borough of Oceanport, New Jersey. For the acquisition or purpose described in Section 3, there is hereby appropriated the sum of \$157,500, including the sum of \$7,500 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the acquisition or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$150,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The acquisition hereby authorized and the purpose for the financing of which the bonds are to be issued is the acquisition of certain property appearing as Lot 2 in Block 103 on the Official Tax Map of the Borough of Oceanport, in the County of Monmouth and State of New Jersey, which acquisition is hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is \$150,000 including the amount appropriated herein.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The chief financial officer is hereby authorized

to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget of the Borough of Oceanport is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The acquisition or purpose described in Section 3 of this bond ordinance is not a current expense. It is an acquisition or purpose that the Borough may lawfully undertake.

(b) The period of usefulness of the property or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is forty (40) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$150,000 and the obligations authorized herein will be within all debt limitations prescribed by that law.

(d) An aggregate amount not exceeding \$7,500 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or acquisition.

Section 7. All grant monies received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the acquisition or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Borough are

hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough; and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Passed and approved by Mayor and Council February 16, 1984.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE PURSUANT TO P.L. 1983 C. 49
LOCAL CAP LAW CONCERNING THE 1984 BUDGET
IN THE BOROUGH OF OCEANPORT, COUNTY OF
MONMOUTH, NEW JERSEY

WHEREAS, P.L. 1976, C. 68, the Local Cap Law, provided that in the preparation of its budget a municipality shall limit any increase in said budget to 5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, P.L. 1983, C. 49, amending said Local Cap Law, permits municipalities to increase final appropriations by a percentage rate greater than 5% but not exceeding the index rate as defined in that amendatory law, in any year in which said index rate exceeds 5%, when authorized by ordinance; and

WHEREAS, the index rate for 1984 has been certified by the Director of the Division of Local Government Services in the Department of Community Affairs as 6.5%; and

WHEREAS, the Borough Council of the Borough of Oceanport finds it advisable and necessary to increase its 1984 budget by more than 5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Borough Council hereby determines that a 1.5% increase in the budget for said year, amounting to \$19,953.52 in excess of the increase in final appropriations permitted by a 5% Cap, is advisable and necessary; and

WHEREAS, this additional amount will be appropriated for the purpose set forth below, increasing the total appropriation for each such purpose from what would be provided under the limitations of a 5% Cap, as also set forth below:

| <u>APPROPRIATION</u> | <u>REJECTED</u> | <u>ENACTED</u> |
|--|-----------------|----------------|
| Police (Inside Cap) Salaries and Wages | \$393,035.35 | \$408,035.35 |
| Road Repairs & Maintenance Salaries and Wages | 74,644.48 | 79,598.00 |

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Oceanport that the 1984 Municipal Budget be approved and adopted, increasing final appropriations as permitted by P.L. 1983, C.49 and as prescribed above, a majority of the full authorized membership of this government body affirmatively concurring; and

BE IT ALSO ORDAINED that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Passed and approved by Mayor and Council March 27, 1984.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE TO AMEND AN ORDINANCE
ENTITLED "THE ECONOMIC DEVELOPMENT
COMMITTEE ORDINANCE OF THE BOROUGH
OF OCEANPORT" PASSED AND APPROVED
ON SEPTEMBER 7, 1972.

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth, State of New Jersey, as follows:

1. That Section 3 of the ordinance entitled "The Economic Development Committee Ordinance of the Borough of Oceanport" passed and approved on September 7, 1972, be and the same is hereby amended to read as follows:

SECTION 3: COMPOSITION

The Economic Development Committee of the Borough of Oceanport shall be composed of eleven (11) members, to be selected and appointed by the Mayor and Council at their next regular meeting after this ordinance shall go into effect.

2. That Section 4 of the aforesaid ordinance be and the same is hereby amended to read as follows:

SECTION 4: APPOINTMENTS; TERMS OF OFFICE.

The members of said Economic Development Committee shall be nominated by the Mayor and confirmed by the vote of the Council. Three (3) members shall be appointed for one (1) year, four (4) members for two (2) years and four (4) members for three (3) years. At the expiration of each of the above terms, the new member or members shall be appointed for a term of three (3) years. Vacancies in the membership of the Committee, occurring for whatever cause, shall be filled in the same manner in which the original appointments were made, for the unexpired term thereof. Members shall serve for their respective terms and until their successors are appointed and qualified.

3. This ordinance shall take effect upon final passage and publication according to law.

Passed and approved by Mayor and Council April 5, 1984.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX AND DETERMINE THE SALARIES OF CERTAIN BOROUGH OFFICIALS" PASSED AND APPROVED ON MARCH 16, 1939.

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth, State of New Jersey, as follows:

1) That Section 1 of the ordinance entitled "An Ordinance To Fix and Determine the Salaries of Certain Borough Officials" passed and approved on March 16, 1939, be and the same is hereby amended to read as follows:

SECTION 1: The yearly salaries of the officials and employees herein named beginning January 1, 1984, be and the same is hereby amended to read as follows:

A. ADMINISTRATIVE AND EXECUTIVE

| | |
|----------------------|-----------|
| Mayor | \$ 1,500. |
| Councilman, each (6) | 1,000. |
| Administrator | 29,574. |
| Borough Clerk | 15,741. |
| Secretary | 9,720. |

B. FINANCIAL ADMINISTRATION

| | |
|------------------|---------|
| Treasurer | 13,992. |
| Bookkeeper | 15,030. |
| Tax Office Clerk | 8,957. |

C. BOARD OF ASSESSORS

| | |
|------------------|---------|
| Assessor | 12,720. |
| Deputy | 2,120. |
| Deputy | 1,800. |
| Assessment Clerk | 2,330. |

D. COLLECTION OF TAXES

| | |
|---------------|--------|
| Tax Collector | 7,632. |
|---------------|--------|

E. MUNICIPAL COURT

| | |
|-----------------------|--------|
| Municipal Court Judge | 6,400. |
| Court Clerk | 3,498. |
| Deputy Court Clerk | 1,484. |
| Municipal Prosecutor | 2,500. |

F. BUILDINGS AND GROUNDS

| | |
|-----------|--------|
| Custodian | 8,957. |
|-----------|--------|

G. PLANNING BOARD

| | |
|-----------|--------|
| Secretary | 1,850. |
|-----------|--------|

H. ZONING BOARD OF ADJUSTMENT

| | |
|-----------|--------|
| Secretary | 1,050. |
|-----------|--------|

I. ENVIRONMENTAL COMMISSION

| | |
|-----------|---------|
| Secretary | \$ 250. |
|-----------|---------|

J. POLICE DEPARTMENT

| | |
|--------------------|---------|
| Chief of Police | 29,100. |
| Captain | 27,000. |
| Detective Sergeant | 26,065. |
| Sergeants | 25,698. |
| Detective | 24,697. |

| | |
|--|---------|
| Patrolman I (Commencing fifth year and each year thereafter) | 24,325. |
|--|---------|

| | |
|--|---------|
| Patrolman II (Commencing fourth year of service) | 21,685. |
|--|---------|

| | |
|--|---------|
| Patrolman III (Commencing third year of service) | 17,550. |
|--|---------|

| | |
|--|---------|
| Patrolman IV (Commencing second year of service) | 16,615. |
|--|---------|

| | |
|--|---------|
| Patrolman V (Commencing first year of service) | 14,380. |
|--|---------|

| | |
|--|---------|
| Dispatchers (First year of employment) | 11,554. |
|--|---------|

| | |
|--|---------|
| Dispatchers (Second year of employment and thereafter) | 12,651. |
|--|---------|

| | |
|---------------|--------|
| Records Clerk | 1,378. |
|---------------|--------|

| | |
|------------------------|--------|
| School Crossing Guards | 3,445. |
|------------------------|--------|

K. PUBLIC WORKS DEPARTMENT

| | |
|-----------------------------|---------|
| Public Works Superintendent | 21,200. |
|-----------------------------|---------|

| | |
|-----------------|---------|
| Road Supervisor | 19,451. |
|-----------------|---------|

| | |
|----------|---------|
| Helper I | 12,720. |
|----------|---------|

| | |
|-----------|--------|
| Helper II | 9,500. |
|-----------|--------|

| | |
|------------|--------|
| Helper III | 8,957. |
|------------|--------|

| | |
|--------------------------|--------|
| Extra Labor and Overtime | 3,650. |
|--------------------------|--------|

L. RECREATION AND EDUCATION

| | |
|---------------------|--------|
| Recreation Director | 3,000. |
|---------------------|--------|

| | |
|---------------------------------------|--------|
| Recreation Aides & Assistants (total) | 4,000. |
|---------------------------------------|--------|

| | |
|--------------------|------|
| Building Custodian | 600. |
|--------------------|------|

| | |
|------------------|--------|
| Welfare Director | 1,250. |
|------------------|--------|

| | |
|-----------|--------|
| Librarian | 1,590. |
|-----------|--------|

| | |
|-----------------------|--------|
| Construction Official | 7,600. |
|-----------------------|--------|

| | |
|-------------------|--------|
| Housing Inspector | 3,100. |
|-------------------|--------|

| | |
|---------------------------|--------|
| Plumbing Subcode Official | 3,150. |
|---------------------------|--------|

| | |
|-----------------------|--------|
| Fire Subcode Official | 1,900. |
|-----------------------|--------|

M. CASUAL LABOR - \$3.75 - \$4.25 per hour

N. LONGEVITY will be allowed at the rate of \$250.00 for the first five years of service completed and \$200.00 for every five years of service completed thereafter, by all full time employees. (40 hours per week, 52 weeks per year). This provision shall be retroactive to January 1, 1984.

Passed and approved by Mayor and Council April 5, 1984.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE VACATING A PORTION
OF RIVER PLACE WHICH WAS
PREVIOUSLY DEDICATED AS A PUBLIC
STREET BUT NEVER OPENED AND
EXTINGUISHING PUBLIC RIGHT
THEREUNDER

WHEREAS, there appears on the official tax map of the Borough of Oceanport, a certain "paper street" commonly known as River Place; and

WHEREAS, this street is not opened to the public and it appearing to the governing body that the public interest would be better served by releasing a portion of said lands from said dedication;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Oceanport, in the County of Monmouth and State of New Jersey, as follows:

Section 1. That the public rights, if any, arising from that portion of a street known as River Place, appearing on the Official Tax Map of the Borough of Oceanport, and described as follows:

All that portion of River Place bounded on the north by Lot 2 in Block 106 as appears on the Official Tax Map of the Borough of Oceanport, bounded on the south by Oceanport Creek, bounded on the east by the westerly line of Park Street extended to intersect with the southerly line of River Place, and bounded on the west by the easterly line of an unnamed street 50 feet in width adjoining the westerly line of said Lot 2 in Block 106, with the easterly line of such unnamed street extended to intersect with the southerly line of River Place.

is hereby vacated and the public right arising from said dedication is released and extinguished.

Section 2. This Ordinance shall take effect upon final passage and publication as provided by law.

Passed and approved by Mayor and Council April 23, 1984.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX AND DETERMINE THE SALARIES OF CERTAIN BOROUGH OFFICIALS" PASSED AND APPROVED ON MARCH 16, 1939.

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth, State of New Jersey, as follows:

1) That Section 1 of the ordinance entitled "An Ordinance To Fix and Determine the Salaries of Certain Borough Officials" passed and approved on March 16, 1939, be and the same is hereby amended to read as follows:

SECTION 1: The yearly salaries of the officials and employees herein named beginning January 1, 1984, be and the same is hereby amended to read as follows:

Subsection A ADMINISTRATIVE AND EXECUTIVE through Subsection M CASUAL LABOR (no change)

N. LONGEVITY will be allowed at the rate of \$250.00 for the first five years of service completed and \$250.00 for every five years of service completed thereafter by all full time employees (40 hours per week, 52 weeks per year). This provision shall be retroactive to January 1, 1984.

2) The Ordinance shall take effect upon final passage and publication as provided by law.

Passed and approved by Mayor and Council May 3, 1984.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE TO AMEND AN ORDINANCE
ENTITLED THE "UNIFORM PLUMBING CODE"
PASSED AND APPROVED ON JUNE 20, 1974.

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth, State of New Jersey, as follows:

1. That Section 4B of the ordinance entitled the "Uniform Plumbing Code" passed and approved on June 20, 1974, be and the same is hereby amended to read as follows:

SECTION 4B: Schedule of permit fees.

(1) For each plumbing fixture or plumbing device:
five dollars (\$5.)

(2) Minimum fee: fifteen dollars (\$15.)

(3) Sewer connections: fifteen dollars (\$15.)

(4) Sprinkler system installation: eight dollars (\$8.)

(5) Grease, oil or sand interceptors and special devices:
fifteen dollars (\$15.)

(6) Reinspection fee: five dollars (\$5.)

2. This ordinance shall take effect upon final passage and publication according to law.

Passed and approved by Mayor and Council June 7, 1984.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE TO AMEND AN ORDINANCE
ENTITLED "PLANNING BOARD AND ZONING
BOARD OF ADJUSTMENT FEES" PASSED
AND APPROVED ON APRIL 16, 1981.

BE IT ORDAINED by the Mayor and Council of the Borough of
Oceanport, in the County of Monmouth and State of New Jersey
as follows:

ARTICLE I

PLANNING BOARD AND ZONING BOARD OF ADJUSTMENT FEES

SECTION 1: Planning Board fees.

The following fee schedule shall pertain to applications
filed with the Oceanport Planning Board:

A. Minor subdivision

- (1) One Hundred Fifty dollars (\$150.) plus
One Hundred dollars (\$100.) for each new
lot.
- (2) One Hundred dollars (\$100.) for consolidation
and resubdivision to adjust lot lines.

B. Major subdivision

- (1) Preliminary major plat: Two Hundred dollars
(\$200.) plus One Hundred dollars (\$100.) per
lot with a minimum fee of Four Hundred
dollars (\$400.).
- (2) Final major plat: Two Hundred dollars (\$200.)
plus Fifty dollars (\$50.) per lot with a
minimum fee of Three Hundred dollars (\$300.).

C. Site plan

- (1) Preliminary major site plan:

Total Cost of Improvement
(including buildings)

Fee

\$ 0 - \$25,000.

5% of cost with
a minimum fee
of \$150.00.

\$ 25,001. - \$50,000.

\$1,250. plus
2% of cost in
excess of
\$25,000.

\$ 50,001. - \$250,000.

\$1,750. plus
1% of cost in
excess of
\$50,000.

More than \$250,000.

\$3,750. plus
1% of cost in
excess of
\$250,000.

- (2) Final major site plan: \$350.
- (3) Preliminary minor site plan: \$300.
- (4) Final minor site plan: \$175.00

D. Amendment of preliminary or final plat or plan.

An applicant seeking to amend an approved preliminary or final plat or plan shall pay a fee of Two Hundred Fifty dollars (\$250.). If the approving authority determines that the proposed amendment will result in a substantial change of the previously approved plat or plan, the application shall be treated as a new application for preliminary or final approval and be processed accordingly, and the applicant shall pay a full fee in accordance with Subsections A through C above.

SECTION 2: Zoning Board fees.

A. The following fee schedule shall pertain to applications filed with the Oceanport Zoning Board of Adjustment:

- (1) Hardship / bulk variances: One Hundred dollars (\$100.) for one or two variances plus fifteen dollars (\$15.) for each variances in excess of two.
- (2) Use variance: Two Hundred Fifty dollars (\$250.) plus One Hundred dollars (\$100.) for each acre or fraction thereof with a maximum fee of Four Thousand dollars (\$4,000.).
- (3) Special Use permit: One Hundred dollars (\$100.).
- (4) Interpretation of the Zoning Map: One Hundred dollars (\$100.).
- (5) Directions for issuance of a building permit: One Hundred dollars (\$100.).
- (6) Filing petition of appeal:
 - a. Single family - no fee
 - b. other - Twenty-five dollars (\$25.)
- (7) Resubmission (application for extension of expired variance): One Hundred dollars (\$100.)
- (8) All other forms of variance applications, e.g. building to land percentage, square footage to building floor space: One Hundred dollars (\$100.)

B. If an application requests more than one (1) form of relief as expressed in Subsection A, then the fee charged shall be the higher amount had the application been for a single form of relief.

SECTION 3: Applicability.

The fees established above for the Planning Board and Zoning Board of Adjustment shall also apply whenever either Board is exercising powers which they share concurrently with one another.

SECTION 4: When Effective

This ordinance shall become effective upon final passage and publication according to law.

Passed and approved by Mayor and Council June 21, 1984.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE AUTHORIZING THE APPROPRIATION
OF \$ 14,643.00 FROM CAPITAL
SURPLUS, FOR VARIOUS IMPROVEMENTS
OR PURCHASES AUTHORIZED TO BE
UNDERTAKEN BY THE BOROUGH OF OCEANPORT,
COUNTY OF MONMOUTH, NEW JERSEY

BE IT ORDAINED by the Borough Council of the Borough of
Oceanport, County of Monmouth, State of New Jersey as follows;

SECTION 1. The several purchases described in this
ordinance are hereby respectively authorized to be made and
acquired by the Borough of Oceanport, New Jersey.

SECTION 2. For the financing of said purchases there is
hereby appropriated from capital surplus the sum of \$14,643.00.

SECTION 3. The purchases hereby authorized are as follows:

A) (1) 1984 Chevrolet K10 Series full size Blazer with
accessories.

Section 4. The ordinance shall take effect after final
passage and publication according to law.

Passed and approved by Mayor and Council June 21, 1984.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE TO AMEND AN ORDINANCE
ENTITLED THE "BOROUGH OF OCEANPORT
ZONING ORDINANCE" PASSED AND
APPROVED ON DECEMBER 10, 1975

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth and State of New Jersey, as follows:

1) That Section 4 of the ordinance entitled the "Borough of Oceanport Zoning Ordinance" passed and approved on December 10, 1975, be and the same is hereby amended to include the following definition immediately after the definition of "LOT WIDTH":

MINOR SITE PLAN - A development plan of one or more lots which (1) proposes new development within the scope of development specifically permitted by ordinance; (2) does not involve planned development, any new street or extension of an off-tract improvement which is to be prorated pursuant to N.J.S.A. 40:55D-42 and (3) contains the information required pursuant to Section 68-10B.

2) That Section 10 of the aforementioned ordinance be and the same is hereby amended to include the following to be designated Subsection E:

E. Minor Site Plan - (1) If the Planning Board or a Committee of the Board appointed by the Chairman finds that the application for site plan approval conforms to the definition of "minor site plan" as set forth in Section 68-4B of this ordinance, then the Planning Board may waive all notice and public hearing requirements which would otherwise be applicable pursuant to ordinance in connection with an application for site plan approval before the Planning Board. Minor site plan approval shall be deemed to be final approval of the minor site plan by the Board.

(2) Minor site plan approval shall be granted or denied within 45 days of the date of submission of a complete application to the Planning Board. Failure of the Planning Board to act within the period prescribed shall constitute minor site plan approval and a certificate of an appropriate officer as to the failure of the Planning Board to act shall be issued on request of the applicant; and it shall be sufficient in lieu of the written endorsement or other evidence of approval otherwise required.

(3) The Zoning requirements and general terms and conditions upon which minor site plan approval was granted, shall not be changed for a period of two years after the date of minor site plan approvals.

(4) Except as otherwise provided in this Subsection E, an application for minor site plan approval shall conform in all respects and shall be

reviewed under the same standards as those set forth in Section 68-10 regarding application for site plan approval.

3) That Subsection E "Planning Board Action" shall be and the same is hereby redesignated as Subsection F.

4) This Ordinance shall take effect upon final passage and publication as provided by law.

Passed and approved by Mayor and Council 8/2/84.

PATRICIA L. VARCA
BOROUGH CLERK

BOND ORDINANCE APPROPRIATING \$104,800 AND
AUTHORIZING THE ISSUANCE OF \$99,560 BONDS
OR NOTES OF THE BOROUGH FOR VARIOUS
IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE
UNDERTAKEN BY THE BOROUGH OF OCEANPORT IN
THE COUNTY OF MONMOUTH, NEW JERSEY

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF
OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than
two-thirds of all the members thereof affirmatively concurring)
AS FOLLOWS:

Section 1. The several improvements described in Section
3 of this bond ordinance are hereby respectively authorized as
general improvements to be made or acquired by the Borough of
Oceanport, New Jersey. For the said several improvements or
purposes stated in said Section 3, there are hereby appropriated
the respective sums of money therein stated as the appropriations
made for said improvements or purposes, said sums being inclusive
of all appropriations heretofore made therefor, and amounting in
the aggregate to \$104,800 including the aggregate sum of \$5,240
as the several down payments for said improvements or purposes
required by law and more particularly described in said Section
3 and now available therefor by virtue of provision in a
previously adopted budget or budgets of the Borough for down
payment or for capital improvement purposes.

Section 2. For the financing of said improvements or
purposes and to meet the part of said \$104,800 appropriations not
provided for by application hereunder of said down payments,
negotiable bonds of the Borough are hereby authorized to be issued
in the principal amount of \$99,560 pursuant to the Local Bond
Law of New Jersey. In anticipation of the issuance of said bonds
and to temporarily finance said improvements or purposes negotiable
notes of the Borough in a principal amount not exceeding \$99,560
are hereby authorized to be issued pursuant to and within the
limitations prescribed by said law. All such notes shall mature
at such times as may be determined by the chief financial officer
or such other financial officer designated by resolution for
this purpose (both being hereafter referred to in this section as
the "chief financial officer"); provided that no notes shall
mature later than one year from its date. The notes shall bear
interest at such rate or rates as may be determined by the chief
financial officer and shall be in the form determined by him and
his signature upon the notes shall be conclusive as to such
determination. The chief, financial officer is hereby authorized
to sell the notes from time to time at public or private sale in
such amounts as he may determine at not less than par and to
deliver the same from time to time to the purchasers thereof upon
receipt of payment of the purchase price plus accrued interest
from their dates to the date of delivery thereof for payment
therefore. Such officer is authorized and directed to report in
writing to the governing body of the Local Unit at the meeting
next succeeding the date when any sale or delivery of the notes
pursuant to this ordinance is made, such report to include the
amount, description, interest rate and maturity of the notes
sold, the price obtained and the name of the purchaser. Such
officer is further directed to determine all matters in
connection with said notes not determined by this ordinance and

his signature upon said notes shall be conclusive as to such determination. All notes issued hereunder may be renewed from time to time for periods of not exceeding one (1) year for the time period specified in and in accordance with the provisions of N.J.S. 40A:2-8(a).

Section 3. The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

| <u>Improvement of Purpose</u> | <u>Appropriation and Estimated Cost</u> | <u>Estimated Maxi- mum Amount of Bonds or Notes</u> |
|--|---|---|
| (a) Reconstruction of Borough Hall parking lot, Public Works Garage parking lot and Sagamore Avenue, in- cluding installation of storm drainage, and including all work and materials necessary therefor and incidental thereto, all as shown on and in accordance with the plan and specifications therefor on file in the office of the Borough Clerk | \$ 87,500 | \$ 83,125 |
| (b) Bituminous overlay of Iroquois Avenue be- tween Port-au-Peck Avenue and the westerly terminous of Iroquois Avenue, including all work and materials necessary therefor and incidental thereto, all as shown on and in accordance with the plan and specifications therefor on file in the office of the Borough Clerk. | 17,300 | 16,435 |
| TOTALS | \$ 104,800 | \$ 99,560 |

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this bond ordinance are not current expenses and are each a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purpose within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance is 20 years.

(c) The supplemental debt statement required by said Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$99,500 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said law.

(d) Amounts not exceeding \$24,900 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under section 40A:2-20 of said Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.

Section 5. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 6. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption as provided by said Local Bond Law.

Passed and approved by Mayor and Council August 2, 1984

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE AUTHORIZING THE APPROPRIATION
OF \$3,825.00 FROM CAPITAL SURPLUS,
FOR VARIOUS IMPROVEMENTS OR PURCHASES
AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH
OF OCEANPORT, COUNTY OF MONMOUTH, NEW JERSEY

BE IT ORDAINED by the Borough Council of the Borough
of Oceanport, County of Monmouth, State of New Jersey as follows:

SECTION 1. The several purchases described in this
ordinance are hereby respectively authorized to be made and
acquired by the Borough of Oceanport, New Jersey.

SECTION 2. For the financing of said purchases there
is hereby appropriated from capital surplus the sum of \$3,825.00.

SECTION 3. The purchases hereby authorized are as
follows:

A) (1) Climate Control 8 Ton Air Conditioner Condenser
Unit (installed) \$3,185.00.

B) Electrical work required in connection with installa-
tion. \$640.00

SECTION 4. The ordinance shall take effect after final
passage and publication according to law.

Passed and approved by Mayor and Council August 2, 1984.

PATRICIA L. VARCA
BOROUGH CLERK

ORDINANCE AUTHORIZING THE MAYOR AND
MUNICIPAL CLERK TO EXECUTE AN
AGREEMENT WITH MONMOUTH COUNTY FOR
COOPERATIVE PARTICIPATION IN THE
COMMUNITY DEVELOPMENT PROGRAM
PURSUANT TO THE INTERLOCAL SERVICES
ACT

WHEREAS, certain Federal funds are potentially available to Monmouth County under Title I of the Housing and Community Development Act of 1974, as amended commonly known as Community Development Block Grant Program; and

WHEREAS, it is necessary to establish a legal basis for the County and its people to benefit from this program; and

WHEREAS, an Agreement has been proposed under which the Borough of Oceanport and the County of Monmouth in cooperation with other municipalities will establish an Interlocal Services Program pursuant to N.J.S.A. 40:8A-1; and

WHEREAS, it is in the best interest of the Borough of Oceanport to enter into such an agreement;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport that the agreement entitled "Agreement Between the County of Monmouth and Certain Municipalities Located Herein for the Establishment of a Cooperative Means of Conducting Certain Community Development Activities", a copy of which is attached hereto, be executed by the Mayor and Municipal Clerk in accordance with the provisions of law; and

BE IT FURTHER ORDAINED that this ordinance shall take effect immediately upon its enactment.

Passed and approved by Mayor and Council 9/6/84.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE TO AMEND AND SUPPLEMENT
AN ORDINANCE ENTITLED "THE STREET AND
SIDEWALK EXCAVATIONS ORDINANCE OF THE
BOROUGH OF OCEANPORT" PASSED AND
APPROVED JUNE 5, 1925 AND AMENDED
JUNE 15, 1978.

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth, State of New Jersey, as follows:

1. That Section 3 of the ordinance entitled "The Street and Sidewalk Excavations Ordinance of the Borough of Oceanport" passed and approved June 5, 1925, and amended June 15, 1978, be and the same is hereby amended to read as follows:

SECTION 3: APPLICATION REQUIREMENTS.

- A. Application for a permit shall be made on forms to be provided by the borough. The application shall state the purpose of the excavation and the name and address of the person who will restore the permanent pavement when the same is not to be done by the borough or the applicant. The application shall be accompanied by a diagram, indicating the nature and extent of the excavation to be made and the work to be done, the proposed dates of commencement and completing of the excavation, which date shall be the expiration date of any permit issued pursuant to the application, and other data as may reasonably be required. If, during the course of the work, any major variation is required, the permittee shall file an amended diagram showing the manner in which the work is actually being done.
- B. Whenever the excavation will or may take more than one (1) working day to complete, or whenever the excavation site shall be left unattended, the permittee shall furnish to the Oceanport Police Department an emergency telephone number.
- C. No permit for a street excavation in excess of one thousand (1,000) square feet shall be issued until the application shall have been reviewed by the Borough Engineer.
- D. All street excavations in excess of one thousand (1,000) square feet shall be supervised by an inspector to be designated by the Borough Engineer and the permittee shall be required to reimburse the borough for the cost of such inspection.

2. That Section 4 of the aforesaid ordinance be and the same is hereby amended to read as follows:

SECTION 4: FEES

- A. Application for a permit shall be accompanied by a fee of fifteen dollars (\$15.) to cover administrative

costs for excavations up to one hundred (100) square feet and by a fee of thirty-five dollars (\$35.) for larger excavations. In addition to the permit fee, the applicant shall pay an inspection fee before the permit is issued equal to ten percent (10%) of the cash repair deposit, but not less than thirty-five dollars (\$35.), if the cash repair deposit is less than five hundred dollars (\$500.), eight percent (8%) if the cash repair deposit is at least five hundred dollars (\$500.) but less than five thousand dollars (\$5,000.) and six percent (6%) if the cash repair deposit is five thousand dollars (\$5,000.) or greater. Such inspection fee shall be paid even though the applicant shall post a bond in lieu of as cash repair deposit.

- B. The Borough Clerk shall forward a copy of each application for a street opening permit to the Oceanport Police Department and, upon receipt thereof, the Chief of Police or his designee shall review the subject application to determine whether traffic control shall be needed during the period of construction. If it is determined that the permittee shall need the assistance of a law enforcement officer to control traffic in the vicinity of the construction site, then the applicant shall be required, in addition to the other fees provided for in this ordinance, to pay to the Borough of Oceanport the prevailing Police overtime rate for each hour or part thereof that a member of the Oceanport Police Department will be required to direct traffic at the site.

3. That Section 5 of the aforesaid ordinance be and the same is hereby amended to read as follows:

SECTION 5: CASH REPAIR DEPOSITS.

- A. The application for an excavating permit to perform excavation work under this ordinance shall be accompanied by a cash repair deposit. Such cash repair deposit will take the form of cash or certified check payable to the Borough of Oceanport and shall be received by the Borough Clerk prior to the issuance of any permit. The amount of the cash repair deposit required shall be:

- (1) For openings in streets paved with concrete or bituminous concrete:
 - (a) Three dollars (\$3.00) per square foot of surface for openings not exceeding one hundred (100) square feet.
 - (b) Three hundred dollars (\$300.), plus two dollars and fifty cents (\$2.50) per square foot of opening in excess of one hundred (100) square feet but not exceeding one thousand (1,000) square feet.

- (c) Two thousand five hundred dollars (\$2,500.), plus two dollars (\$2.00) per square foot of opening in excess of one thousand (1,000) square feet but not exceeding five thousand (5,000) square feet.
 - (d) Ten thousand dollars (\$10,000.) plus one dollar and fifty cents (\$1.50) per square foot of opening in excess of five thousand (5,000) square feet.
- (2) For excavations made in street of lesser construction: one-half (1/2) the preceding fees.
 - (3) In the case of excavation or removal or alteration of other public improvements, such as drainage, sidewalks, driveways, driveway aprons, etc., the Borough Engineer shall determine in each case the amount of the cash repair deposit in sum total sufficient to allow the borough to perform all required repairs and restorations. Said amount shall be estimated to include gross borough costs, including fees, temporary maintenance costs, permanent restoration costs; etc. In no case shall a cash deposit be less than fifty dollars (\$50.).
- B. Any cash repair deposit made hereunder shall serve as security for the inspection, repair and performance of work necessary to put the street in as good a condition as it was prior to the excavation, if the permittee fails to make the necessary repairs or to complete the proper refilling of the opening and the excavation work under the excavation permit. The borough shall be entitled to reimbursement from the cash repair deposit for the actual cost of any such necessary repairs which may be performed by employees of the Borough Public Works Department.
- C. Upon the permittee's completion of the work covered by such permit, in conformity with the ordinance as determined by the Borough Administrator, two-thirds (2/3) of the remaining cash deposit shall be promptly refunded by the borough to the permittee, and the balance shall be refunded by the borough to the permittee upon the expiration of such twelve-month period, provided that if the amount of the cash deposit does not exceed one hundred dollars (100.), the entire cash repair deposit will be returned upon the Borough Administrator's determination that the permittee has performed the work in conformity with this ordinance, and provided further that the borough may use any or all of such deposit to pay the cost of any work the borough performs to restore or maintain the street as herein provided in the event that the permittee fails to perform such work, in which event the amount refunded to the permittee shall be reduced by the amount thus expended by the borough.

- D. Cash repair deposits will be waived in the case of installation or repair of sidewalks by the owner or by a person acting for the owner of real property and may be waived in the case of installation of new public improvements by a subdivider of site development in accordance with the approved plans and without cost to the borough; provided, however, that such waiver will not be granted if, in the opinion of the Borough Administrator, a cash repair deposit is necessary to assure protection of existing improvements or to guarantee against damages during construction.

4. That the aforesaid ordinance be and the same is hereby supplemented by the addition of Section 8A to read as follows:

SECTION 8A: EXCAVATIONS BARRED IN NEW STREET IMPROVEMENTS.

- A. Whenever the Borough Council enacts any ordinance or resolution providing for the paving or repaving of any street, the Borough Administrator shall promptly mail a written notice thereof to each person owning any sewer, main, conduit or other utility in or under said street. Such notice shall notify such persons that no excavation permit shall be issued for opening, cuts, or excavations in said street for a period of 5 years after the date of enactment of such ordinance or resolution. The notice shall notify such persons that applications for excavation permits, for work to be done prior to such paving or repaving, shall be submitted promptly in order that the work covered by the excavation permit may be completed not later than 45 days from the date of enactment of such ordinance or resolution. The Borough Administrator shall also promptly mail copies of such notice to the occupants of all houses, buildings and other structures abutting said street for their information and to the state agencies and departments or other persons that may desire to perform excavation work in said street.
- B. Within said 45 days, every public utility company receiving notice as prescribed herein shall perform such excavation work subject to the provisions of this article, as may be necessary to install or repair sewers, mains, conduits or other utility installations. In the event any owner of real property abutting said street shall fail within said 45 days to perform such excavation work as may be required to install or repair utility service lines or service connections to the property lines, any and all rights of such owner or his successors in interest to make openings, cuts or excavations in said street shall be forfeited for a period of 5 years from the date of enactment of said ordinance or resolution. During said 5 year period no excavation permit shall be issued to open, cut or excavate in said street unless in the judgment of the Borough Engineer, an emergency as described in this article exists which makes it absolutely essential that the excavation permit be used.

- C. Every borough department or official charged with responsibility for any work that may necessitate any opening, cut or excavation in said street is directed to take appropriate measures to perform such excavation work within said 45-day period as to avoid the necessity for making any openings, cuts or excavations in the new pavement in said borough street during said 5-year period.

5. That the aforesaid ordinance be and the same is hereby supplemented by the addition of Section 8B to read as follows:

SECTION 8B: PRESERVATION OF MONUMENTS.

The permittee shall not disturb any surface monuments or hubs found on the line of excavation work until ordered to do so by the Borough Engineer.

6. That the aforesaid ordinance be and the same is hereby supplemented by the addition of Section 8C to read as follows:

SECTION 8C: EXCAVATIONS LIMITED IN THE WINTER MONTHS.

No permit for the excavation of any street shall be issued between December 1 and March 1, except for emergencies as provided in Section 51-7, or by resolution adopted by the Borough Council. All street excavations commenced after March 1 must be completed, backfilled and restored prior to December 1.

7. That the aforesaid ordinance be and the same is hereby supplemented by the addition of Section 11A to read as follows:

SECTION 11A: PENALTY.

Any person who violates any provision of this article shall, upon conviction thereof, be punished by a fine not exceeding \$500.00, or by imprisonment for a term not exceeding 90 days, or both. A separate offense shall be deemed committed on each day during which a violation occurs or continues.

8. This amending and supplemental ordinance shall take effect upon final passage and publication according to law.

Passed and approved by Mayor and Council September 20, 1984.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE TO AMEND AN
ORDINANCE ENTITLED "FEES"
PASSED AND APPROVED ON
APRIL 16, 1981.

BE IT ORDAINED by the Mayor and Council of the Borough
of Oceanport, in the County of Monmouth and State of New
Jersey as follows:

1) That an Ordinance entitled "Fees" passed and approved
on April 16, 1981, be and the same is hereby amended and
supplemented by the addition of the following article:

ARTICLE II

RETURNED CHECKS

SECTION 1: Fee. The Borough Treasurer and Tax Collector
be and are hereby authorized and directed to collect from any
payor whose check to the Borough of Oceanport has been
returned unpaid a fee in an amount equal to any bank charge
imposed upon or required from the Borough in connection with
such returned check. Said fee shall be collected for any
check returned whether by stop payment, insufficiency of funds,
uncollected funds or any other reason. Further, said fee
shall be collected for any returned check to any department,
division or other branch of government of the Borough of
Oceanport.

SECTION 2: When Effective. This ordinance shall become
effective upon final passage and publication as provided by
law.

Passed and approved by Mayor and Council November 1, 1984.

PATRICIA L. VARCA
BOROUGH CLERK

ORDINANCE AUTHORIZING THE MAYOR AND MUNICIPAL
CLERK TO EXECUTE AN AGREEMENT WITH MONMOUTH
COUNTY TO MODIFY THE INTERLOCAL SERVICES
AGREEMENT DATED SEPTEMBER 7, 1984

WHEREAS, certain federal funds are potentially available to Monmouth County under Title I of the Housing and Community Development Act of 1977, commonly known as Community Development Block Grant Program; and

WHEREAS, it is necessary to amend an existing Interlocal Services Agreement for the County and its people to benefit from this Program; and

WHEREAS, an Agreement has been proposed under which the Borough of Oceanport and the County of Monmouth in cooperation with other municipalities will modify an Interlocal Services Act pursuant to N.J.S.A. 40:8A-1; and

WHEREAS, it is in the best interest of the Borough of Oceanport to enter into such an agreement;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, that the agreement entitled "Agreement to Modify Interlocal Services Agreement dated 9/7/84 for the Purpose of Inserting a Description of Activities for the Eleventh, Twelfth and Thirteenth Years Monmouth County Community Development Block Grant Program", a copy of which is on file in the Municipal Clerk's Office, be executed by the Mayor and Municipal Clerk in accordance with the provisions of law; and

BE IF FURTHER ORDAINED that this Ordinance shall take effect immediately upon its enactment.

PASSED AND APPROVED BY MAYOR AND COUNCIL 11/15/84.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE TO AMEND AN ORDINANCE
ENTITLED "ECONOMIC DEVELOPMENT COMMITTEE
OF THE BOROUGH OF OCEANPORT" PASSED AND
APPROVED ON SEPTEMBER 7, 1972

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport,
in the County of Monmouth and State of New Jersey as follows:

1. That Section 5 of an ordinance entitled "Economic Development Committee Ordinance of the Borough of Oceanport" passed and approved on September 7, 1972, be and the same is hereby amended and supplemented as follows:

Section 5. Removal from office. Any member of said Economic Development Committee may be removed from his or her office for cause, after an opportunity has been given for a hearing and upon the vote of a majority of the Council. Furthermore, any member who shall have missed three (3) consecutive committee meetings or a total of four (4) committee meetings during any one calendar year shall be deemed to have forfeited his or her office and the resulting vacancy shall thereafter be filled in the manner as hereinabove provided.

2. All provisions of the "Economic Development Committee Ordinance of the Borough of Oceanport" being amended and supplemented herein which are not modified by this Ordinance shall remain in full force and effect.
3. This Ordinance shall take effect upon final passage and publication as provided by law.

PASSED AND APPROVED BY MAYOR AND COUNCIL ON 11/15/84.

PATRICIA L. VARCA
BOROUGH CLERK

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$15,000 FOR THE PURCHASE OF AN EMERGENCY GENERATOR IN AND BY THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$14,250 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE SUPPLEMENTAL APPROPRIATION.

BE IT ORDAINED by the Borough Council of the Borough of Oceanport, in the County of Monmouth, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

SECTION 1. The improvement described in Section 3 of this bond ordinance has heretofore been authorized to be undertaken by the Borough of Oceanport, New Jersey as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the supplemental amount of \$15,000, such sum being in addition to the \$20,000 appropriated therefor in Section 3(b) of bond ordinance #474 of the Borough finally adopted April 21, 1983, and including the sum of \$750 as the additional down payment required by the Local Bond Law. The additional down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

SECTION 2. In order to finance the additional cost of the improvement or purpose not covered by application of the additional down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$14,250 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvement heretofore authorized and the purpose for the financing of which the bonds are to be issued is the purchase of an emergency generator, as more specifically described in Section 3(b) of Bond Ordinance #474 of the Borough finally adopted April 21, 1983.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is \$33,250, including the \$19,000 bonds or notes authorized by Section 3(b) of Bond Ordinance #474 of the Borough finally adopted April 21, 1983 and the \$14,250 bonds or notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$35,000, including the \$20,000 appropriated by Section 3(b) of Bond Ordinance #474 of the Borough finally adopted April 21, 1983 and the \$15,000 appropriated herein.

SECTION 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time, subject to the provisions of N.J.S.A. 40A:2-8(a). The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must

BOND ORDINANCE #497 continued.....

include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

SECTION 5. The capital budget of the Borough of Oceanport is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and the capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

SECTION 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is five (5) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the Office of the clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the bonds and notes provided in this bond ordinance by \$14,250 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$2,500 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

SECTION 7. All grant monies received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

SECTION 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

PASSED AND APPROVED BY MAYOR AND COUNCIL 11/15/84/.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE ENTITLED
"THE CODE OF ETHICS OF
THE BOROUGH OF OCEANPORT"

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth and State of New Jersey, as follows:

SECTION 1. CONFLICTS OF INTEREST. No elected or appointed official, officer or employee of the Borough of Oceanport shall engage in any business transaction, professional activity, or have a financial or other private interest either direct or indirect, which is in conflict with the proper discharge of his official duties, unless full disclosure is made as to such interest, in writing, to the Borough Clerk.

SECTION 2. EMPLOYMENT OR INVESTMENTS AFFECTING DUTIES. No elected or appointed official, officer or employee of the Borough of Oceanport shall, in the exercise of his official duties, accept employment or engage in any business transaction or make any investment which will be detrimental to the borough or interfere in any manner whatsoever with the discharge of his official duties.

SECTION 3. REPRESENTATION OF PRIVATE INTEREST. No elected or appointed official, officer or employee of the Borough of Oceanport shall represent any private interests to the detriment of the borough or for the purpose of unwarranted personal gain, before any borough agency or department or the Oceanport Municipal Court, or in any litigation in which the borough is a party.

SECTION 4. DISCLOSURE OF INTEREST IN LEGISLATION. In the event that any elected or appointed official, officer or employee of the Borough has a direct financial or other private interest in any proposed legislation, he shall publicly disclose on the official records of the Borough the nature and extent of such interest.

SECTION 5. GIFTS AND FAVORS. No elected or appointed official, officer or employee of the Borough shall accept any gift or gratuity which will result in a conflict with the proper discharge of his or her official duties.

SECTION 6. IMPROPER USE OF OFFICIAL POSITION. No elected or appointed official, officer or employee of the Borough shall improperly use his official position to obtain a personal discount or other benefit from any person or persons whatsoever.

SECTION 7. BOARD OF ETHICS. The Borough Council of the Borough of Oceanport shall serve as a board of ethics under this ordinance and said board shall render advisory opinions with respect to any question arising under this Code of Ethics. Such opinions shall be rendered upon written request of any officer or employee or any resident of the borough concerned with the possible violation of the terms and conditions herein set forth. The Borough Council shall render a final decision with respect to said request within fifteen days after the submission thereof.

SECTION 8. PENALTIES. Compliance with this Code of Ethics and with the opinions rendered by the Borough council sitting

as a board of ethics shall be deemed a condition of employment for all borough officials and employees. In the event that any officer or employee should violate any of the provisions of this ordinance, or should he or she fail to comply with any opinion rendered by the Council sitting as a board of ethics, said action shall be considered to constitute misconduct and may result in the suspension, demotion or dismissal of such officer or employee at the direction of the Borough Council.

SECTION 9. HEARING. In the event that any officer or employee of the Borough shall violate any of the provisions of this ordinance, written charges shall be filed with the Borough Council sitting as a board of ethics. The Council shall promptly set the matter down for a formal hearing before it and shall serve upon the accused officer or employee a copy of said charges, designating a date and place for a hearing and giving at least ten days notice to the accused to afford him an opportunity to be heard at such hearing.

SECTION 10. WHEN EFFECTIVE. This ordinance shall take effect immediately after final passage and publication as required by law.

Passed and approved by Mayor and Council 12/20/84.

PATRICIA L. VARCA
BOROUGH CLERK

BOND ORDINANCE APPROPRIATING \$21,900 AND
AUTHORIZING THE ISSUANCE OF BONDS OR
NOTES OF THE BOROUGH FOR VARIOUS
IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE
UNDERTAKEN BY THE BOROUGH OF OCEANPORT IN
THE COUNTY OF MONMOUTH, NEW JERSEY

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF
OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than
two-thirds of all the members thereof affirmatively concurring)
AS FOLLOWS:

Section 1. The improvement described in Section 3 of this
bond ordinance is hereby authorized as a general improvement to
be made or acquired by the Borough of Oceanport, New Jersey.
For the said improvement or purpose stated in said Section 3,
there is hereby appropriated the sum of money therein stated as
the appropriation made for said improvement or purpose, said sum
being inclusive of all appropriations heretofore made therefor,
and amounting to \$21,900 including the sum of \$1,095 as the
down payment for said improvement or purpose required by law and
more particularly described in said Section 3 and not available
therefor by virtue of provision in a previously adopted budget
or budgets of the Borough for down payment or for capital
improvement purposes.

Section 2. For the financing of said improvement or purpose
and to meet the part of said \$21,900 appropriation not provided
for by application hereunder of said down payment, negotiable
bonds of the Borough are hereby authorized to be issued in the
principal amount of \$20,805 pursuant to the Local Bond Law of
New Jersey. In anticipation of the issuance of said bonds and
to temporarily finance said improvement or purpose negotiable
notes of the Borough in a principal amount not exceeding \$20,805
are hereby authorized to be issued pursuant to and within the
limitations prescribed by said law. All such notes shall mature
at such times as may be determined by the chief financial
officer or such other financial officer designated by resolution
for this purpose (both being hereafter referred to in this
section as the "chief financial officer"); provided that no
notes shall mature later than one year from its date. The notes
shall bear interest at such rate or rates as may be determined
by the chief financial officer and shall be in the form determined
by him and his signature upon the notes shall be conclusive as
to such determination. The chief financial officer is hereby
authorized to sell the notes from time to time at public or
private sale in such amounts as he may determine at not less
than par and to deliver the same from time to time to the
purchasers thereof upon receipt of payment of the purchase price
plus accrued interest from their dates to the date of delivery
thereof for payment therefore. Such officer is authorized and
directed to report in writing to the governing body of the
Local Unit at the meeting next succeeding the date when any sale
or delivery of the notes pursuant to this ordinance is made,
such report to include the amount, description, interest rate
and maturity of the notes sold, the price obtained and the name
of the purchaser. Such officer is further directed to determine

all matters in connection with said notes not determined by this ordinance and his signature upon said notes shall be conclusive as to such determination. All notes issued hereunder may be renewed from time to time for periods of not exceeding one (1) year for the time period specified in and in accordance with the provisions of N.J.S. 40A:2-8(a).

Section 3. The improvement hereby authorized and the purpose for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of such purpose, and the estimated maximum amount of bonds or notes to be issued for such purpose, is as follows:

| <u>Improvement or Purpose</u> | <u>Appropriation and Estimated Cost</u> | <u>Estimated Maximum Amount of Bonds or Notes</u> |
|---|---|---|
| (a) Acquisition of Case Model 580E Front End Loader | \$21,900 | \$20,805 |

The excess of the appropriation made for the improvement or purpose aforesaid over the estimated maximum amount of bonds, or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this bond ordinance are not current expenses and are a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purpose within the limitations of said Local Bond Law and taking into consideration the amounts of the said obligations authorized for the purpose, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance is 5 years.

(c) The supplemental debt statement required by said Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$20,805 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said law.

(d) Amounts not exceeding \$5,200 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under section 40A:2-20 of said Law may be included as part of the costs of said improvement and are included in the foregoing estimate thereof.

Section 5. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 6. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption as provided by said Local Bond Law.

Passed and approved by Mayor and Council 12/27/84.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE ESTABLISHING MINIMUM STANDARDS GOVERNING THE CONDITION AND MAINTENANCE OF ALL STRUCTURES AND DWELLINGS: ESTABLISHING MINIMUM STANDARDS GOVERNING SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO INSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE: ESTABLISHING MINIMUM STANDARDS GOVERNING THE CONDITION OF DWELLINGS OFFERED FOR RENT: FIXING CERTAIN RESPONSIBILITIES AND DUTIES OF OWNERS AND OCCUPANTS OF STRUCTURES, AND THE CONDEMNATION OF DWELLINGS UNFIT FOR HUMAN HABITATION AND THE DEMOLITION OF SUCH DWELLINGS AND STRUCTURES: FIXING PENALTIES FOR VIOLATION: AND REPEALING EXISTING ORDINANCE NUMBER 346 OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

BE IT ORDAINED by the Governing Body of the Borough of Oceanport in the County of Monmouth and State of New Jersey, as follows:

SECTION 1. Adoption by Reference. A certain document, three copies of which are on file in the office of the Borough of Oceanport being marked and designated as "The Basic Property Maintenance Code. Second Edition, 1981," as published by Building Officials and Code Administrators (BOCA) International, Inc., be and is hereby adopted as the property maintenance code of the Borough of Oceanport in the State of New Jersey for the control of building and structures as herein provided: and each and all of the regulations of the Basic Property Maintenance Code, Second Edition, 1981, are hereby referred to, adopted and made a part thereof, as if fully set out in this Ordinance except such portions as are hereinafter deleted, added, changed or supplemented by Section 3 of this Ordinance.

SECTION 2. Effect of Changes and Revisions. In every case where any change in the BOCA Basic Property Maintenance Code, Second Edition, 1981, is made hereinafter, any such change will take precedence over any other provisions in the said code which is inconsistent therewith, and any such provision shall be considered to be conformed to it.

SECTION 3. Changes and Revisions. The following provisions of the BOCA Basic Property Maintenance Code, Second Edition, 1981, are hereby deleted, added, changed or supplemented to read as follows, identification thereof being by section number as appearing in said BOCA Basic Property Maintenance Code:

Index to Sections Deleted, Added
Changed or Supplemented
(BOCA Basic Property Maintenance Code,
Second Edition, 1981)

| | |
|----------------------|--------------------------|
| Section P.M.-100.1 | Supplemented |
| Section P.M.-103.1 | Changed |
| Section P.M.-104.3 | Changed and Supplemented |
| Section P.M.-104.3.1 | Changed and Supplemented |

| | |
|-----------------------|--------------------------|
| Section P.M.-104.3.2 | Changed and Supplemented |
| Section P.M.-104.8 | New Section Added |
| Section P.M.-106.2(5) | Deleted |
| Section P.M.-106.3 | Deleted and Replaced |
| Section P.M.-108.2 | Deleted |
| Section P.M.-109.2 | Changed and Supplemented |
| Section P.M.-109.4 | New Section Added |
| Section P.M.-109.5 | New Section Added |
| Section P.M.-110.0 | Deleted |
| Section P.M.-112 | New Section Added |
| Section P.M.-201.0 | Changed |
| Section P.M.-301.10.1 | Supplemented |
| Section P.M.-301.10.2 | Supplemented |
| Section P.M. 601.3 | Supplemented |

BOCA BASIC PROPERTY MAINTENANCE CODE

Changes and Revisions

- A. Section P.M.-100.1, Title, is hereby supplemented to read as follows:

These regulations shall be known as the Property Maintenance Code of the Borough of Oceanport hereinafter referred to as the Property Maintenance Code or "this code."

- B. Section P.M.-103.1, Officers, is changed to read as follows:

It shall be the duty and responsibility of the Building Official of the Borough of Oceanport or such assistant as he may designate, to enforce the provisions of the Housing Code as herein provided.

- C. Section P.M.-104.3, Inspections, is changed and supplemented to read as follows:

The Building Official shall make or cause to be made inspections to determine the condition of dwellings, multifamily dwellings, dwelling units, rooming houses, rooming units, and premises in order to safeguard the safety, morals and welfare of the public under the provisions of this code. The Building Official is authorized, subject to law, to enter any dwelling, dwelling unit, multifamily dwelling, rooming house or premises at any reasonable time for the purposes of performing his duties under this code. The owner, operator or occupant of every dwelling, multifamily dwelling, dwelling unit, or the person in charge thereof, shall give the Building Official free access thereto and to all parts thereof and to the premises on which it is located at all reasonable times for the purpose of such inspection, examination and survey.

- D. Section P.M.-104.3.1, Right of Entry, is hereby changed and supplemented to read as follows:

It shall be unlawful for any person to refuse entrance to or to impede an inspector or officer authorized under this code in the performance of his duties, and every such inspector or officer shall have the right, without the use or threat of force, to enter, examine and survey all premises, grounds and structures and every part thereof at all reasonable times upon display of proper identification.

If any owner, occupant or other person in charge of a dwelling, dwelling unit or rooming unit, or multifamily or rooming house, subject to the provisions of this code, refuses, impedes, inhibits, interferes with, restricts or obstructs entry and free access to every part of the structure or premises where inspection authorized by this code is sought, the administrative authority may seek, in a court of competent jurisdiction, an order that such owner, occupant or other person in charge cease and desist with such interference or, in the alternative, may seek a search warrant for said inspection.

- E. Section P.M.-104.3.2, Access by Owner or Operator, is changed and supplemented to read as follows:

Every occupant of a dwelling unit shall give the owner or operator thereof, or his agent or employee, access to any part of such dwelling unit, rooming unit or its premises at reasonable times for the purpose of making such inspections, maintenance, repairs or alterations as are necessary to comply with the provisions of this code. If access is refused by any occupant, the administrative authority in addition to any remedy herein provided, may seek, in a court of competent jurisdiction, an order that such occupant or other person in charge of the dwelling unit or rooming unit cease and desist interfering with said access.

- F. Section P.M.-104.8, Additional Powers of Building Official, is hereby added as a new Section to read as follows:

The Building Official is hereby authorized and empowered to exercise such powers as may be necessary or convenient to carry out and effectuate the purposes and provisions of this Ordinance, including the following in addition to others herein granted.

- A. To investigate the dwelling conditions in the Borough of Oceanport in order to determine which dwellings therein are unfit for human habitation.

- B. To administer Oaths and affirmations and to examine witnesses and receive evidence.
- C. To enter upon premises for the purpose of making examination, provided that such entries shall be made in such manner as to cause the least possible inconvenience to the persons in possession.
- D. To appoint and fix the duties of such officers, agents and employees as he deems necessary to carry out the purposes of this Ordinance.
- E. To delegate any of his functions and powers under this Ordinance to such officers and agents as he may designate.
- G. Section P.M.-106.2(5), Form, is hereby deleted.
- H. Section P.M.-106.3, Service, is deleted and replaced by the following:

Complaints or orders issued by the Building Official pursuant to this Ordinance shall be served upon persons either personally or by registered mail, but if the whereabouts of such persons is unknown and the same cannot be ascertained by said Building Official in the exercise of reasonable diligence, and the said Building Official shall make an affidavit to that effect, then the serving of such complaint or order upon such persons may be made by publishing the same once each week for two (2) successive weeks in a newspaper circulating in the Borough of Oceanport. A copy of such complaint or order shall be posted in a conspicuous place on the premises affected by the complaint or order, and a copy of such complaint or order shall be duly recorded or lodged for record with the county recording officer of the county in which the dwelling is located.

- I. Section P.M.-108.2, Hearing, is hereby deleted.
- J. Section P.M.-109.2, Penalty, is hereby changed and supplemented to read as follows:

Any person, firm or corporation who shall violate any provision of this code shall, upon conviction thereof, be subject to a fine of not less than twenty-five dollars (\$25) nor more than five hundred dollars (\$500) or imprisonment for a term not to exceed ninety (90) days, or both, at the discretion of the court. Each day that a violation continues after due notice has been served, in accordance with the terms and provisions hereof, shall be deemed a separate defense.

- K. Section P.M.-109.4, Petition, Issue and Cause, Hearing, is hereby added as a new section to read as follows:

Whenever a petition is filed with the Building Official by a public authority, as defined in N.J.S.A. 40:48-2.4, or by at least five (5) residents of the municipality, charging that any dwelling is unfit for human habitation, as herein defined, or whenever it appears to the Building Official on his own motion, that any dwelling is unfit for human habitation, as herein defined, he shall, if his preliminary investigation discloses a basis for such charges, issue and cause to be served upon the owner of and parties in interest in such dwelling a complaint stating the charges in that respect and containing a notice that a hearing will be held before the Building Official or his designated agent, at a place therein fixed, not less than ten (10) days nor more than thirty (30) days after the serving of said complaint; that the owner and parties in interest shall be given the right to file an answer to the complaint and to appear in person or otherwise and give testimony at the time and place fixed in the complaint; and that the rules of evidence prevailing in courts of law shall not be controlling in hearings before the Building Official.

- L. Section P.M.-109.5, Determination of Unfitness, is hereby added as a new Section to read as follows:

If, after such notice and hearing, the Building Official determines that the dwelling under consideration is unfit for human habitation, as herein defined, he shall state in writing his findings of fact in support of such determination and shall issue and cause to be served upon the owner thereof and parties in interest an order requiring:

- A. The repair, alteration or improvement of the said building to be made by the owner within a reasonable time, which time shall be set forth in the order, or, at the option of the owner, to vacate or to have said building vacated and closed within the time set forth in the order.
- B. If the building is in such condition as to make it dangerous to the health and safety of persons on or near the premises and the owner fails to repair, alter or improve the said building within the time specified in the order, that the owner remove or demolish the said building within a reasonable time as specified in said order of removal.
- C. That, if the owner fails to comply with an order to repair, alter or improve, or, at the option of the owner, to vacate and close the building, the Building Official

may cause such buildings to be repaired, altered or improved, or to be vacated and closed.

D. That, if the owner fails to comply with an order to remove or demolish the building, the Building Official may cause such building to be removed or demolished or may contract for the removal or demolition thereof after advertisement for and receipt of bids therefor.

E. That the amount of:

- (1) The cost of the filing of legal papers, expert witnesses' fees, search fees and advertising charges incurred in the course of any proceeding taken under this ordinance determined in favor of the municipality, and,
- (2) Such cost of such repairs, alterations or improvements, or vacating and closing or removal or demolition, if any, or the amount of the balance thereof remaining after deduction of the sum, if any, realized from the sale of materials derived from such building or from any contract for removal or demolition thereof,

shall be a municipal lien against the real property upon which such cost was incurred. If the building is removed or demolished by the Building Official, he shall sell the materials of such a building. There shall be credited against the cost of the removal or demolition thereof, the proceeds of any sale of such materials or any sum derived from any contract for the removal or demolition of the building. If there are no such credits or if the sum total of such costs exceeds the total of such credits, a detailed statement of the aforesaid costs and the amount so due shall be filed with the Municipal Tax Assessor or other custodian of the records of tax liens, and a copy thereof shall be forthwith forwarded to the owner by registered mail. If the total of the credits exceeds such costs, the balance remaining shall be deposited in the Superior Court by the Building Official, shall be secured in such a manner as may be directed by such Court and shall be disbursed according to the order or judgment of the Court to the persons found to be entitled thereto by final order or judgment of such Court; provided, however, that nothing in this section shall be construed to impair or limit in any way the power of the municipality to define and declare nuisances and to cause their removal or abatement, by

summary proceedings or otherwise. Any owner or party in interest may, within sixty (60) days from the date of the filing of the lien certificate, proceed in a summary manner in the Superior Court to contest the reasonableness of the amount or the accuracy of the costs set forth in the municipal lien certificate.

- M. Section P.M.-11-.0, Right to Appeal, is hereby deleted.
- N. Section P.M.-112, Certificate of Occupancy, is hereby added as a new section to read as follows:

No owner, owner of rental properties, agent of owner, real estate agent or broker, firm, company, partnership, corporation or person or persons shall sell, rent, transfer, grant, lease, let, mortgage with right of occupancy or otherwise dispose of the ownership or occupancy thereof, whether or not for a consideration and whether such disposal of ownership or occupancy be temporary or permanent, any dwelling unit, hotel, motel, rooming unit, boardinghouse or premises on which a building is located and is used for human occupancy, unless a certificate of occupancy certifying that the building and premises are in compliance with all other ordinances of the Borough of Oceanport. Such certificate of occupancy shall be granted or denied within ten (10) days from the date of the application for same.

- A. The Building Official shall cause to be prepared appropriate application forms for such certificate of occupancy, which forms shall be available at the office of the Borough Clerk,
- B. The Building Official shall also cause to be prepared appropriate forms of such certificate of occupancy.
- C. A charge of twenty-five dollars (\$25) for rentals and twenty-five dollars (\$25) for transfers of ownerships to cover the cost of inspection in connection with such application shall be paid to the Borough Clerk at the time the application is filed and shall not be refundable.
- D. Whenever the Building Official shall have made an inspection of any property as herein provided in connection with a proposed sale of such property and upon determining that one (1) or more violations of this code exist, the Building Official shall, upon request of the owner of such property, distinguish between those violations which may endanger the public health or safety and those which do not. All

public health or safety violations shall be corrected immediately. Upon receipt of a letter signed by any prospective purchaser of such property acknowledging the existence of those violations which do not endanger the public health or safety and accepting responsibility for the corrections of such violations, the Building Official may issue a conditional certificate of occupancy enumerating the violations remaining to be corrected and specifying the time within which such violations should be corrected, which time shall be commensurate with the nature of the violations to be corrected.

- O. Section P.M. 201.0, Applied Meaning of Words and Terms, is hereby changed and a definition added as follows:

The definition of "building official" is changed to read as follows:

BUILDING OFFICIAL - The person who is designated by the municipality to enforce building, zoning or similar laws and this code, or his duly authorized representative.

- P. Section P.M. 301.10.1, Residential Areas, is hereby supplemented to read as follows:

Except as provided in other regulations, not more than one currently unregistered and/or uninspected motor vehicle shall be parked on any property in a residential district, and said vehicle shall not at any time be in a state of major disassembly, disrepair nor shall it be in the process of being stripped or dismantled, nor shall said vehicle remain on the property for longer than a six (6) month period of time. A vehicle of any type shall not at any time undergo major overhaul, including body work in a residential district.

- Q. Section P.M. 301.10.2, Non-residential Areas, is hereby supplemented to read as follows:

Except as provided in other regulations and approved by the code official, not more than two (2) currently unregistered and/or uninspected motor vehicles shall be permitted on any property in a non-residential district, and any vehicle shall not at any time be in a state of major disassembly, disrepair nor shall it be in the process of being stripped or dismantled, nor shall said vehicle remain on the property for longer than a six (6) month period of time.

- R. Section P.M. 601.3, Cooking and Heating Equipment, is hereby supplemented to read as follows:

All cooking and heating equipment, components,

and accessories in every heating, cooking and water heating device shall be maintained free from leaks and obstructions, and kept functioning properly so as to be free from fire, health and accident hazards. All installations and repairs shall be made in accordance with the provisions of the building code or other laws or ordinances applicable thereto. Portable cooking equipment employing flame is prohibited, except for approved residential type food trays or salvers which are heated by a candle or alcohol lamp.

Every space heating, cooking, and water heating device located in a dwelling or multifamily dwelling shall be properly installed, connected and maintained, and shall be capable of performing the function for which it was designated in accordance with the provisions of the Building Code.

SECTION 4. Severability and Validity. The Borough of Oceanport hereby declares that should any section, paragraph, sentence or word of this ordinance or of the code hereby adopted be declared for any reason to be invalid or unconstitutional, it is the intent of the Borough of Oceanport that it would have passed all other portions of this Ordinance independent of the elimination herefrom of any such portion as may be declared invalid.

SECTION 5. Effective Date. This ordinance and the code adopted hereby shall take effect upon final passage and publication according to law.

Passed and approved by Mayor and Council February 7, 1985.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE ENTITLED "THE
SWIMMING POOL ORDINANCE OF
THE BOROUGH OF OCEANPORT"

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth and State of New Jersey, as follows:

Section 1. DEFINITIONS.

A. "Swimming Pool, Commercial" means a swimming pool that is operated for profit and open to the public or to a limited number of members and their guests, upon payment of an hourly, daily, weekly, monthly annual or other fee or operated as a service rendered by a hotel, motel or apartment development whose units are rented to transient or permanent residents.

B. "Swimming Pool, Private" means a swimming pool located on a single-family lot with a residence on it and used as an accessory to the residence, and said pool is utilized with no admission charges and not for the purposes of profit.

Section 2. TYPES OF POOLS.

A. Permanent underground.

B. Permanent above ground: above ground pools equipped with fences built above the top level of the pool.

C. Temporary above ground: above ground pools not equipped with fences built above the top level of the pool.

D. Wading Pool: shall mean and include artificially constructed pools not designated or used for swimming with a maximum area not exceeding 120 square feet and a maximum water depth not exceeding 12 inches.

Section 3. LIGHTING.

All lighting fixtures for a private swimming pool shall be installed so as to comply with all applicable safety regulations, and shall be shielded so as to prevent any direct beam of light from shining on any adjoining property.

Section 4. ELECTRIC LINES.

No overhead electric lines shall be carried across any swimming pool or wading area.

Section 5. BUILDING PERMIT.

It shall be unlawful to establish or construct a swimming pool without first obtaining a permit in the manner hereinafter prescribed. No permit shall be required for a wading pool.

Section 6. APPLICATION.

Application for permits for the construction and

maintenance of any swimming pool, as defined, shall be made to the Construction Official by the owner of the property upon which it is to be constructed or by the contractor who will construct the same. The application shall be accompanied by duplicate sets of plans, specifications and plot plans of the property. The plot plan shall show the location of the proposed pool on the property, together with any proposed accessory buildings. The plot plan shall also show the location, type and height of fencing or enclosure as may be required by this ordinance. Such plot plan shall further indicate if the proposed pool will be higher than the existing grade of the property and if so by how much. No permit will be issued until a Borough Building Official has inspected the premises upon which the pool will be constructed.

Section 7. FEES.

Fees for the construction of a swimming pool shall be based upon the cost of the pool and all installations, including fencing, filter, etc. The fees shall be \$5.00 per \$1,000.00 of cost and shall be payable at the time of application. The minimum fee shall be \$25.00. Additional engineering fees may be required as hereinafter provided.

Section 8. LOCATION.

An outdoor private swimming pool shall be located not less than ten (10) feet from the side or rear of the residence on a building lot, nor shall such pool be located less than ten (10) feet from any property line. No pool, pool fence or pool accessory shall be located in a front yard.

Section 9. DRAINAGE.

If, in the opinion of the Building Official, a drainage problem may be created by the construction of a pool, a drainage plan shall be furnished by the applicant. Such a plan must be prepared by a licensed engineer and show contours at one (1) foot intervals. Such plan shall include the property upon which the pool will be installed and all adjacent properties. The plan shall be presented to the Borough Engineer for his review and approval. All engineering fees shall be borne by the applicant.

Section 10. PUMP LOCATION.

The pump of a filtration or pumping station of a private swimming pool shall be located not less than ten (10) feet from any side or rear property line.

Section 11. ENCLOSURE.

A. Permanent underground pools shall be surrounded entirely by a fence, with no opening greater than a two (2) inch square, and capable of holding a live load of two hundred fifty (250) pounds between posts located not more than eight (8) feet apart; however, side(s) of the residence may serve as part of the enclosure. The fence shall be located not less than six (6)

feet from the closest edge of the pool. Fences shall at least be four (4) feet high and, if made of wire, must be of the chain link type. All supporting structures shall be on the inside of the fence.

B. Permanent above ground pools constructed with an attached fence at least four (4) feet in height above ground level and capable of holding a live load of two hundred fifty (250) pounds between posts located not more than eight (8) feet apart shall need no additional fencing.

C. Temporary above ground pools, when not in use, must be emptied or covered with a suitable protective covering, securely fastened or locked in place unless enclosed by a fence meeting the requirements for a permanent underground pool.

Section 12. GATE.

Any opening or openings in the fence to afford entry to the pool shall be equipped with a gate similar to the fence and shall extend from not more than two (2) inches above the ground to the height of the fence. The gate shall be of a self-closing type, opening outwardly only, be equipped with a lock and key or padlock and chain, and shall be kept locked, except when the pool is in use. In the case of an above ground pool where a ladder is required for entry and exit, a method must be provided for such ladder to be locked in the up position and must be so locked at all times when the pool is not in use.

Section 13. WATER SUPPLY.

There shall be no physical connection between a potable public or private water-supply system and swimming pool below the maximum water line of the pool or to a recirculating or heating system of such pool. The piping system shall be designed to circulate the pool water through filtering equipment. Potable water shall feed the pool with a down spout with an air gap not less than six (6) inches from the pool overflow level. Potable water siphons will not be permitted to drain the pools. The installations, repair and control of plumbing facilities shall comply with the Plumbing and Sanitary Codes of the Borough of Oceanport. All circulating units shall have sufficient capacity to recirculate the entire contents of the pool within eight (8) hours or less.

Section 14. CERTIFICATE OF COMPLETION.

A Certificate of Completion must be issued by the Construction Official before a pool may be used. No certificate will be issued until all of the foregoing requirements have been complied with.

Section 15. REGULATIONS.

A. Nuisance. Any nuisance which may exist or develop in or in consequence of or in connection with any swimming pool shall be abated and/or removed by the owners.

B. Mechanical defects and supervision. Whenever any swimming pool by reason of mechanical defects or lack of supervision is, in the opinion of the Board of Health, polluted and detrimental to health, it shall be closed to use.

C. Operation and maintenance. Any accessory buildings or any other physical facility or equipment incident to the maintenance and operation of any swimming pool shall be in conformance with the rules and regulations of both the Board of Health and the Building Inspector of the Borough of Oceanport.

Section 16. SANITATION STANDARDS.

All private swimming pools shall be constructed, installed and maintained as to provide necessary equipment for chlorination and other disinfection and filtering to comply with approved bacteriological standards as may be promulgated by regulations issued by the Board of Health of the Borough of Oceanport. Such water treatment facilities shall be located below grade or, if above grade, be enclosed by a suitable structure.

Section 17. ENFORCEMENT.

It shall be the duty of the Board of Health and/or the Construction Official to enforce the provisions of this ordinance. It shall also be the duty of the owner of any pool to allow the Board of Health and/or the Building Official access to any swimming pool or wading pool and appurtenances thereto for the purpose of inspection and to ascertain compliance with this ordinance and all other pertinent ordinances, at all reasonable times.

Section 18. VIOLATIONS AND PENALTIES.

Any person, partnership, association or corporation or any member thereof or officer of same who violates this ordinance or any part thereof shall, upon conviction in the Municipal Court, forfeit and pay a fine not exceeding one hundred (\$100.) dollars for the first offense and not exceeding two hundred (\$200.) dollars for each subsequent offense.

Section 19. REPEAL OF INCONSISTENT ORDINANCES.

All ordinances or parts of any ordinance inconsistent with the provision of this ordinance are hereby repealed.

Section 20. EFFECTIVE DATE.

This ordinance shall take effect upon its passage and publication as provided by law.

Passed and approved by Mayor and Council February 7, 1985.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE VACATING A PORTION
OF MAPLE AVENUE WHICH WAS
PREVIOUSLY DEDICATED AS A PUBLIC
STREET BUT NEVER OPENED AND
EXTINGUISHING PUBLIC RIGHT THEREUNDER

WHEREAS, there appears on the official tax map of the Borough of Oceanport, a certain "paper street" commonly known as Maple Avenue; and

WHEREAS, this street is not opened to the public and it appearing to the governing body that the public interest would be better served by releasing a portion of said lands from said dedication;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Oceanport, in the County of Monmouth and State of New Jersey, as follows:

Section 1. That the public rights, if any, arising from that portion of a street known as Maple Avenue, appearing on the Official Tax Map of the Borough of Oceanport, and described as follows:

BEGINNING at a monument in the southwesterly line of Eatontown-Long Branch Boulevard at the northwesterly corner of lot No. 1 as shown on "Map of Oceanport Plaza, Oceanport, N.J. Sub-division of Lot 8, Block 87, Borough of Oceanport, N.J." George D. Cooper, C.E. Red Bank, N.J. August 25, 1924; thence

- (1) Northwesterly along the southwesterly line of Eatontown-Long Branch Boulevard 45 feet to a monument; thence
- (2) Southwesterly 273 feet more or less; to another monument marking the northwesterly corner of Lot No. 37 on said map; thence
- (3) South 42 degrees 54 minutes east along the northeasterly ends of Lots Nos. 37, 36, 35, 34 and part of 33 as shown on said map, 215 feet more or less, to a point distant 20 feet southerly from the northwesterly corner of Lot No. 33 as shown on said map; thence
- (4) Northeasterly at right angles to the last aforecourse 45 feet to a point; thence
- (5) Northwesterly parallel with the third course herein 170 feet to a monument at the southwesterly corner of Lot No. 38 as shown on said map; thence
- (6) Northeasterly parallel with the second course herein 230 feet more or less, to the point or place of Beginning. Within premises being a portion of Maple Avenue as shown on said map above referred to.

Is hereby vacated and the public right arising from said dedication is released and extinguished.

Section 2. This Ordinance shall take effect upon final passage and publication as provided by law.

Passed and approved by Mayor and Council February 7, 1985.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE PURSUANT TO LOCAL CAP LAW CONCERNING THE 1985 MUNICIPAL BUDGET OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY

WHEREAS, P.L. 1976 C. 68, the Local Cap Law, provided that in the preparation of its budget a municipality shall limit any increase in said budget to 5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, P.L. 1983, C. 49, amending said Local Cap Law, permits municipalities to increase final appropriations by a percentage rate greater than 5% but not exceeding the index rate as defined in that amendatory law, in any year in which said index rate exceeds 5%, when authorized by ordinance; and

WHEREAS, the index rate for 1985 has been certified by the Director of the Division of Local Government Services in the Department of Community Affairs as 7.5%; and

WHEREAS, the Borough Council of the Borough of Oceanport finds it advisable and necessary to increase its 1985 budget by more than 5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Borough Council hereby determines that a 1.5% increase in the budget for said year, amounting to \$21,116.64 in excess of the increase in final appropriations permitted by a 5% Cap, is advisable and necessary; and

WHEREAS, this additional amount will be appropriated for the purpose set forth below, increasing the total appropriation for such purpose from what would otherwise be provided under the limitations of a 5% Cap, as also set forth below:

| | |
|---------------------------|--------------|
| Police - Salaries & Wages | \$ 21,116.64 |
| Amount if Adopted | \$511,466.52 |
| Amount if Not Adopted | \$490,349.88 |

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Oceanport that the 1985 Municipal Budget be approved and adopted increasing final appropriations as permitted by P.L. 1983, C. 49 and as prescribed above, a majority of the full authorized membership of this Governing Body affirmatively concurring; and

BE IT ALSO ORDAINED that a certified copy of this ordinance as introduced, be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance, upon adoption with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Passed and approved by Mayor and Council 4/4/85.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED
"AN ORDINANCE TO FIX AND DETERMINE THE SALARIES
OF CERTAIN BOROUGH OFFICIALS" PASSED AND APPROVED
ON MARCH 16, 1939

BE IT ORDAINED by the Mayor and Council of the Borough of
Oceanport, in the County of Monmouth, State of New Jersey, as
follows:

1. That Section 1 of the ordinance entitled "An Ordinance
to Fix and Determine the Salaries of Certain Borough Officials"
passed and approved on March 16, 1939, be and the same is hereby
amended to read as follows:

SECTION 1: The yearly salaries of the officials and
employees herein named beginning January 1, 1985, be and the
same is hereby amended to read as follows:

A. ADMINISTRATIVE AND EXECUTIVE

| | |
|--------------------------|-----------|
| Mayor | \$ 1,500. |
| Councilpersons, each (6) | 1,000. |
| Administrator | 7,394. |
| Borough Clerk | 20,079. |
| Secretary | 10,255. |

B. FINANCIAL ADMINISTRATION

| | |
|------------------|---------|
| Treasurer | 14,902. |
| Bookkeeper | 15,868. |
| Tax Office Clerk | 9,450. |

C. BOARD OF ASSESSORS

| | |
|------------------|---------|
| Assessor | 13,420. |
| Deputy | 2,320. |
| Deputy | 2,000. |
| Assessment Clerk | 2,480. |

D. COLLECTION OF TAXES

| | |
|---------------|--------|
| Tax Collector | 8,128. |
|---------------|--------|

E. MUNICIPAL COURT

| | |
|-----------------------|--------|
| Municipal Court Judge | 6,400. |
| Court Clerk | 3,690. |
| Deputy Court Clerk | 1,567. |
| Municipal Prosecutor | 2,500. |

F. BUILDINGS AND GROUNDS

| | |
|-----------|--------|
| Custodian | 8,957. |
|-----------|--------|

G. PLANNING BOARD

| | |
|-----------|--------|
| Secretary | 2,100. |
|-----------|--------|

H. ZONING BOARD OF ADJUSTMENT

| | |
|-----------|-----------|
| Secretary | \$ 1,150. |
|-----------|-----------|

I. ENVIRONMENTAL COMMISSION

| | |
|-----------|------|
| Secretary | 250. |
|-----------|------|

J. POLICE DEPARTMENT

| | |
|--------------------|---------|
| Chief | 31,574. |
| Captain | 29,025. |
| Detective Sergeant | 28,020. |
| Sergeants | 27,625. |
| Detective | 26,549. |

| | |
|--|---------|
| Patrolman I (Commencing fifth year and each year thereafter) | 26,150. |
|--|---------|

| | |
|--|---------|
| Patrolman II (Commencing fourth year of service) | 23,310. |
|--|---------|

| | |
|--|---------|
| Patrolman III (Commencing third year of service) | 18,865. |
|--|---------|

| | |
|--|---------|
| Patrolman IV (Commencing second year of service) | 17,860. |
|--|---------|

| | |
|--|---------|
| Patrolman V (Commencing first year of service) | 15,460. |
|--|---------|

| | |
|---|---------|
| Dispatchers (Third year of employment and each year thereafter) | 13,347. |
|---|---------|

| | |
|---|---------|
| Dispatchers (Second year of employment) | 12,651. |
|---|---------|

| | |
|--|---------|
| Dispatchers (First year of employment) | 11,554. |
|--|---------|

| | |
|---------------|--------|
| Records Clerk | 1,400. |
|---------------|--------|

| | |
|------------------------|--------|
| School Crossing Guards | 3,635. |
|------------------------|--------|

K. PUBLIC WORKS DEPARTMENT

| | |
|-----------------------------|---------|
| Public Works Superintendent | 23,000. |
|-----------------------------|---------|

| | |
|-----------------|---------|
| Road Supervisor | 20,424. |
|-----------------|---------|

| | |
|----------|---------------------|
| Helper I | \$11,000. - 13,500. |
|----------|---------------------|

| | |
|-----------|------------------|
| Helper II | 9,500. - 12,000. |
|-----------|------------------|

| | |
|------------|------------------|
| Helper III | 9,000. - 11,000. |
|------------|------------------|

| | |
|--------------------------|--------|
| Extra Labor and Overtime | 4,000. |
|--------------------------|--------|

L. RECREATION AND EDUCATION

| | |
|---------------------|--------|
| Recreation Director | 3,000. |
|---------------------|--------|

| | |
|---------------------------------------|--------|
| Recreation Aides & Assistants (total) | 4,000. |
|---------------------------------------|--------|

| | |
|--------------------|------|
| Building Custodian | 500. |
|--------------------|------|

| | |
|------------------|--------|
| Welfare Director | 1,200. |
|------------------|--------|

| | |
|-----------|--------|
| Librarian | 1,664. |
|-----------|--------|

| | |
|----------------------------------|-----------|
| Construction Official | \$ 7,600. |
| Building Subcode Official | 3,500. |
| Plumbing Subcode Official | 3,325. |
| Fire Prevention Subcode Official | 2,600. |
| Housing Inspector | 1,500. |

M. CASUAL LABOR - \$3.75 - \$4.25 per hour.

N. LONGEVITY will be allowed at the rate of \$300.00 for the first five (5) years of service completed and \$300.00 for every five (5) years of service completed thereafter, by all full time employees. (40 hours per week, 52 weeks per year) This provision shall be retroactive to January 1, 1985.

Passed and approved by Mayor and Council April 18, 1985.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE AMENDING AND SUPPLEMENTING AN ORDINANCE ENTITLED "AN ORDINANCE OF THE BOROUGH OF OCEANPORT ESTABLISHING A STATE UNIFORM CONSTRUCTION CODE ENFORCING AGENCY, A CONSTRUCTION FEE SCHEDULE, AND A CONSTRUCTION BOARD OF APPEALS PURSUANT TO CHAPTER 217, LAWS OF NEW JERSEY 1975, AND TITLE 5, CHAPTER 23 OF THE NEW JERSEY ADMINISTRATIVE CODE" PASSED AND APPROVED ON DECEMBER 16, 1976.

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth, State of New Jersey, as follows:

Section 1. Chapter 30-3A of a codified Ordinance of the Borough of Oceanport known as "An Ordinance of the Borough of Oceanport Establishing a State Uniform Construction Code Enforcing Agency, A Construction Fee Schedule, and A Construction Board of Appeals Pursuant to Chapter 217, Laws of New Jersey 1975, And Title 5, Chapter 23 of the New Jersey Administrative Code" passed and approved on December 16, 1976, be and the same is hereby Amended to read as follows:

Chapter 30-3. FEES.

A. The Fee for a Construction Permit shall be the sum of the subcode fees listed in (1) through (3) hereof and shall be paid before the permit is issued.

(1) The Building Subcode Fee shall be:

- (a) For new construction of any building or structure classified within use groups B, H, I, M, R or U under the BOCA Basic Building Code adopted by the State of New Jersey, and all amendments and supplements thereto, .01 cent per cubic foot of building or structure volume; provided that the minimum fee shall be \$10.00.
- (b) For new construction of any building or structure classified within use groups A, F or S under the BOCA Basic Building Code adopted by the State of New Jersey, and all amendments and supplements thereto, .006 cents per cubic foot of building or structure volume; provided that the minimum fee shall be \$15.00.
- (c) For renovations, alterations and repairs, \$6.00 per \$1,000.00 of estimated cost of work; provided that the minimum fee shall be \$12.00.

- (d) For additions, .01 cent per cubic foot of building or structure volume for the added portions; provided that the minimum fee shall be \$15.00.
 - (e) For combinations of renovations and additions, the sum of the fee is computed separately as renovations and additions.
- (2) The plumbing subcode fees shall be the same as those provided for in § 72-4 of Chapter 72 of the codified ordinances of the Borough of Oceanport, which section is hereby incorporated by reference, along with the standard application fee of seven dollars (\$7.).
 - (3) The electrical fee shall be collected by the agency performing the inspections until such time as the Borough of Oceanport enters into a contract with an electrical inspection agency or appoints its own Electrical Subcode Official.
 - (4) The fee for plan review shall be ten percent (10%) of the total of subcode fees of the amount to be charged for the construction permit and shall be paid before the plans are reviewed. The amount paid for this fee shall be credited toward the amount of the fee to be charged for the construction permit.
 - (5) The fee for a permit for demolition of a building or structure shall be fifty dollars (\$50.).
 - (6) The fee for a permit for the removal of a building or structure from one lot to another or to a new location on the same lot shall be three dollars (\$3.) per one thousand dollars (\$1,000.) of the sum of the estimated costs for moving, for the new foundations and for placement in a completed condition in the new location, provided that the minimum fee shall be fifty dollars (\$50.).
 - (7) The fee for a permit to construct a sign shall be a flat fee of twenty-five dollars (\$25.) or fifty cents (\$0.50) per square foot of the surface area of the sign, provided that the minimum fee shall be twenty-five dollars (\$25.). In the case of double-faced signs, the area of the surface of only one (1) side of the sign shall be used for purposes of the fee computation.

(8) Certificates of Occupancy.

- (a) The fee for a certificate of continued occupancy shall be twenty-five dollars (\$25.).
- (b) The fee for a certificate of occupancy granted pursuant to a change of use shall be twenty-five dollars (\$25.).
- (c) The fee for a multiple certificate of occupancy shall be twenty-five dollars (\$25.).
- (d) The fee for a certificate of occupancy for new construction shall be twenty-five (\$25.).
- (e) The fee for a conditional certificate of occupancy shall be ten dollars (\$10.).

(9) Elevators

- (a) The fee for a permit for installation of an elevator shall be ten dollars (\$10.).
- (b) The fee for inspection of an elevator shall be five dollars (\$5.).

- (10) The fee for a permit to install a fireplace, fireplace insert or a wood or coal stove shall be fifteen dollars (\$15.).

Section 2. All Ordinances and Resolutions or parts of Resolutions inconsistent with this Amending Ordinance be and same are repealed.

Section 3. This Ordinance shall become effective upon final passage and publication according to law.

Passed and approved by Mayor and Council May 16, 1985.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE AMENDING AND
SUPPLEMENTING AN ORDINANCE
ENTITLED "THE SOIL REMOVAL
ORDINANCE OF THE BOROUGH OF
OCEANPORT" PASSED AND
APPROVED ON APRIL 15, 1982.

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport in the County of Monmouth, State of New Jersey, as follows:

Section 1. Chapter 50-4A of an Ordinance of the Borough of Oceanport known as "The Soil Removal Ordinance of the Borough of Oceanport" passed and approved on April 15, 1982, be and the same is hereby Amended to read as follows:

Chapter 50-4. Fees.

- A. Along with the application, there shall be deposited with the Borough Clerk a permit fee calculated in accordance with the following schedule:

CUBIC YARDS
OF SOIL TO
BE MOVED

PERMIT FEE

Up to 200

\$ 50.00

Above 200

100.00 plus a sum computed at \$0.10 per cubic yard multiplied by the number of yards in excess of 500.

Section 2. All Ordinances and Resolutions or parts of Resolutions inconsistent with this Amending Ordinance be and the same are hereby repealed.

Section 3. This Ordinance shall become effective upon final passage and publication according to law.

Passed and approved by Mayor and Council May 16, 1985.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE AUTHORIZING
THE SALE OF PREMISES
KNOWN AS LOT 8, BLOCK 18
ON THE TAX MAP OF THE
BOROUGH OF OCEANPORT

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth and State of New Jersey as follows:

Section 1. The following findings of fact regarding premises known as Lot 8, Block 18 on the Tax Map of the Borough of Oceanport (hereinafter referred to as "the subject property") are hereby made and determined:

- a. That the subject property is not needed for public use and may be sold at private sale pursuant to the provisions of N.J.S.A. 40A:12-13(b).
- b. That the subject property is without any capital improvements thereon and is less than the minimum size required for development under municipal zoning ordinance.
- c. That the fair market value of the subject property is \$8,000.00.
- d. That Thomas P. Wenner and Theresa A. Wenner are the sole owners of privately owned property contiguous to the subject property, such privately owned property being Lot 9, Block 18 on the Tax Map of the Borough of Oceanport.

Section 2. The Borough shall be authorized to sell and convey the subject property to Thomas P. Wenner and Theresa A. Wenner upon the following terms and conditions:

- a. The purchase price shall be \$8,000.00.
- b. A deposit of \$800.00 shall be paid by certified or bank cashier's check upon the execution of a Contract of Sale, which deposit shall be held by the Borough Attorney until the closing of title.
- c. The purchasers shall be responsible for the payment at closing of title of the fee to be charged by the Borough Attorney for services to be rendered in connection with the proposed sale, which fee shall not exceed \$300.00.
- d. Title shall be closed at the offices of the Borough Attorney not later than thirty (30) days following final passage of this ordinance,

at which time the balance of monies due from the purchasers shall be paid by certified or bank chasier's check.

Section 3. A copy of this ordinance shall be posted in a conspicuous place in the Municipal Building within five (5) days following final passage thereof.

Section 4. This ordinance shall take effect twenty (20) days following final passage and publication as required by law.

Passed and approved by Mayor and Council June 6, 1985.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "BOND ORDINANCE PROVIDING FOR THE COMPLETION OF CONSTRUCTION OF OLD WHARF PARK IN AND BY THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$52,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$50,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE COST THEREOF" PASSED AND APPROVED ON DECEMBER 28, 1983.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF OCEANPORT IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section 1. Ordinance Number 479 of the Borough of Oceanport entitled "Bond Ordinance Providing For The Completion of Construction of Old Wharf Park in and by the Borough of Oceanport, in the County of Monmouth, New Jersey, Appropriating \$52,500 Therefor And Authorizing the Issuance of \$50,000 Bonds or Notes of the Borough For Financing Part of the Cost Thereof" passed and approved on December 28, 1983, be and the same is hereby amended as follows:

A. The total sum appropriated in Section 1 of such Bond Ordinance is amended to read \$202,500 and the amount of the down payment in such section is amended to read \$10,000.

B. The principal amount of the negotiable bonds authorized to be issued in Section 2 of said ordinance is amended to read \$200,000.

C. Section 3 (a) is amended to read as follows:

The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the completion of construction of Old Wharf Park, all as shown on and in accordance with the plans and specifications therefor on file in the office of the Clerk; which plans are hereby approved. As an additional purpose for such financing there is included herein the reconstruction of certain premises known as Lot 2 in Block 103 to be used as a senior citizen center and to be incorporated in and made a part of Old Wharf Park.

D. The estimated maximum amount of bonds or notes to be issued for the improvement or purpose in Section 3 (b) of said ordinance is amended to read \$458,500.

E. The amount by which the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance as set forth in Section 6 (c) of said ordinance is amended to read \$200,000.

F. The aggregate amount for items of expense listed in and permitted under N.J.S.A. 40A:2-20 set forth in Section 6 (d) of said ordinance is amended to read \$10,000.

Section 2. All ordinances or part of ordinances inconsistent with the Amending Ordinance be and the same are hereby repealed.

Section 3. This Amended Bond Ordinance shall take effect twenty days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Passed and approved by Mayor and Council July 18, 1985.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE TO IMPLEMENT
THE PROVISIONS OF THE UNIFORM
FIRE SAFETY ACT (P.L. 1983, C383)
IN AND FOR THE BOROUGH OF OCEANPORT,
COUNTY OF MONMOUTH AND STATE OF NEW JERSEY

WHEREAS, the Uniform Fire Safety Act, (P.L. 1983, C.383) was enacted for the purpose of establishing a system for the enforcement of minimum fire safety standards throughout the State of New Jersey; and

WHEREAS, the Uniform Fire Safety Act authorizes municipalities to provide for local enforcement and to establish local enforcement agencies for that purpose; and

WHEREAS, it is in the best interest of the Borough of Oceanport to have the Uniform Fire Safety Act enforced locally; and

WHEREAS, all fire departments, fire companies and fire districts have agreed to the plan, which is set forth herein, for the administration and enforcement of the Uniform Fire Safety Code.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Mayor and Governing Body of the Borough of Oceanport, in the County of Monmouth and State of New Jersey, as follows:

1. LOCAL ENFORCEMENT

Pursuant to Section II of the Uniform Fire Safety Act (P.L. 1983, C.383) the New Jersey Uniform Fire Code shall be fully enforced in the Borough of Oceanport.

2. AGENCY DESIGNATION

The local enforcing agency shall be the Bureau of Fire Prevention in the Fire Department of the Borough of Oceanport.

3. DUTIES

The local enforcing agency shall enforce the Uniform Fire Safety Act and the codes and regulations adopted under it in all buildings, structures and premises within the established boundaries of the Borough of Oceanport, other than owner-occupied one and two family dwellings, and shall faithfully comply with the requirements of the Uniform Fire Safety Act and the Uniform Fire Code.

4. LIFE HAZARD USES

The local enforcing agency established by Section II of this Ordinance shall carry out the periodic inspections of the life hazard uses required by the Uniform Fire Code on behalf of the Commissioner of Community Affairs.

5. ORGANIZATION

The local enforcing agency established by Section II of this Ordinance shall be part of the Bureau of Fire Prevention in the Fire Department of the Borough of Oceanport and shall be under the direct supervision and control of the Fire Marshal.

6. APPOINTMENTS, TERM OF OFFICE, REMOVAL

A. Appointment of Fire Official:

The local enforcing agency shall be under the supervision of a Fire Official who shall be appointed by the Mayor and Council of the Borough of Oceanport. In making this appointment, the appointing authority shall make the appointment from among a list of three recommendations provided by the Chief of the Fire Department.

B. Term of Office:

The Fire Official shall serve for a term of four (4) years.

C. Inspectors and Employees:

Such Inspectors and other employees as may be necessary in the local enforcing agency shall be appointed by the Mayor and Council upon the recommendation of the Fire Marshal.

D. Removal from Office:

Inspectors and other employees of the enforcing agency shall be subject to removal by the Mayor and Council for inefficiency or misconduct. Each Inspector or employee to be so removed shall be afforded an opportunity to be heard by the appointing authority or a designated hearing officer.

7. BOARD OF APPEALS

Pursuant to Sections 15 and 17 of the Uniform Fire Safety Act, any person aggrieved by any order of the local enforcing agency shall have the right to appeal to the Construction Board of Appeals of Monmouth County.

8. ADDITIONAL REQUIRED INSPECTIONS AND FEES

In addition to the inspection and fees required pursuant to the Act and the regulations of the Department of Community Affairs the following additional inspections and fees shall be required:

A. Mercantile businesses shall be inspected yearly with a fee schedule of:

\$35.00 for the first 1,000 sq. ft.
5.00 for each additional 1,000 sq. ft.

B. Factories shall be inspected yearly with a fee schedule of:

\$40.00 for the first 1,000 sq. ft.
50.00 for 1,001 to 3,500 sq. ft.
60.00 for 3,501 to 6,000 sq. ft.
70.00 for 6,001 to 10,000 sq. ft.
80.00 in excess of 10,000 sq. ft.

C. Warehouses shall be inspected yearly with a fee schedule of:

\$40.00 for the first 2,000 sq. ft.
50.00 for 2,001 to 5,000 sq. ft.
60.00 in excess of 5,000 sq. ft.

D. Repair shops and service businesses shall be inspected yearly with the same fee schedule as that pertaining to mercantile businesses.

E. Business offices (lawyers, doctors and other professional offices, barber shops and insurance offices) shall be inspected yearly with a fee schedule of:

\$20.00 for one (1) professional
10.00 for each additional professional

F. All other types of structures and facilities not otherwise described or included in this Section 8 shall be inspected yearly with the same fee schedule as that pertaining to mercantile businesses.

9. PERMITS

The Permit Fees established by the Uniform Fire Code shall be amended to be as follows:

Type 1 - \$25.00
Type 2 - \$50.00
Type 3 - \$75.00
Type 4 - \$100.00
Type 5 - \$300.00

10. FIRE LANE PARKING

A. The Fire Official may require and designate public or private fire lanes as deemed necessary for the efficient and effective use of fire apparatus.

B. Designated Fire Lanes shall be maintained free of obstructions and vehicles and marked in a manner prescribed by the Fire Official.

C. Violations of the Fire Lanes shall be punishable by a fine of not less than \$25.00 for the first offense and not less than \$100.00 for each repeated offense.

11. REPEALS

All former Ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance or of the code hereby adopted are hereby repealed.

12. EFFECTIVE DATE

This Ordinance shall take effect upon its passage and publication according to law.

Passed and approved by Mayor and Council July 18, 1985.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX AND DETERMINE THE SALARIES OF CERTAIN BOROUGH OFFICIALS" PASSED AND APPROVED ON MARCH 16, 1939.

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth, State of New Jersey as follows:

1. That Section 1, Paragraph L of an ordinance entitled "An Ordinance to Fix and Determine the Salaries of Certain Borough Officials" passed and approved on March 16, 1939, be and the same is hereby amended to read as follows:

SECTION 1: The yearly salaries of the officials and employees herein named beginning January 1, 1985 be and hereby are fixed respectively as follows:

L. RECREATION AND EDUCATION

| | |
|--|------------|
| Recreation Director | \$ 3,000.. |
| Recreation Aides & Assistants (Total) | 4,000. |
| Building Custodian | 500. |
| Welfare Director | 1,200. |
| Librarian | 1,664. |
| Construction Official | 7,600. |
| Building Inspector (effective 7/19/85) | 4,000. |
| Plumbing Subcode Official | 3,325. |
| Fire Prevention Subcode Official | 2,600. |
| Housing Inspector | 1,500. |

SECTION 2: All ordinances and resolutions or parts of ordinances and resolutions, inconsistent with this amending ordinance be and the same are hereby repealed.

SECTION 3: This amending ordinance shall become effective upon due passage and publication according to law.

Passed and approved by Mayor and Council September 5, 1985.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED "AN ORDINANCE TO IMPLEMENT THE PROVISIONS OF THE UNIFORM FIRE SAFETY ACT (P.L. 1983, C. 383) IN AND FOR THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY" PASSED AND APPROVED ON JULY 18, 1985.

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth and State of New Jersey as follows:

SECTION 1: AN Ordinance entitled "An Ordinance to implement the Provisions of the Uniform Fire Safety Act (P.L. 1983, C. 383) in and for the Borough of Oceanport, County of Monmouth and State of New Jersey" passed and approved on July 18, 1985, is hereby amended as follows:

(a) 1. LOCAL ENFORCEMENT

Pursuant to Section 11 of the Uniform Fire Safety Act (P.L. 1983, C. 383), the New Jersey Uniform Fire Code shall be fully enforced in the Borough of Oceanport.

(b) 6. D. REMOVAL FROM OFFICE

The Fire Official and inspectors and other employees of the enforcing agency shall be subject to removal by the Mayor and Council for inefficiency or misconduct. The Fire Official and each inspector or employee to be so removed shall be afforded an opportunity to be heard by the appointing authority or a designated hearing officer.

SECTION 2: The aforementioned ordinance is hereby supplemented by the addition of the following section:

10A. LEGAL COUNSEL

The Borough Attorney is hereby designated as legal counsel to the Bureau of Fire Prevention in its capacity as the local enforcing agency under the provisions of this Ordinance.

SECTION 3. All Ordinances or parts of Ordinances inconsistent with this Amending Ordinance be and the same are hereby repealed.

SECTION 4: This Ordinance shall become effective upon final passage and publication according to law.

Passed and approved by Mayor and Council October 3, 1985.

PATRICIA L. VARCA
BOROUGH CLERK

BOND ORDINANCE AMENDING IN ITS ENTIRETY BOND ORDINANCE NO. 479, FINALLY ADOPTED DECEMBER 28, 1983, AS AMENDED BY BOND ORDINANCE NO. 508, FINALLY ADOPTED JULY 18, 1985 BY THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY IN ORDER TO PROVIDE ADDITIONAL FUNDS FOR PURPOSES OF COMPLETION OF THE OLD WHARF PROJECT.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section One. Bond Ordinance no. 479 of the Borough of Oceanport, New Jersey, finally adopted December 28, 1983, as amended by bond ordinance no. 508 of the Borough, finally adopted July 18, 1985 and originally entitled, "Bond Ordinance Providing for the Completion of Construction of Old Wharf Park in and by the Borough of Oceanport, in the County of Monmouth, New Jersey, Appropriating \$52,500 Therefor and Authorizing the Issuance of \$50,000 Bonds or Notes of the Borough for Financing Part of the Cost Thereof," is hereby amended, in its entirety, to read as follows:

"Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Oceanport, New Jersey as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$202,500, including the sum of \$10,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment negotiable bonds are hereby authorized to be issued in the principal amount of \$192,500 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the completion of construction of Old Wharf Park and the reconstruction of certain premises known as Lot 2 in Block 103 to be used as a senior citizen center and to be incorporated in and made a part of Old Wharf Park, all as shown on and in accordance with the plans and specifications therefor on file in the office of the Clerk, which plans are hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget of the Borough of Oceanport is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 5 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such

statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$192,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$10,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law."

Section Two. The capital budget of the Borough of Oceanport is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section Three. This amending bond ordinance shall take effect 20 days after the first publication thereof after final adoption as provided by the Local Bond Law.

Passed and approved by Mayor and Council November 7, 1985.

PATRICIA L. VARCA
BOROUGH CLERK

BOND ORDINANCE APPROPRIATING \$70,000
AND AUTHORIZING THE ISSUANCE OF \$65,500
BONDS OR NOTES OF THE BOROUGH FOR
VARIOUS IMPROVEMENTS OR PURPOSES
AUTHORIZED TO BE UNDERTAKEN BY THE
BOROUGH OF OCEANPORT IN THE COUNTY
OF MONMOUTH, NEW JERSEY

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by the Borough of Oceanport, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor, and amounting in the aggregate to \$70,000 including the aggregate sum of \$3,500 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$70,000 appropriations not provided for by application hereunder of said down payments, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$66,500 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes negotiable notes of the borough in a principal amount not exceeding \$66,500 are hereby authorized to be issued pursuant to and within the limitations prescribed by said law. All such notes shall mature at such times as may be determined by the chief financial officer or such other financial officer designated by resolution for this purpose (both being hereafter referred to in this section as the "chief financial officer"); provided that no notes shall mature later than one year from its date. The notes shall bear interest at such rate or rates as may be determined by the chief financial officer and shall be in the form determined by him and his signature upon the notes shall be conclusive as to such determination. The chief financial officer is hereby authorized to sell the notes from time to time at public or private sale in such amounts as he may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof for payment therefore. Such officer is authorized and directed to report in writing to the governing body of the Local Unit at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made, such report to include the amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser. Such officer is further directed to

determine all matters in connection with said notes not determined by this ordinance and his signature upon said notes shall be conclusive as to such determination. All notes issued hereunder may be renewed from time to time for periods of not exceeding one (1) year for the time period specified in and in accordance with the provisions of N.J.S. 40A:2-8(a).

Section 3. The improvements hereby authorized and the purpose for the financing of which said obligations are to be issued, the appropriations made for and estimated cost of such purpose, and the estimated maximum amount of bonds or notes to be issued for such purpose, is as follows:

| <u>Improvement or Purpose</u> | <u>Appropriation and Estimated Cost</u> | <u>Estimated Maxi- mum Amount of Bonds or Notes</u> |
|---|---|---|
| (a) Acquisition and installation, including all necessary labor, materials, supplies and incidental equipment, of the following: | | |
| 1. Computer hardware (terminals/printers) in the police department for connection through the Monmouth County Police Computer System in accordance with plans and specifications therefor on file in the Office of the Borough Clerk. | | |
| 2. Data processing system for the Offices of the Treasurer and Tax Collector in accordance with plans and specifications therefor on file in the Office of the Borough Clerk. | \$70,000 | \$66,500 |

the excess of the appropriation made for the improvements or purpose aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this bond ordinance are not current expenses and are each a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or

shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purpose within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance is 15 years.

(c) The supplemental debt statement required by said Law has been duly made and filed in the office of the Borough Clerk and a complete duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$66,500 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said law.

(d) Amounts not exceeding \$17,500 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under section 40A:2-20 of said Law may be included in the foregoing estimate thereof.

Section 5. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 6. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption as provided by said Local Bond Law.

Passed and approved by Mayor and Council November 21, 1985.

PATRICIA L. VARCA
BOROUGH CLERK

ORDINANCE AUTHORIZING THE MAYOR AND
MUNICIPAL CLERK TO EXECUTE AN AGREEMENT
WITH MONMOUTH COUNTY TO MODIFY THE
INTERLOCAL SERVICES AGREEMENT DATED
SEPTEMBER 7, 1984

WHEREAS, certain Federal funds are potentially available to Monmouth County under Title I of the Housing and Community Development Act of 1977, commonly known as Community Development Block Grant Program; and

WHEREAS, it is necessary to amend an existing Interlocal Services Agreement for the County and its people to benefit from this Program; and

WHEREAS, an Agreement has been proposed under which the municipality of the Borough of Oceanport and the County of Monmouth in cooperation with other municipalities will modify an Interlocal Services Act pursuant to N.J.S.A. 40:8A-1; and

WHEREAS, it is in the best interest of the municipality of the Borough of Oceanport to enter into such an Agreement;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Governing Body of the Municipality of the Borough of Oceanport, that the Agreement entitled, "Agreement to Modify Interlocal Services Agreement Dated September 7, 1984 for the Purpose of Inserting A Description of Activities for the Twelfth Year Monmouth County Community Development Block Grant Program", a copy of which is on file in the Municipal Clerk's Office, be executed by the Mayor and Municipal Clerk in accordance with the provisions of law; and

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon its enactment.

Passed and approved by Mayor and Council November 21, 1985.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE TO AMEND AND
SUPPLEMENT AN ORDINANCE EN-
TITLED "THE TRAFFIC ORDINANCE
OF THE BOROUGH OF OCEANPORT,
COUNTY OF MONMOUTH AND STATE
OF NEW JERSEY" PASSED AND
APPROVED ON DECEMBER 3, 1970.

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth and State of New Jersey as follows:

SECTION 1: Section 64-28 of an Ordinance entitled "The Traffic Ordinance of the Borough of Oceanport, County of Monmouth and State of New Jersey" passed and approved on December 3, 1970, is hereby amended and supplemented as follows:

(a) Schedule II - No Stopping, Standing or Parking
Certain Hours.

A. In accordance with the provisions of Section 64-4, no person shall permit a vehicle to be stopped, standing or parked between the hours specified upon any of the following described streets or parts of streets:

| Name of Street | Sides | Hours | Location |
|--|-------|-------------------------------|---|
| Myrtle Avenue | Both | 11:00 a.m. to 8:00 p.m. | Entire length |
| Springfield Avenue | Both | 11:00 a.m. to 8:00 p.m. | Entire length |
| Woodbine Way | Both | 11:00 a.m. to 8:00 p.m. | Entire length |
| Fairfield Avenue | Both | 11:00 a.m. to 8:00 p.m. | Entire length |
| Summerfield Avenue | Both | 11:00 a.m. to 8:00 p.m. | Entire length |
| Port-au-Peck Avenue | Both | 11:00 a.m. to 8:00 p.m. | Wolf Hill Avenue to Branchport Avenue |
| Oceanport Avenue (EAST MAIN STREET) | Both | 11:00 a.m. to 8:00 p.m. | Bridgewaters Drive to Borough of Oceanport-Borough of West Long Branch corporate line |

B. The above Stopping, Standing and Parking prohibitions will be in effect during the official dated of the Monmouth Park Jockey Club racing season (approximately June 1 to September 1). Such prohibitions will also be in effect during any period that wagering commonly known as "simulcasting" is in effect; provided, however, that the hours of prohibition during any such period shall extend from 6:00 p.m. to midnight. Signs will be removed when the legal requirement is no longer in effect.

| Name of Street | Sides | Hours | Location |
|----------------|-------|---------------------------|---|
| Willow Court | East | 6:00 a.m. to 7:00 p.m. | Beginning at a point 35 feet south of the southerly curbline of Oceanport Avenue and extending 185 feet southerly thereof |
| Willow Court | North | 6:00 a.m. 7:00 p.m. | Beginning at point 100 feet south of Oceanport Avenue to the westerly terminus |

C. No person shall park a vehicle on any street between the hours of 2:00 a.m. and 5:00 a.m.

SECTION 2: All ordinances or parts of ordinances inconsistent with this Amending Ordinance be and the same are hereby repealed.

SECTION 3: This ordinance shall become effective upon final passage and publication according to law.

Passed and approved by Mayor and Council December 5, 1985.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE PURSUANT TO LOCAL CAP LAW CONCERNING
THE 1986 MUNICIPAL BUDGET OF THE BOROUGH OF OCEANPORT,
IN THE COUNTY OF MONMOUTH, NEW JERSEY

WHEREAS, P.L. 1976 C. 68-the Local Cap Law, provided that in the preparation of its budget a municipality shall limit any increase in said budget to 5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, P.L. 1983, C. 49 amending said Local Cap Law, permits municipalities to increase final appropriations by a percentage rate greater than 5% but not exceeding the index rate as defined in that amendatory law, in any year in which said index rate exceeds 5%, when authorized by ordinance; and

WHEREAS, the index rate for 1986 has been certified by the Director of the Division of Local Government Services in the Department of Community Affairs as 6%; and

WHEREAS, the Borough Council of the Borough of Oceanport finds it advisable and necessary to increase its 1986 budget by more than 5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Borough Council hereby determines that a 6% increase in the budget for said year, amounting to \$14,838.93 in excess of the increase in final appropriations permitted by a 5% Cap is advisable and necessary; and

WHEREAS, this additional amount will be appropriated for the purpose set forth below, increasing the total appropriation for such purpose from what would otherwise be provided under the limitations of a 5% Cap, as also set forth below:

| | |
|---------------------------|--------------|
| Police - Salaries & Wages | \$ 14,838.93 |
| Amount if Adopted | \$542,645.00 |
| Amount if Not Adopted | \$527,806.07 |

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Oceanport that the 1986 Municipal Budget be approved and adopted increasing final appropriations as permitted by P.L. 1983, C. 49 and as prescribed above, a majority of the full authorized membership of this Governing Body affirmatively concurring; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT ALSO ORDAINED that a certified copy of this ordinance, upon final adoption with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Passed and approved by Mayor and Council March 20, 1986.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE AUTHORIZING THE
ACQUISITION OF CERTAIN LANDS
OR INTERESTS THEREIN FOR PUBLIC
USE IN CONNECTION WITH THE
DEVELOPMENT OF A SENIOR CITIZEN'S
CENTER IN THE BOROUGH OF OCEANPORT,
COUNTY OF MONMOUTH AND STATE OF
NEW JERSEY

WHEREAS, the Borough Council of the Borough of Oceanport has declared as a public purpose the development of certain lands known and designated as lot 2 in block 103 on the official Tax Map for use as a Senior Citizen's Center, and

WHEREAS, there exists on said lands a structure consisting of four outdoor billboard signs, the removal of which is necessary for the aforementioned development, and

WHEREAS, the Borough has unsuccessfully attempted to acquire the interest of the owner of the aforementioned structure through negotiations and is now compelled to resort to acquisition through condemnation:

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport in the County of Monmouth and State of New Jersey as follows:

SECTION 1. The acquisition of the lands particularly set forth in the preamble hereof and any and all interests therein, together with all structures thereon, in connection with the development of a Senior Citizen's Center is hereby authorized.

SECTION 2. The Borough Attorney is hereby authorized and directed to commence acquisition of all interests in the said lands and to initiate condemnation proceedings against any and all owners of such interest with whom the Borough Attorney is unable to successfully negotiate in conformance with the appraised fair market value of any such interest as determined by the Borough Appraiser.

SECTION 3. The within Ordinance shall take effect immediately upon final passage and publication according to law.

Passed and approved by Mayor and Council March 20, 1986.

PATRICIA L. VARCA
BOROUGH CLERK

PERSONNEL MANUAL FOR THE
BOROUGH OF OCEANPORT,
COUNTY OF MONMOUTH AND
STATE OF NEW JERSEY

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth and State of New Jersey, as follows:

SECTION 1.. There is hereby adopted a Personnel Manual covering all employees of the Borough of Oceanport as follows:

Chapter 1 - General Policy

A. PERSONNEL MANUAL

1. Purpose

It is the purpose of this manual to establish a system of uniform and appropriate personnel policies and procedures that shall:

(a) seek a consistency in application of the rules and regulations to each employee,

(b) identify the personnel policies established and approved by Council,

(c) determine how and by whom the policies of this personnel manual is administered.

2. Scope

The scope of this manual includes a compilation of policies and procedures which govern and affect personnel administration for all Borough departments except those employees covered under the PBA labor agreement in the Borough of Oceanport.

3. Authority

The policies and procedures established herein and assembled as a Personnel Manual are promulgated by Ordinance adopted by the Oceanport Borough Council. Amendments to this manual may be made from time to time by action of the Borough Council.

The policies and procedures stated in this manual are not intended to abrogate, supercede or conflict with:

1. New Jersey State Statutes
2. Rulings formulated by the New Jersey or United States Courts

4. Distribution

The Personnel Manual shall be distributed to all department heads and elected officials of the Borough.

B. GENERAL PERSONNEL POLICY

1. There is hereby established in and for the Borough the following personnel policies relating to all present and future municipal employees of this Borough:

(a) To seek and to obtain for each position to be filled the highest type and best qualified person available.

(b) To provide for all employees the best possible direction, leadership, supervision, guidance, instruction and working conditions.

(c) To base promotion and job security on ability, performance, experience, character, integrity, attitude, interest and personality.

(d) To make the best possible use of employee skills and abilities in order to have each job performed by the best qualified person.

(e) To first consider qualified Borough personnel for promotion whenever there is an opportunity for advancement.

(f) To treat every employee with the justice, respect, courtesy and consideration properly due him.

(g) To expect and require every employee consistently to do the best work of which he is capable; to be loyal and conscientious at all times; to conduct himself in a proper manner; and to treat all with whom he comes in contact with the same consideration and courtesy that he could reasonably expect from them.

(h) To urge the self-betterment of every employee; to encourage him to study and seek all possible means of increasing his value, both to himself and to his community.

(i) To pay fair and adequate salaries for each position, and in return to expect and require consistently good jobs from the employee.

(j) To impress on all employees that at all times they are serving and responsible to the citizens and taxpayers of their community and the general public.

(k) To inculcate and to maintain in every employee of the Borough of Oceanport a feeling of pride in himself and his employer, as well as job satisfaction because he serves, lives in and is an important part of the finest community in the State of New Jersey.

(l) To encourage all employees to offer suggestions for doing a better job in less time, with less effort and at a lower cost.

(m) Continuity of employment shall be subject to good

behavior, satisfactory performance of work, necessity for the performance of work and availability of funds.

C. EQUAL EMPLOYMENT EMPLOYER

It is the policy of the Borough to ensure equal employment opportunity. The Borough shall not discriminate against any applicant or employee because of race, color, religion, sex, age, marital status, national origin, political affiliation or because of a handicap that does not interfere with his/her ability to perform the work of that position. Such a non-discriminatory policy shall also apply to promotion, demotion, transfer, layoff, discharge, training, wages, working hours, conditions of employment and employment privileges.

D. EMPLOYEE DEFINITIONS

For the purpose of this manual it is necessary to define the meaning of certain terms so that a clear understanding is established for all parties when these terms appear throughout the manual.

The following terms shall be construed as follows:

1. Anniversary Date

The effective date of an employee's appointment to a position with the Borough.

2. Department

An agency, office or operational unit of the Borough consisting of one or more employees. The following units are designated as Borough Departments:

| | |
|-----------------------------|----------------|
| Office of the Borough Clerk | Welfare |
| Municipal Clerk | Tax Collection |
| Public Works | Tax Assessment |
| Building and Zoning | Finance Office |

3. Department Head

Borough employee with designated responsibility for the day-to-day operation of a Borough department. Department heads shall be responsible for ensuring that work performed by employees in their respective departments is conducted effectively and economically and shall ensure that Borough rules and regulations are complied with in their respective departments. The following positions shall be considered department heads.

| | |
|-------------------------|------------------|
| Borough Clerk | Welfare Director |
| Treasurer/Tax Collector | Tax Assessor |

4. Full-Time Employee

An employee who is appointed or hired to a regular Borough position, who has satisfactorily served the requisite

probationary period and who regularly works in accordance with the working hours of his or her department or operating unit.

5. Part-Time Employee

An employee hired on a permanent basis, who has served the requisite probationary period, and who ordinarily works fewer than the established working hours of his or her department or operating unit.

6. Temporary Employee

A full-time or part-time employee hired on a short-term basis to serve in federal, state or other grant funding and whose position exists only for the duration of the grant.

7. Hourly Employee

An employee working on an irregular schedule for a fixed hourly rate of pay.

E. OUTSIDE EMPLOYMENT

Full-time and part-time Borough employees who are seeking other employment during off-duty time should notify, in writing, the extent and nature of this employment to their respective department heads.

Employees holding outside employment or engaged in outside business activities at the time of adoption of this ordinance will also be required to notify their respective department heads of this activity in writing.

Those seeking outside employment should use prudent judgment in their job selection so as to avoid conflict of interest or interference with their primary employment.

F. POSTING OF OFFICIAL NOTICES

Information pertaining to Borough business will be posted on the official bulletin board located at the Municipal Building.

Chapter II - Personnel Actions and Records Maintenance

A. POSITION VACANCIES

The Borough Council shall develop and maintain a Table of Organization that will identify all authorized and budgeted positions within the Council's jurisdiction.

Vacancies caused by retirement, promotion, demotion, transfer and/or voluntary or involuntary suspension shall cause the Council to commence the recruitment, selection and appointment process.

It shall be the responsibility of all department heads to provide formal notification of position vacancies to Borough Council in writing.

B. RECRUITMENT

Policy

1. It shall be the recruitment policy of the Borough to search and obtain for each Borough position the most qualified person, without regard to race, color, sex, creed, national origin, religion or marital status and to provide Borough Employees who apply first consideration when they display equal qualification with outside applicants for the position.

2. The Borough Council shall obtain verification from the Borough Treasurer that current budgeted funds are available to maintain the position.

Procedure

Upon notification of a position vacancy, the Borough Council shall instruct the Borough Clerk to:

1. Post a notice of vacancy on the municipal bulletin board, advertise the position in the Borough's official newspaper and cause notice of the vacancy to be distributed to local Borough community organizations.

2. Indicate a closing date for receipt of application.

3. Have job applications available for distribution only at the Borough Clerk's office.

C. SELECTION/APPOINTMENT

1. The Borough Clerk will forward all applications to the head of the department in which there is a vacancy. The department head will review the applications and schedule and conduct preliminary interviews with all qualified applicants.

2. The head of the department upon completion of interviews will recommend to the Borough Council the name(s) of the applicant best qualified for the position.

3. The members of the Borough Council can accept the top applicant recommended or conduct final interviews with the top three and make a selection thereafter.

4. The Mayor and Borough Council, prior to public notification and appointment, may request that the Borough Clerk conduct a background check of the applicants to include: education, prior employment and reference checks. Those employees who will be working in the court system or finance will be subject to a N.J. State Police Investigative Review. A medical examination and report may be requested for certain employees whose employment will involve physical activity.

D. NEW EMPLOYEE ORIENTATION

All newly appointed or hired Borough employees will receive their incoming orientation from the Borough Clerk. This will

include the completion of tax withholding forms, enrollment in the Borough's medical plan and N.J. Public Employees Retirement System. A personnel file shall be set up for all new employees at the time of orientation.

The Borough Clerk will advise the employees of their starting salary, deductions, leave privileges and attendance procedures. A tour of all Borough facilities shall be provided prior to taking the employees to their work assignment and introduction to their department head.

The department head will advise new employees of where they will be working and discuss what the work assignments will be. A copy of the job description for the position shall be provided to the employees.

E. PROBATION

All new full-time, part-time and hourly employees shall serve a probationary work period of six (6) months and be rated satisfactory on the performance evaluation to become a permanent employee. An unsatisfactory performance evaluation shall result in separation from employment.

A probationary employee shall enjoy the rights and privileges accorded the designated status of the position but shall have no recourse to the grievance procedure and may be separated without right of appeal (except as stated in N.J.S.A. 38:16-1 and 2).

F. MAINTENANCE OF PERSONNEL RECORDS

All personnel records of Borough employees will be kept in the Borough Clerk's Office and be maintained by this Office.

Individual employee personnel files will include official records of dates of employment, salary history and other pertinent data.

Employees may review the contents of their own personnel file by requesting to do so with the Borough Clerk. Records may be reviewed only in the presence of the Borough Clerk or Deputy. No materials may be removed.

It is the responsibility of each employee to notify the Borough Clerk in writing of any changes in vital information such as:

- Name
- Address
- Telephone Number
- Person to contact in case of an emergency
- Number and names of dependent children
- Number of exemptions for tax withholding
- Health Benefits
- Pension Beneficiaries
- Insurance Beneficiaries

Chapter III - Vacations/Leaves/Holidays

The Borough Clerk will be responsible for the maintenance of all employee vacation, sick leave and leave without pay records. At the beginning of each calendar year the Borough Clerk shall provide a written statement of each employee's vacation, sick leave and personal days status.

A. VACATION

Full-time employees will receive vacations, with pay, on a calendar year basis as follows:

1. During the first calendar year of employment, an employee will earn five (5) vacation days.
2. After the first full calendar year and through the fifth, an employee will earn ten (10) vacation days.
3. From the sixth year through the tenth year, fifteen (15) days.
4. From eleven (11) years of service and thereafter: twenty (20) vacation days per year.

If an official holiday falls during an employee's vacation period, an additional day of vacation will be granted in lieu of the holiday.

Permanent part-time employees are not eligible for vacation privileges.

Vacation Procedure

Employees must request vacations in writing at least five (5) days in advance of the desired starting date.

All vacations must be scheduled and approved by the department head.

All vacations must be taken during the calendar year accrued unless an employee's duties has prevented him from taking the vacation within that time.

Exceptions for a carryover of accrued vacation time must be made in writing by the employee's department head indicating the reason. The Mayor and Council must approve the carryover of vacation time.

Under such exceptions, the employee will be allowed to take only three consecutive weeks at any one time.

New Employees will not be entitled to the use of vacation time until after the successful completion of their probationary period of six months.

B. SICK LEAVE

Definition

Sick leave is the absence from work of an employee because of illness, accident or the employees need to care for a member of the immediate family who is seriously ill.

Full-time Borough employees are entitled to sick leave benefits as follows:

New employees will accrue one-half ($\frac{1}{2}$) day per month during the first year of employment.

After the first year and through the fifth calendar year, twelve (12) days of sick leave will be accrued each year.

After the sixth year and thereafter, sick leave is accrued at fifteen (15) days per year.

Permanent part-time employees are not eligible for sick leave benefits.

Sick Leave Procedure

Employees wishing to take sick leave must notify their department head within (30) minutes after their scheduled work starting time each day of the required absence.

A medical certificate may be required of the employee stating illness or of the need for the employee's attendance upon a member of his/her family. A medical certificate will be required after absences from work of five (5) or more consecutive days. Medical certificates will be given to the department head who in turn will forward it to the Borough Clerk for inclusion into the employee's personnel file.

C. PERSONAL DAYS

Full time employees of the Borough are eligible for three (3) days of paid personal leave per calendar year. Use of this leave must be taken in one (1) day increments by submitting a request in writing to the department head. All personal day leave must be used within the calendar year.

D. HOLIDAYS

The following holidays shall be recognized and the Borough employees are excused from work with full pay.

New Years Day
Martin Luther King, Jr. Birthday
Washington's Birthday
Good Friday
Memorial Day
Independence Day
Labor Day
Columbus Day
Thanksgiving Day
Friday after Thanksgiving
Christmas Day

Whenever the above holidays fall on a Sunday, the holiday shall be celebrated on the Monday following the holiday.

Whenever the above holidays fall on a Saturday, the holiday shall be celebrated on the Friday before said holiday.

Office, public works and police dispatcher employees required to work on any of the recognized Borough holidays shall be paid two (2) times their current hourly salary rate for that day.

E. MILITARY LEAVE

An employee who is a member of the National Guard or Naval Reserve of the State or of a reserve component of the Armed Forces of the United States, and is required to attend training or active duty with these units will be granted time off for the period of this service.

The employee will receive no monetary remuneration from the Borough during this period of military duty.

An employee will present to the department head a written request for military leave along with a copy of the military orders as soon as possible after the orders are received.

F. JURY DUTY/COURT APPEARANCE

An employee who is required to serve as a grand or petit juror shall be paid his/her regular rate of pay by the Borough, less the compensation the employee received for serving as a juror.

Employees receiving jury duty notification will immediately provide their department head with a copy of the summons to report.

If the employee is released early from jury duty, he/she should contact the department head to determine whether their services are required for the remainder of the day.

G. MATERNITY/CHILD CARE LEAVE

Maternity leaves may be granted to permanent full-time employees for a period of four (4) months, provided that the request for such leave is made in writing to the department head no later than the fourth month of pregnancy. Requests for maternity leave must be enclosed by the department head and be approved by the Mayor and Council. Such leave, if granted, shall be without pay.

Prior to the start of such leave, the employee must use up all accumulated vacation, personal and sick leave time.

An employee who fails to return to work within the prescribed time limits shall be presumed to have resigned.

Under no circumstances shall an employee work beyond the eighth month of pregnancy.

Earned accumulated leave and sick time may be granted to the employee until such time as all leave accumulations have been used.

H. BEREAVEMENT LEAVE

In the event of a death in the employee's immediate family, the employee will be granted a leave of absence with pay, not to exceed three days.

The granting of such absence shall be made upon notification to the department head by the employee. The department head shall complete and forward a leave of absence form to the Borough Clerk.

"Immediate family" means, father, step-parent, father-in-law, mother-in-law, child, spouse, step-child, foster-child, grandparent, grandchild, sister, brother, aunt, uncle, nephew and neice.

I. ON THE JOB INJURY LEAVE

When a full-time employee shall be injured or disabled resulting from or arising out of his employment with the Borough, said employee shall be entitled to receive full pay for up to thirty (30) days from the date of injury or disability, less any money received from worker's compensation.

Said injured employee shall:

- a. notify employer of injury immediately.
- b. file for worker's compensation after the prescribed waiting period.
- c. notify his employer of money received from compensation.
- d. submit to employer a physician's certificate stating the nature of the injury or disability that prevents the employee from returning to work.

If, at the end of the thirty (30) days, the employee has not returned to work, full pay will continue to be paid to the employee, provided a physician's certificate states that the injury or disability continues to keep the employee from work. The physician should also state the estimated length of the disability.

If a physician's certificate is not received by the department head, no further pay shall be provided to the employee.

The Borough reserves the right to request that the injured employee submit to a physician's examination for the purpose of determining whether the illness or injury continues to be disabling and prevents the employee from resuming employment.

Prior to approval by the granting of a leave of absence, Borough Council shall have drawn up between the employee and the Borough an agreement for reimbursement to the Borough of monies the employee receives as worker's compensation, temporary benefits or from possible settlement from, or judgment against, the person or persons responsible for the injury.

No sick leave time will be charged to the employee during time lost due to injury or disability.

Chapter IV - Benefits Plan

A. MEDICAL BENEFITS

1. Health Benefits Plan

All full-time permanent employees and their dependents shall become eligible for enrollment in the Borough's hospitalization, medical, and major medical group insurance plan effective thirty (30) days after date of employment.

The Borough shall pay the full premium for such medical plan for the employee and his dependents. Payment of premiums by the Borough shall terminate upon the employee's separation from service. The employee may make his own arrangements with the insurance carrier for a continuation or conversion of the insurance at his own expense.

2. Dental Plan

All full-time permanent employees are eligible for enrollment in the Borough's Dental Plan. New employees shall become eligible for enrollment in this plan thirty (30) days after the date of employment.

The Borough shall pay the full premium of this plan. Dependents are not covered for inclusion in this plan. Coverage under this plan shall terminate upon separation from employment.

B. INSURANCE

1. Accidental Death and Dismemberment Insurance

All full-time permanent Borough employees shall be eligible for Accidental death and Dismemberment Insurance under a Group Plan arranged and paid for by the municipality.

Employees shall become eligible for coverage under such Plan and shall continue to be insured under such Plan in accordance with the specific requirements of the insurance policy carried by the Borough.

Coverage under such Plan shall terminate upon separation from Borough employment.

2. Life Insurance

All full-time permanent employees shall be eligible for life insurance under a Group Plan arranged and paid for by the municipality.

Employees shall become eligible for coverage under such Plan and shall continue to be insured in accordance with the specific requirements of the life insurance carrier.

Employees separated from employment with the Borough will no longer be eligible for coverage but may elect to convert to their own policy at their expense.

C. PENSION PLAN

All permanent employees must be enrolled in the Public Employees Retirement System within four (4) months of their appointment.

The purpose of the PERS Plan to the employee is to provide a retirement pension to those who choose to work in government until reaching a selective retirement option equated to age, years of employment and annual salary.

Those employees who have satisfied the requirement in regard to age and years of service shall be eligible for a pension from the PERS System. Pension benefits would be computed on an equation of the employees highest salary determined from his last three years of service.

A Borough employee who elects to retire within a selected calendar year shall notify the Borough Clerk of his intention prior to the start of that year and within six months of actual retirement.

Employees who leave Borough employment early can choose to leave their contributed pension amount in the PERS until retirement age or elect to withdraw their pension contributions as a lump sum plus interest. The responsibility for making the selection shall be left to the employee.

Eligible retired employees shall continue to be covered under a group medical surgical and hospitalization plan as well as a group life insurance plan.

All forms and actions taken regarding retirement shall be handled initially through the Borough Clerk's Office.

D. UNEMPLOYMENT COMPENSATION INSURANCE

Borough employees and the Borough participate in the financing of the Unemployment Compensation Insurance Program which has been enacted by law.

This program compensates covered workers who have lost their jobs due to layoffs or other circumstances beyond their control.

Employees' contributions are computed as a percentage of a fixed salary level with a capped contribution.

Those employees eligible for a claim should file for benefits at the nearest unemployment claim office on the first working day after lay-off.

E. DEFERRED COMPENSATION PLAN

A deferred compensation plan is a payroll deduction savings plan that provides the employee with a federal tax deferred rate of return that is derived from a predetermined percentage of investment applied to their annual salary. This is an elected benefit that the employee may choose to participate in as a

supplemental retirement resource. Forms for enrollment shall be available at the Borough Clerk's Office. All Borough employees may choose to join this plan.

Chapter V - Hours of Work/Compensation

A. HOURS OF WORK

All work hours for Borough employees are established by the Mayor and Borough Council in keeping with the needs of Borough residents for the conducting of business in the most efficient and economical manner.

The regular work week for Borough offices to be open is Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m. Full-time office employees have a one (1) hour lunch period. Total work hours for full-time office employees is 35 hours.

Special work hours are set for part-time position and are posted on the official municipal bulletin board.

Work hours for police dispatchers is forty hours scheduled on rotating shifts as established by their supervisor.

The regular work week for those employees in the Public Works Department are Monday through Friday between the hours of 7:00 a.m. and 3:30 p.m. Full-time Public Works employees receive a half ($\frac{1}{2}$) hour lunch period. Total work hours for Public Works employees is 40 hours per week.

Exceptions:

There may be times when exceptions to the normal work hours require that employees work additional hours or hours different than those established due to emergencies. Work hour changes must be authorized by the Mayor and Council and be administered by the department head.

B. PAY SCHEDULE

The schedule for Borough employee payroll is made as follows:

1. Weekly payroll: All casual employees, including all casual employees and all day labor.
2. Biweekly payroll: all full-time employees, all members of the Police department and school crossing guards and Plumbing Inspector.
3. Monthly payroll: Secretary of the Board of Tax Appeals.
4. Quarterly payroll: Construction Official, members of the Board of Tax Assessors, Secretary of the Planning Board, Secretary of the Board of Adjustment, Municipal Court Clerk, Municipal Court Judge, Municipal Welfare Director, Fire Marshal, Assessment

Clerk, Borough Attorney, Mayor, members of the Borough Council and all other employees.

5. Other: The Registrar of Vital Statistics, Deputy Registrar of Vital Statistics, Secretary of the Board of Health and Health Officer shall continue on the payroll of the Monmouth County Regional Health Commission No. 1.

C. MISCELLANEOUS COMPENSATION

1. Overtime

In most cases, employees shall be assigned work which will not require attendance beyond the normal working hours established for their normal departments. When employees are required to work additional hours beyond the normal work week, they shall be eligible for overtime compensation. Overtime will be kept to a minimum and, except in cases of emergency, must be authorized in advance by the department head.

In compliance with the Fair Labor Standards Act, Borough employees shall be classified as Exempt or Non-Exempt for purposes of overtime.

Exempt employees are supervisory or department head employees who are not eligible for overtime compensation for service beyond the normal working hours. The Borough, however, recognizing the professional nature of the exempt employees position and their requirement to perform services beyond the normal working hours shall occasionally allow them time off during the work day. Such time off shall not be on an hour-for-hour basis.

Non-Exempt Employees: A non supervisory employee is not expected to provide service to the Borough beyond the normal working hours without additional compensation. Non-exempt employees shall be eligible for overtime compensation at the rate of one and one-half (1 1/2) times their hourly rate as follows:

(a) Office

Overtime pay shall be awarded for all work in excess of thirty-five (35) hours within a given work week.

(b) Public Works and Dispatching

Overtime pay shall be awarded for all work in excess of forty (40) hours within a given work week.

2. Travel

Borough employees who use their private vehicles in an authorized official capacity shall be reimbursed at the rate per mile set by the Mayor and Council for such purposes.

Reimbursement shall be made on voucher forms that are

submitted to the department head for processing.

Chapter VI - Separation from Employment

Borough Employees are considered as separated from employment under the following terms and conditions.

A. RESIGNATION

An employee may resign from his position by tendering a written resignation or by orally informing his department head of his intention. All resignations shall be reported to the Mayor and Council.

B. RETIREMENT

Employees eligible for retirement as determined under the rules and regulations set forth under PERS legislation shall notify their intention of retirement to their department head prior to the start of their last work year.

C. TERMINATION

Employees who have violated the rules and regulations as set forth by the Mayor and Borough Council may be dismissed from employment after they have received due process under the Borough's Grievance Procedure Policy. All terminations shall be in writing with a copy provided to the affected employee.

Any employee who leaves employment with the Borough must surrender any Borough property, badges, health benefit card, keys, clothing, tools or vehicles prior to his last day of employment.

Employees who have debts to the Borough must satisfy those debts prior to the release of their final payroll check.

Chapter VII - Rules and Regulations

The following rules and regulations are established as standards for the Borough employees to follow. Rules covering standards of personal conduct as well as standard operating procedures are necessary to protect the health and safety of all employees, maintain uninterrupted service, and to protect the Borough's goodwill and property.

The following work rules and regulations shall be applicable to all Borough employees covered by this manual. This list is not intended to be all - inclusive and the Borough shall establish and apprise employees of additions or changes in these rules to ensure the effective operation of Borough operations. Failure to comply to these rules and regulations is grounds for immediate disciplinary action.

1. Personal Business

- (a) Employees shall not gather on Borough premises to conduct any personal business without authorization.

- (b) Employees shall limit the use of personal calls made during business hours to emergency calls only. Long distance calls should be charged to the employee's home telephone or made collect.

2. Maintenance of Borough Property and Vehicles

Employees of the Borough are responsible for, and shall not misuse, Borough property, equipment, records or other materials in their car, custody or control. Borough equipment may not be used for personal business.

Damage to Borough equipment must be reported to the employee's department head immediately.

3. Attendance and Time Reporting

All Borough employees are to be at their respective work stations ready for work at the time prescribed under Hours of Work.

Recurring or chronic lateness, unexcused absences or falsification of attendance records will be cause for disciplinary action.

4. Appearance and Dress

Employees are required to maintain their personal appearance in a neat, orderly and business-like manner. Uniforms issued to employees should be worn where required.

5. Ethics, Political Activity and Conflict of Interest.

- (a) Employees shall not engage in partisan political activity on Borough time or property or use their position for personal gain.
- (b) Employees shall not solicit or accept personal gifts of any form from private sources, for services rendered or to be rendered as municipal employees, or in the course of conducting business in their capacity as municipal employees.
- (c) Employees, other than those whose position in the Borough requires election, shall not seek or accept nomination, election or appointment to any public elective office in the Borough without first obtaining a leave of absence.
- (d) Employees whose principal employment is in connection with an activity financed in whole or in part by another jurisdiction of government may also be subject to those restrictions applying to partisan political activity which are required by such jurisdiction.

- (e) No employee shall be interested, directly or indirectly, in any contract with the Borough, or in the compensation for goods or services furnished to the Borough or any contractor furnishing the same to the Borough, nor shall he or she participate in any profits of such parties or receive any gift or other reward for actions related to such activities, except the fee or compensation required and prescribed by law.
- (f) Nothing in this section shall be construed to prevent Borough employees from becoming or continuing to be members of any political party, club or organization, attending political meetings or expressing partisan political views or circulating petitions on public questions outside of working hours and off Borough property. Nor shall employees be prevented from voting with complete freedom in any election.

6. Work Standards

The following minimum work standards shall apply:

- (a) Employees shall not restrict, delay, interrupt or interfere with the work of others.
- (b) Employees shall report for and remain at work only in a fit physical condition.
- (c) Employees shall not neglect their duties and responsibilities or refuse to perform assigned work.
- (d) Employees shall not engage in immoral conduct, fight, engage in horseplay, gamble, or use loud or abusive language while on duty or on Borough property.
- (e) Employees shall avoid littering work areas.
- (f) Employees shall not possess firearms or weapons during working hours or on Borough property.
- (g) Employees shall deal with the public and other employees in the Borough in a courteous and professional manner.
- (h) Employees shall not engage in the use of intoxicating beverages or unprescribed narcotic drugs during working hours or on Borough property. Employees shall not report to work while under the influence of such beverages or drugs.
- (i) Employees shall not falsify records, reports, or claims of illness or injury.

7. Safety

Employees shall follow all safety regulations to include the wearing of safety articles and the utilization of protective equipment as appropriate. Employees shall immediately report safety hazards, accidents and injury to their supervisors.

8. Parking

Employees shall not park in prohibited or reserved areas.

9. Department Work Rules

Employees shall observe and perform in accordance with such additional work rules, regulations and procedures as may be promulgated from time to time by their respective department heads and approved by the Mayor and Council.

Chapter VIII - Discipline

A. DISCIPLINARY ACTIONS

The Borough, insofar as practicable, shall provide and maintain working conditions that encourage employees to perform their best work, to be loyal and conscientious and to conduct themselves in a proper manner.

Employees are subject to disciplinary action if they do not conform to Borough policies and rules, if they do not comply with specific instructions regarding their job or if their conduct is unbecoming public employees.

Disciplinary action shall be handled fairly and consistently and shall be initiated only where sufficient evidence of breach of discipline is found.

Violations subject to disciplinary action shall include, but not be limited to:

- (1) Neglect of Duty
- (2) Insubordination
- (3) Intoxication while on duty
- (4) Unauthorized use or possession of narcotics
- (5) Willful violation of Borough Policies and Procedures or disobedience of orders promulgated by the Mayor and Council.
- (6) Negligence, willful damage or misuse of Borough property or misuse of supplies
- (7) Conduct which endangers the employee, other employees or the public.
- (8) Conviction of any criminal act or offense
- (9) Excessive absenteeism or tardiness
- (10) Absence without leave
- (11) Conduct subversive of good order
- (12) Publicly divulging or commenting upon any confidential Borough matter or the official conduct of any Borough official or employee.

B. DISCIPLINARY PROCEDURE

1. The responsibility and authority for administering discipline to Borough employees shall depend upon the nature of the infraction and the severity of discipline necessary to correct misconduct. Department heads shall have the authority and responsibility for taking written disciplinary actions and reporting infractions to the Borough Council.

2. Except for serious breaches of discipline, disciplinary action will be administered as follows:

- (1) meeting with the employee
- (2) verbal reprimand
- (3) written memorandum of censure
- (4) suspension from duty without pay for not more than two (2) days
- (5) suspension from duty without pay for more than two (2) days.
- (6) dismissal

Employees may also be transferred or demoted for breach of discipline.

3. Before taking any form of disciplinary action, the employee's department head should meet with the employee privately to discuss the matter with him/her and to counsel the employee regarding his/her actions.

If the actions of the employee persist, the department head will give the employee a formal, private, verbal admonition, telling the employee that subsequent breaches of discipline will be subject to written reprimand or more serious discipline.

When an employee persists in conduct which warrants disciplinary action, a written memorandum of censure will be sent to the employee and placed in the employee's personnel file.

Department heads may suspend an employee from duty without pay for not more than two (2) working days for serious breaches of discipline.

Verbal reprimands, written memoranda of censure, and suspension for not more than two (2) days shall be subject to the grievance procedure.

4. Suspension from duty without pay for more than two (2) days or dismissal shall only be taken after a hearing by the Borough Council.

- a. The department head shall recommend the action in writing and shall forward a copy of the recommendation to the employee.
- b. The Borough Council shall schedule a hearing on the action, giving the employee at least seventy-two (72) hours notice of the date, time and place of the hearing and the reasons for dismissal. All parties shall have the right to representation

at the hearing and to present and examine witnesses. All parties shall notify the Borough Council of the names of those who will be present on their behalf at least 24 hours in advance.

- c. The Borough Council shall hear all evidence and prepare a decision. The decision shall be rendered within five days and written notice of the decision given to both the employee and department head involved.

B. GRIEVANCE PROCEDURE

Definition

A grievance is defined as a formal written complaint about working conditions which are beyond the employee's control.

It is the responsibility of each department head to respond to complaints and grievances brought by employees if the matter can and, in the department head's opinion, should be resolved within the discretion permitted him/her.

Employees of the Borough have the right to file formal grievance if they feel that their complaints have not been satisfactorily resolved.

Procedure

1. Employees should attempt to obtain a resolution of their complaints by first discussing the matter with their department heads.

2. When an employee feels that he/she has not received a satisfactory resolution to a complaint, he/she may file a written grievance with his/her department head.

The grievance shall include the date of the action being grieved, the nature of the grievance, and supporting evidence.

The grievance must be filed within fifteen (15) calendar days of the action being grieved or of the most recent occurrence if a pattern of action is charged.

3. The department head will respond to the grievance in writing within three (3) working days of the date the grievance was filed.

4. If the aggrieved employee is not satisfied with the response of the department head, the employee may request a hearing before the Borough grievance committee. The hearing shall be requested in writing within five (5) days of the date of the receipt of the response and shall be processed through the department head.

5. The Borough grievance committee shall schedule a hearing as soon as the committee can be empaneled, but not later than thirty (30) days after the filing of the request. The time

limit may be extended by the agreement of all parties of the grievance.

All parties in the grievance hearing are entitled to representation and to present witnesses on their behalf. Minutes of the hearing will be taken by the Borough Clerk and written copies will be made available to all parties to the grievance.

6. The grievance committee will issue its decision within five (5) working days of the conclusion of the grievance hearing. The decision of the grievance committee shall be final.

A. MAINTENANCE

SECTION 2. It shall be the responsibility of the Mayor and Borough Council to maintain and review periodically the Borough Personnel Manual and to assure its conformance to New Jersey State Statutes, Federal regulations and good personnel practices.

SECTION 3. Repealer

An ordinance entitled "Personnel Policy" adopted on December 5, 1968, its supplements and amendments, and any or all other ordinances or parts of ordinances inconsistent with this ordinance or any part thereof are hereby repealed.

SECTION 4. Severability

If any provision of this ordinance or its application to any person is deemed to be invalid, the remaining provisions of said ordinance shall continue to be valid and effective.

SECTION 5. When Effective

This ordinance shall take effect immediately upon its passage and publication as provided by law.

Passed and approved by Mayor and Council March 20, 1986.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE CREATING THE FESTIVAL COMMITTEE OF THE BOROUGH OF OCEANPORT AS A SUB-COMMITTEE OF THE RECREATION COMMITTEE, PROVIDING FOR APPOINTMENT OF THE MEMBERS THEREOF AND DEFINING ITS PURPOSE, POWERS AND DUTIES.

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth and State of New Jersey, as follows:

SECTION 1. Title. This ordinance shall be known and may be cited as the "Festival Committee Ordinance of the Borough of Oceanport, New Jersey."

SECTION 2. Establishment. There is hereby established and created a sub-committee of the Borough of Oceanport Recreation Committee to be known as the "Festival Committee of the Borough of Oceanport." The activities of the Festival Committee shall be separate and distinct from the Recreation Committee and the members of one body shall not participate in nor shall they vote upon the affairs and matters of the other.

SECTION 3. Composition. The Festival Committee of the Borough of Oceanport shall be composed of twelve (12) members, to be selected and appointed by the Mayor and Council at their next regular meeting after this ordinance shall become effective.

SECTION 4. Appointments; terms of office. The members of the said Festival Committee shall be nominated by the Mayor and confirmed by the vote of the Council. All members shall serve for a term of one (1) year to expire on December 31st next succeeding the date of appointment. Vacancies in the membership of the Committee, occurring for whatever cause, shall be filled in the same manner in which the original appointments were made, for the unexpired term thereof. Members shall serve for respective terms and until their successors are appointed and qualified.

SECTION 5. Removal from office. Any member of the Festival Committee may be removed from his or her office for cause, after an opportunity has been given for a hearing and upon the vote of a majority of the Council.

SECTION 6. Qualifications of members. Members of the Festival Committee shall be residents of the Borough of Oceanport and shall serve without compensation, except as may be hereinafter provided.

SECTION 7. Oath. Each member of the Committee shall, before assuming office, take and subscribe an oath that he will faithfully and impartially discharge the duties of his office.

SECTION 8. Officers. The members of the Committee shall choose annually from among its members, a chairman or president and such other officers as it may deem necessary. One (1) member of the Borough Council, appointed annually by the Council shall be a liaison member of the Committee without voting privileges.

SECTION 9. QUORUM. A majority of the members shall constitute a quorum of the Committee.

SECTION 10. Purpose, powers and duties.

- A. The purpose of this ordinance shall be to create a Festival Committee in the Borough of Oceanport to provide for the planning and sponsorship of an annual festival to be held at an appropriate site within the Borough as a means of raising funds to finance the construction of a new Community Center or renovation of the existing Community Center. Furthermore, the Committee shall be empowered to engage in and conduct other lawful activities which shall have been approved by the Borough Council in order to effectuate the purposes stated herein.
- B. To effectuate its purposes, the Committee shall have the power to:
 - (1) Schedule dates for an annual festival.
 - (2) Invite the participation in any such festival of various civic groups or individuals within the Borough.
 - (3) Formulate and promulgate reasonable rules and regulations relating to the participation of groups or individuals in any such festival.
 - (4) Determine and collect fees from participants in any such festival.
 - (5) Deposit in interest-bearing accounts at any commercial bank or savings and loan institution all fees and other revenues generated by any festival conducted by this Committee. With the exception of such sums as may be required to finance the activities of the Committee, all monies generated or otherwise received by the Committee shall be designated and utilized solely for the purposes stated herein.
 - (6) Expand such sums as may be necessary to arrange any such festival in order to accomplish the purposes of this ordinance or; subject to the prior approval of the Borough Council, for any other worthwhile activity or purpose which would be beneficial to the entire community.
 - (7) Execute such contracts as may be required to effectuate the purposes of this ordinance provided they shall have been previously submitted to and approved by the Borough Attorney.
 - (8) Receive and accept donations and gifts of any kind or nature to be held and utilized as

other revenue generated by the Committee consistent with the purposes of this ordinance.

- (9) Apply for and receive such licenses, permits and other approvals necessary or required to engage in the activities authorized by this ordinance.

SECTION 11. Annual appropriation.

- A. During the month of December in each year, the Festival Committee shall certify to the Governing Body of the Borough of Oceanport the estimated sum necessary for the proper conduct of its work during the ensuing fiscal year, which shall include the sums estimated to be expended for such of the following items as it is anticipated expenditure will be made for, namely:
- (1) Expenses of Committee members in discharging official duties, including expenses incident to attendance at professional meetings..
 - (2) Purchase of necessary equipment and materials and the cost of services for the prudent promotion of the work.
- B. The Governing Body of the Borough of Oceanport shall annually appropriate such sum as it may deem necessary for said purposes, which sum may thereafter be administered and disbursed by the Committee.

SECTION 12. Annual report. The Committee shall make an annual report to the Borough Council setting forth in detail its operations, transactions and accomplishments for the preceding year, including a financial statement as to its annual revenue and cash on hand, which financial statement may be audited at the option of the Borough Council.

SECTION 13. No Liability for death or injury. Nothing in this ordinance shall be construed to make the Committee or any member thereof liable for the death or injury of any person, or for any injury to any property.

SECTION 14. Severability. If any section, paragraph, sentence, clause, phrase or provisions of this ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify this ordinance, as a whole or any part thereof, other than the part immediately involved in the controversy in which such judgment shall be rendered, and to this end the provisions of this ordinance are hereby declared to be severable.

SECTION 15. Repealer. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

SECTION 16. When effective. This ordinance shall take effect upon final passage and publication according to law.

Passed and approved by Mayor and Council March 20, 1986.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE AUTHORIZING THE
PAYMENT OF \$19,169.30 FROM
THE CAPITAL FUND FOR VARIOUS
IMPROVEMENTS OR PURPOSES TO
BE UNDERTAKEN BY THE BOROUGH
OF OCEANPORT, IN THE COUNTY
OF MONMOUTH, NEW JERSEY.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF
OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY AS FOLLOWS:

Section 1. The improvements described in Section 3 of this ordinance are hereby respectively authorized as general improvements to be made or acquired by the Borough of Oceanport, New Jersey. For the said improvements or purposes stated in said Section 3, there are hereby appropriated the sum of money therein stated as the appropriation made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor, and amounting in the aggregate to \$19,169.30.

Section 2. The Borough Treasurer shall be authorized to pay to G & P Parlamas, Inc. from the Capital Fund the sum of \$19,169.30 for the improvements or purposes stated in said Section 3.

Section 3. The improvements hereby authorized and the purpose for which the appropriation shall be made is as follows:

| <u>Improvement or Purpose</u> | <u>Appropriation and Estimated Cost</u> |
|---|---|
| (a) Repairs and renovation of building situated upon premises known as Lot 2, Block 103, 315 East Main Street, necessitated by fire loss which occurred on or about November 5, 1985. | \$19,169.30 |

Section 4. The said purpose described in Section 3 of this ordinance are not current expenses and are each a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

Section 5. This ordinance shall take effect upon passage and publication as required by law.

Passed and approved by Mayor and Council April 3, 1986:

PATRICIA L. VARCA
BOROUGH CLERK

BOND ORDINANCE APPROPRIATING \$67,700.
AND AUTHORIZING THE ISSUANCE OF 64,315.
BONDS OR NOTES OF THE BOROUGH FOR
VARIOUS IMPROVEMENTS OR PURPOSES
AUTHORIZED TO BE UNDERTAKEN BY THE
BOROUGH OF OCEANPORT IN THE COUNTY
OF MONMOUTH, NEW JERSEY

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF
OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than
two-thirds of all the members thereof affirmatively concurring)
AS FOLLOWS:

Section 1. The several improvements described in Section
3 of this bond ordinance are hereby respectively authorized as
general improvements to be made or acquired by the Borough of
Oceanport, New Jersey. For the said several improvements or
purposes stated in said Section 3, there are hereby appropriated
the respective sums of money therein stated as the appropriations
made for said improvements or purposes, said sums being inclusive
of all appropriations heretofore made therefor, and amounting in
the aggregate to \$67,700 including the aggregate sum of \$3,385
as the several down payments for said improvements or purposes
required by law and more particularly described in said Section
3 and now available therefor by virtue of provision in a
previously adopted budget or budgets of the Borough for down
payment or for capital improvement purposes.

Section 2. For the financing of said improvements or
purposes and to meet the part of said \$67,700 appropriations not
provided for by application hereunder of said down payments,
negotiable bonds of the Borough are hereby authorized to be
issued in the principal amount of \$64,315 pursuant to the Local
Bond Law of New Jersey. In anticipation of the issuance of said
bonds and to temporarily finance said improvements or purposes
negotiable notes of the Borough in a principal amount not
exceeding \$64,315 are hereby authorized to be issued pursuant
to and within the limitations prescribed by said law. All
such notes shall mature at such times as may be determined by
the chief financial officer or such other financial officer
designated by the resolution for this purpose (both being here-
after referred to in this section as the "chief financial
officer"); provided that no notes shall mature later than one
year from its date. The notes shall bear interest at such rate
or rates as may be determined by the chief financial officer
and shall be in the form determined by him and his signature
upon the notes shall be conclusive as to such determination.
The chief financial officer is hereby authorized to see the
notes from time to time at public or private sale in such
amounts as he may determine at not less than par and to deliver
the same from time to time to the purchasers thereof upon
receipt of payment of the purchase price plus accrued interest
from their dates to the date of delivery thereof for payment
therefore. Such officer is authorized and directed to report
in writing to the governing body of the Local Unit at the meeting
next succeeding the date when any sale or delivery of the notes
pursuant to this ordinance is made, such report to include the

amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser. Such officer is further directed to determine all matters in connection with said notes not determined by this ordinance and his signature upon said notes shall be conclusive as to such determination. All notes issued hereunder may be renewed from time to time for periods of not exceeding one (1) year for the time period specified in and in accordance with the provisions of N.J.S. 40A:2-8(a).

Section 3. The improvements hereby authorized and the purpose for the financing of which said obligations are to be issued, the appropriations made for and estimated cost of such purpose, and the estimated maximum amount of bonds or notes to be issued for such purpose, is as follows:

| <u>Improvement or Purpose</u> | <u>Appropriations and Estimated Cost</u> | <u>Estimated Maxi- mum Amount of Bonds or Notes</u> |
|---|--|---|
| Repair, replacement or installation of curbing and sidewalks on Wolf Hill Avenue as approved by the Community Development Block Grant Program OP-85 (Program) | \$67,700 | \$64,315 |

the excess of the appropriations made for the improvements or purpose aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose. All funds to be received from the Program shall be used to satisfy the obligations incurred pursuant to the terms of this Ordinance.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this bond ordinance are not current expenses and are each a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefullness of said purpose within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance is 10 years.

(c) The supplemental debt statement required by said Law has been duly made and filed in the office of the Borough Clerk and a complete duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said law is increased by the authorization of the bonds and

notes provided for in this bond ordinance by \$64,315 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said law.

(d) Amounts not exceeding \$16,925 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under section 40A:2-20 of said Law may be included in the foregoing estimate thereof.

Section 5. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 6. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption as provided by said Local Bond Law.

Passed and approved by Mayor and Council May 1, 1986.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX AND DETERMINE THE SALARIES OF CERTAIN BOROUGH OFFICIALS" PASSED AND APPROVED ON MARCH 16, 1939

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth, State of New Jersey, as follows:

1. That Section 1 of the ordinance entitled "An Ordinance to fix and Determine the Salaries of Certain Borough Officials" passed and approved on March 16, 1939, be and the same is hereby amended to read as follows:

SECTION 1: The yearly salaries of the officials and employees herein named beginning January 1, 1986, unless otherwise stated, be and the same is hereby amended to read as follows:

A. ADMINISTRATIVE AND EXECUTIVE

| | |
|--------------------------|-----------|
| Mayor | \$ 1,500. |
| Councilpersons, each (6) | 1,000. |
| Borough Clerk | 23,000. |
| Secretary | 10,870. |

B. FINANCIAL ADMINISTRATION

| | |
|------------|---------|
| Treasurer | 15,796. |
| Bookkeeper | 16,820. |

C. BOARD OF ASSESSORS

| | |
|------------------|---------|
| Assessor | 14,158. |
| Deputy | 2,448. |
| Deputy | 2,110. |
| Assessment Clerk | 2,629. |

D. COLLECTION OF TAXES

| | |
|------------------|---------|
| Tax Collector | 8,616. |
| Tax Office Clerk | 10,017. |

E. MUNICIPAL COURT

| | |
|-----------------------|--------|
| Municipal Court Judge | 7,040. |
| Court Clerk | 4,500. |
| Deputy Court Clerk | 2,000. |
| Municipal Prosecutor | 2,500. |

F. PLANNING BOARD

| | |
|-----------|--------|
| Secretary | 2,400. |
|-----------|--------|

G. ZONING BOARD OF ADJUSTMENT

| | |
|-----------|--------|
| Secretary | 1,150. |
|-----------|--------|

H. ENVIRONMENTAL COMMISSION

| | |
|-----------|------|
| Secretary | 264. |
|-----------|------|

I. POLICE DEPARTMENT

| | |
|--|-----------|
| Chief | \$33,468. |
| Captain | 30,767. |
| Detective Sergeant | 29,701. |
| Sergeants | 29,283. |
| Detective | 28,142. |
| Patrolman I (Commencing fifth year and each year thereafter) | 26,150. |
| Patrolman II (Commencing fourth year of service) | 23,310. |
| Patrolman III (Commencing third year of service) | 18,865. |
| Patrolman IV (Commencing second year of service) | 17,860. |
| Patrolman V (Commencing first year of service) | 15,460. |
| Dispatchers (Third year of employment and each year thereafter) | 14,148. |
| Dispatchers (Second year of employment) | 13,410. |
| Dispatchers (First year of employment) | 12,247. |
| Records Clerk | 1,484. |
| School Crossing Guards | 3,853. |

J. PUBLIC WORKS DEPARTMENT

| | |
|-----------------------------|---------------------|
| Public Works Superintendent | 25,000. |
| Road Supervisor | 21,650. |
| Helper I | \$11,500. - 14,500. |
| Helper II | \$10,500. - 12,000. |
| Helper III | \$10,000. - 11,000. |
| Extra Labor and Overtime | 4,220. |

K. RECREATION AND EDUCATION

| | |
|--|---------|
| Recreation Director | 3,000. |
| Recreation Aides and Assistants (total) | 4,000. |
| Building Custodian | 500. |
| Community Center Reservations (effective 3/1/86) | 500. |
| Welfare Director | 1,266. |
| Librarian | 1,664. |
| Construction Official (effective 3/16/86) | 10,000. |
| Building Inspector | 4,240. |

K. RECREATION AND EDUCATION continued

| | |
|---|-----------|
| Plumbing Subcode Official | \$ 3,508. |
| Fire Prevention Subcode Official (effective 4/3/86) | 1,500. |
| Fire Marshal (effective 4/3/86) | 1,500. |
| Housing Inspector | 1,750. |

L. CASUAL LABOR \$3.75 - \$4.25 per hour

M. LONGEVITY will be allowed at the rate of \$300.00 for the first five (5) years of service completed and \$300.00 for every five (5) years of service completed thereafter, by all full time employees. (40 hours per week, 52 weeks per year) This provision shall be retroactive to January 1, 1986.

Passed and approved by Mayor and Council June 5, 1986.

PATRICIA L. VARCA
BOROUGH CLERK

BOND ORDINANCE APPROPRIATING \$19,000.
AND AUTHORIZING THE ISSUANCE OF \$18,000.
BONDS OR NOTES OF THE BOROUGH FOR
VARIOUS IMPROVEMENTS OR PURPOSES
AUTHORIZED TO BE UNDERTAKEN BY THE
BOROUGH OF OCEANPORT IN THE COUNTY
MONMOUTH, NEW JERSEY

ORDINANCE #523 VOID AND CANCELLED - SEE ORDINANCE #525

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE TO AMEND AND
SUPPLEMENT AN ORDINANCE
ENTITLED "THE PERSONNEL
MANUAL FOR THE BOROUGH OF
OCEANPORT, COUNTY OF
MONMOUTH AND STATE OF NEW
JERSEY" PASSED AND APPROVED
ON MARCH 20, 1986.

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth and State of New Jersey as follows:

SECTION 1: Section 1, Chapter 1 A 2 of an Ordinance entitled "The Personnel Manual for the Borough of Oceanport, County of Monmouth and State of New Jersey" passed and approved on March 20, 1986, is hereby amended as follows:

2. Scope

The scope of this manual includes a compilation of policies and procedures which govern and affect personnel administration for all Borough departments except those employees covered under the Police Department Ordinance of the Borough of Oceanport.

SECTION 2: Section 2, Chapter 1 D 3 of the aforementioned Ordinance is hereby amended as follows:

3. Department Head

Borough employee with designated responsibility for the day-to-day operation of a Borough department. Department heads shall be responsible for ensuring that work performed by employees in their respective departments is conducted effectively and economically and shall ensure that borough rules and regulations are complied with in their respective departments. The following positions shall be considered department heads:

| | |
|-------------------------|----------------------------|
| Borough Clerk | Welfare Director |
| Treasurer/Tax Collector | Tax Assessor |
| Public Works Supervisor | Construction Code Official |

SECTION 3: Section 1, Chapter 11 E of the aforementioned Ordinance is hereby amended as follows:

E. PROBATION

All new full-time, part-time and hourly employees shall serve a probationary work period of six (6) months and be rated satisfactory on a written performance evaluation to become a permanent employee. An unsatisfactory performance evaluation shall result in separation from employment.

A probationary employee shall enjoy the rights and privileges accorded the designated status of the position but shall have no recourse to the grievance procedure and may be separated without right of appeal (except as stated in N.J.S.A. 38:16-1 and 2).

SECTION 4: Section 1, Chapter III A of the aforementioned Ordinance is hereby amended as follows:

A. VACATION

Full-time employees will receive vacations, with pay on a calendar year basis as follows:

1. During the first calendar year of employment: one-half ($\frac{1}{2}$) day per month, except that no vacation time shall be taken during the first six (6) months of employment.

2. After the first calendar year and through the fifth, an employee will earn ten (10) vacation days.

3. From the sixth through the tenth calendar year, fifteen (15) days.

4. From the eleventh calendar year of service and thereafter: twenty (20) vacation days per year.

If an official holiday falls during an employee's vacation period an additional day of vacation will be granted in lieu of the holiday.

Permanent part-time employees are not eligible for vacation privileges.

Vacation Procedure

Employees must request vacations in writing at least fourteen (14) days in advance of the desired starting date.

All vacations must be scheduled and approved by the department head.

All vacations must be taken during the year accrued unless an employee's duties prevented him from taking the vacation within that time.

Exceptions for a carryover of accrued vacation time must be made in writing by the employee's department head indicating the reason. The Mayor and Council must approve the carryover of vacation time.

Under such exceptions, the employee will be allowed to take only three consecutive weeks at any one time.

SECTION 5: Section 1, Chapter III B of the aforementioned Ordinance is hereby amended as follows:

B. SICK LEAVE

Definition

Sick leave is the absence from work of an employee because of illness, accident or the employee's need to care for a member of the immediate family who is seriously ill.

Full-time Borough employees are entitled to sick leave benefits as follows:

New employees will accrue one-half ($\frac{1}{2}$) day per month during the first calendar year of employment.

After the first calendar year and through the fifth calendar year, twelve (12) days of sick leave will be accrued each year.

After the sixth calendar year and thereafter, sick leave is accrued at fifteen (15) days per year. Unused sick leave can be accumulated from year to year.

Permanent part-time employees are not eligible for sick leave benefits.

Sick Leave Procedure

Employees wishing to take sick leave must notify their department heads as soon as possible but not later than thirty (30) minutes after their scheduled work starting time each day of the required absence.

A medical certificate may be required of the employee stating illness or of the need for the employee's attendance upon a member of his/her family. A medical certificate will be required after absences from work of five (5) or more consecutive days. Medical certificates will be given to the department head who in turn will forward it to the Borough Clerk for inclusion into the employee's personnel file.

SECTION 6: Section 1, Chapter III D of the aforementioned Ordinance is hereby amended as follows:

D. HOLIDAYS

The following holidays shall be recognized and the Borough employees are excused from work with full pay.

New Years Day
Martin Luther King, Jr. Birthday
Washington's Birthday
Good Friday
Memorial Day
Independence Day
Labor Day
Columbus Day
Thanksgiving Day
Friday after Thanksgiving
Christmas Day

Any employee required to work on Easter Sunday shall be paid at two (2) times their current hourly salary rate for that day.

Whenever the above holidays fall on a Sunday, the holiday shall be celebrated on the Monday following the holiday.

Whenever the above holidays fall on a Saturday, the holiday shall be celebrated on the Friday before the said holiday.

Office, public works and police dispatcher employees required to work on any of the recognized Borough holidays shall be paid two (2) times their current hourly salary rate for that day.

SECTION 7: Section 1, Chapter III G and H of the aforementioned Ordinance are hereby amended as follows:

G. MATERNITY/CHILD CARE LEAVE

Maternity leaves may be granted to permanent full-time employees for a period of three (3) months. Requests for maternity leave must be enclosed by the department head and be approved by the Mayor and Council. Such leave, if granted, shall be without pay and may be extended by approval of the Mayor and Council.

Prior to the start of such leave, the employee may use up all accumulated vacation, personal and sick leave time.

An employee who fails to return to work within the prescribed time limits shall be presumed to have resigned.

Under no circumstances shall an employee work beyond the eight month of pregnancy.

Earned accumulated leave and sick time may be granted to the employee until such time as all leave accumulations have been used.

H. BEREAVEMENT LEAVE

In the event of a death in the employee's immediate family, the employee will be granted a leave of absence with pay, not to exceed three days. Additional leave may be granted when necessary with the approval of the Mayor and Council.

The granting of such absence shall be made upon notification to the department head by the employee. The department head shall complete and forward a leave of absence form to the Borough Clerk.

"Immediate family" means mother, father, step-parent, father-in-law, mother-in-law, child, spouse, step-child, foster-child, grandparent, grandchild, sister, brother, aunt, uncle, nephew and niece.

SECTION 8: Section 1, Chapter IV A 3 of the aforementioned Ordinance is hereby amended as follows:

3. Leave of Absence or Retirement

The Borough shall not be required to furnish either

Health Benefits or Dental Coverage for any employee during a leave of absence from Borough employment or following retirement. However, such employee shall have the option of continuing any such coverage by paying the cost thereof.

SECTION 9: Section 1, Chapter V B of the aforementioned Ordinance is hereby amended as follows:

B. PAY SCHEDULE

The schedule for Borough employee payroll is made as follows:

1. Weekly payroll: all casual employees, including all casual employees and all day labor.
2. Biweekly payroll: all full time employees, all members of the Police Department and school crossing guards, Plumbing Inspector and Construction Official.
3. Monthly payroll: Secretary of the Board of Tax Appeals.
4. Quarterly payroll: Members of the Board of Tax Assessors, Secretary of the Planning Board, Secretary of the Board of Adjustment, Municipal Court Clerk, Municipal Court Judge, Municipal Welfare Director, Fire Marshal, Assessment Clerk, Borough Attorney, Mayor, members of the Borough Council and all other employees.
5. Other: The Registrar of Vital Statistics, Deputy Registrar of Vital Statistics, Secretary of the Board of Health and Health Officer shall continue on the payroll of the Monmouth County Regional Health Commission No. 1.

SECTION 10: Section 1, Chapter V C 1 of the aforementioned Ordinance is hereby amended as follows:

1. Overtime

In most cases, employees shall be assigned work which will not require attendance beyond the normal working hours established for their departments. When employees are required to work additional hours beyond the normal work week, they shall be eligible for overtime compensation. Overtime will be kept to a minimum and, except in cases of emergency, must be authorized in advance by the department head.

In compliance with the Fair Labor Standards Act, Borough employees shall be classified as Exempt or Non-Exempt for purposes of overtime.

Exempt employees are supervisory or department head employees who are not eligible for overtime compensation for service beyond the normal working hours, except for the Public

Works Supervisor who shall be eligible for overtime compensation. The Borough, however, recognizing the professional nature of the exempt employees position and their requirement to perform services beyond the normal working hours shall occasionally allow them time off during the work day. Such time off shall not be on an hour-for-hour basis.

Non-Exempt Employees: A non supervisory employee is not expected to provide service for the Borough beyond the normal working hours without additional compensation. Non-exempt employees shall be eligible for overtime compensation at the rate of one and one-half (1 1/2) times their hourly rate as follows:

(a) Office

Overtime pay shall be awarded for all work in excess of thirty-five (35) hours within a given work week.

(b) Public works and Dispatching

Overtime pay shall be awarded for all work in excess of forty (40) hours within a given work week.

SECTION 11: All ordinances or parts of ordinances inconsistent with this Amending Ordinance be and the same are hereby repealed.

SECTION 12: This Ordinance shall become effective on final passage and publication according to law.

Passed and approved by Mayor and Council August 21, 1986.

PATRICIA L. VARCA
BOROUGH CLERK

BOND ORDINANCE APPROPRIATING \$27,200.
AND AUTHORIZING THE ISSUANCE OF \$25,800.
BONDS OR NOTES OF THE BOROUGH FOR
VARIOUS IMPROVEMENTS OR PURPOSES
AUTHORIZED TO BE UNDERTAKEN BY THE
BOROUGH OF OCEANPORT IN THE COUNTY OF
MONMOUTH, NEW JERSEY

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by the Borough of Oceanport, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor, and amounting in the aggregate to \$27,200 including the aggregate sum of \$1,400 as the down payment for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$27,200 appropriations not provided for by application hereunder of said down payments, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$25,800 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes negotiable notes of the Borough in a principal amount not exceeding \$25,800 are hereby authorized to be issued pursuant to and within the limitations prescribed by said law. All such notes shall mature at such times as may be determined by the chief financial officer or such other financial officer designated by the resolution for this purpose (both being hereafter referred to in this section as the "chief financial officer"); provided that no notes shall mature later than one year from its date. The notes shall bear interest at such rate or rates as may be determined by the chief financial officer and shall be in the form determined by him and his signature upon the notes shall be conclusive as to such determination. The chief financial officer is hereby authorized to sell the notes from time to time at public or private sale in such amounts as he may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof for payment therefor. Such officer is authorized and directed to report in writing to the governing body of the Local Unit at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made, such report to include the amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser. Such officer is further directed to determine all matters in connection with said notes not determined by this ordinance and

his signature upon said notes shall be conclusive as to such determination. All notes issued hereunder may be renewed from time to time for periods of not exceeding one (1) year for the time period specified in and in accordance with the provisions of N.J.S. 40A:2-8(a).

Section 3. The improvements hereby authorized and the purpose for the financing of which said obligations are to be issued, the appropriations made for and estimated cost of such purpose, and the estimated maximum amount of bonds or notes to be issued for such purpose, is as follows:

| <u>Improvement or Purpose</u> | <u>Appropriations and Estimated Cost</u> | <u>Estimated Maxi- mum Amount of Bonds or Notes</u> |
|---|--|---|
| (1) Repairs and improvements to the Community Center Building, both interior and exterior, including but not limited to roof, floors, lighting and appliances, as well as replacement of baseball field chain link fence. | \$ 19,000.00 | \$ 18,000.00 |
| (2) Repair of Borough Hall steps and porch | 8,200.00 | 7,800.00 |
| | <u>\$ 27,200.00</u> | <u>\$ 25,800.00</u> |

the excess of the appropriation made for the improvements or purpose aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose. All funds to be received from the Program shall be used to satisfy the obligations incurred pursuant to the terms of this Ordinance.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this bond ordinance are not current expenses and are each a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by the bond ordinance is 15 years.

(c) The supplemental debt statement required by said Law has been duly made and filed in the Office of the Borough Clerk and a complete duplicate thereof has been filed in the Office

of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$25,800 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said law.

(d) Amounts not exceeding \$6,800. in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under section 40A:2-20 of said Law may be included in the foregoing estimate thereof.

Section 5. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 6. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption as provided by said Local Bond Law.

Passed and approved by Mayor and Council September 18, 1986.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE AUTHORIZING THE SALE
OF PREMISES KNOWN AS A PORTION OF
BLOCK 88, LOT 16 ON THE TAX MAP
OF THE BOROUGH OF OCEANPORT

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth and State of New Jersey as follows:

SECTION 1. The following findings of fact regarding premises known as a portion of Block 88, Lot 16 on the Tax Map of the Borough of Oceanport (hereinafter referred to as "the subject property") are hereby made and determined:

a. That the subject property is not needed for public use and may be sold at private sale pursuant to the provisions of N.J.S.A. 40A:12-13(b).

b. That the subject property is without any capital improvements thereon and is less than the minimum size required for development under municipal zoning ordinance.

c. That the fair market value of the subject property is \$1,000.00.

d. That Richard F. Martel and Bonnie Martel are the sole owners of privately owned property contiguous to the subject property, such privately owned property being Lot 17, Block 88 on the Tax Map of the Borough of Oceanport.

SECTION 2. The Borough shall be authorized to sell and convey a four-foot wide strip parallel and adjacent to the southerly line of the subject property upon the following terms and conditions:

a. The purchase price shall be \$1,000.00.

b. A deposit of \$100.00 shall be paid by certified or bank cashier's check within ten days following final passage of this ordinance, which deposit shall be held by the Borough Attorney until the closing of title.

c. The purchasers shall be responsible for the payment at closing of title of the fee to be charged by the Borough Attorney for services to be rendered in connection with the proposed sale, which fee shall not exceed \$300.00.

d. Title shall be closed at the offices of the Borough Attorney not later than thirty (30) days following final passage of this ordinance, at which time the balance of the monies due from the purchasers shall be paid by certified check or bank cashier's check.

SECTION 3. A copy of this ordinance shall be posted in a conspicuous place in the Municipal Building within five (5) days following final passage thereof.

SECTION 4. This ordinance shall take effect 20 days following final passage and publication as required by law.

Passed and approved by Mayor and Council September 18, 1986.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE AMENDING CHAPTER 43
OF THE GENERAL ORDINANCES OF THE
BOROUGH OF OCEANPORT ENTITLED
"THE LOT MAINTENANCE ORDINANCE"
PASSED AND APPROVED ON AUGUST 7,
1969.

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, County of Monmouth and State of New Jersey that Chapter 43 of the General Ordinances of the Borough of Oceanport entitled "The Lot Maintenance Ordinance" be and the same is hereby amended as follows:

SECTION 1: Section 43-3, Method of Notification, is hereby amended as follows:

Said notice shall be in writing and sent by certified mail, postage prepaid, return receipt requested, to the owner's last known address on the tax duplicate and shall be mailed by the Zoning Officer of the Borough of Oceanport.

SECTION 2: The remainder of all other sections of the aforementioned ordinance not specifically amended by this ordinance shall remain in full force and effect.

SECTION 3: All ordinances and parts thereof inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency.

SECTION 4: This ordinance shall take effect immediately upon passage, publication and filing according to law.

Passed and approved by Mayor and Council September 18, 1986.

PATRICIA L. VARCA
BOROUGH CLERK

BOND ORDINANCE APPROPRIATING \$75,000
AND AUTHORIZING THE ISSUANCE OF \$71,250
BONDS OR NOTES OF THE BOROUGH FOR
VARIOUS IMPROVEMENTS OR PURPOSES
AUTHORIZED TO BE UNDERTAKEN BY THE
BOROUGH OF OCEANPORT IN THE COUNTY
OF MONMOUTH, NEW JERSEY

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF
OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than
two-thirds of all the members thereof affirmatively concurring)
AS FOLLOWS:

Section 1. The several improvements described in Section 3
of this bond ordinance are hereby respectively authorized as general
improvements to be made or acquired by the Borough of Oceanport,
New Jersey. For the said several improvements or purposes stated
in said Section 3, there are hereby appropriated the respective sums
of money therein stated as the appropriations made for said improve-
ments or purposes, said sums being inclusive of all appropriations
heretofore made therefor, and amounting in the aggregate to \$75,000
including the aggregate sum of \$3,750 as the down payment for said
improvements or purposes required by law and more particularly
described in said Section 3 and now available therefor by virtue of
provision in a previously adopted budget or budgets of the Borough
for down payment or for capital improvement purposes.

Section 2. For the financing of said improvements or purposes
and to meet the part of said \$75,000 appropriations not provided for
by application hereunder of said down payments, negotiable bonds of
the Borough are hereby authorized to be issued in the principal
amount of \$71,250 pursuant to the Local Bond Law of New Jersey. In
anticipation of the issuance of said bonds and to temporarily
finance said improvements or purposes negotiable notes of the Borough
in a principal amount not exceeding \$71,250 are hereby authorized
to be issued pursuant to and within the limitations prescribed by
said law. All such notes shall mature at such times as may be
determined by the chief financial officer or such other financial
officer designated by the resolution for this purpose (both being
hereafter referred to in this section as the "chief financial
officer"); provided that no notes shall mature later than one year
from its date. The notes shall bear interest at such rate or rates
as may be determined by the chief financial officer and shall be in
the form determined by him and his signature upon the notes shall
be conclusive as to such determination. The chief financial officer
is hereby authorized to sell the notes from time to time at public
or private sale in such amounts as he may determine at not less than
par and to deliver the same from time to time to the purchasers
thereof upon receipt of payment of the purchase price plus accrued
interest from their dates to the date of delivery thereof for payment
therefor. Such officer is authorized and directed to report in
writing to the governing body of the Local Unit at the meeting next
succeeding the date when any sale or delivery of the notes pursuant
to this ordinance is made, such report to include the amount,
description, interest rate and maturity of the notes sold, the price
obtained and the name of the purchaser. Such officer is further
directed to determine all matters in connection with said notes not

determined by this ordinance and his signature upon said notes shall be conclusive as to such determination. All notes issued hereunder may be renewed from time to time for periods of not exceeding one (1) year for the time period specified in and in accordance with the provisions of N.J.S. 40A:2-8(a).

Section 3. The improvement hereby authorized and the purpose for the financing of which said obligations are to be issued, the appropriations made for and estimated cost of such purpose, and the estimated maximum amount of bonds or notes to be issued for such purpose, is as follows:

| <u>Improvement or Purpose</u> | <u>Appropriations and Estimated Cost</u> | <u>Estimated Maxi- mum Amount of Bonds or Notes</u> |
|---|--|---|
| (1) Reconstruction of Port-au-Peck Avenue and installation of storm drains between Monmouth Boulevard and Ticonderoga Avenue and Construction of a parking area at Blackberry Bay Park. | \$75,000.00 | \$71,250.00 |

the excess of the appropriation made for the improvements or purpose aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose. All funds to be received from the Program shall be used to satisfy the obligations incurred pursuant to the terms of this Ordinance.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this bond ordinance are not current expenses and are each a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purpose within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by the bond ordinance is 20 years.

(c) The supplemental debt statement required by said Law has been duly made and filed in the Office of the Borough Clerk and a complete duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said law is increased by the authorization

of the bonds and notes provided for in this bond ordinance by \$71,250 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said law.

(d) Amounts not exceeding \$29,225. in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under section 40A:2-20 of said Law may be included in the foregoing estimate thereof.

Section 5. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 6. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption as provided by said Local Bond Law.

Passed and approved by Mayor and Council October 2, 1986.

PATRICIA L. VARGA
BOROUGH CLERK

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$2,500 FOR THE PURCHASE OF AN EMERGENCY GENERATOR IN AND BY THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$2,375 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE SUPPLEMENTAL APPROPRIATION.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3 of this bond ordinance has heretofore been authorized to be undertaken by the Borough of Oceanport, New Jersey as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the supplemental amount of \$2,500, such sum being in addition to the \$20,000 appropriated therefor in Section 3(b) of Bond Ordinance #474 of the Borough finally adopted April 21, 1983 and to the \$15,000 supplementally appropriated therefor in Section 1 of Bond Ordinance #497 of the Borough finally adopted November 15, 1984, and including the sum of \$125. as the additional down payment required by the Local Bond Law. The additional down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the additional cost of the improvement or purpose not covered by application of the additional down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$2,375 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement heretofore authorized and the purpose for the financing of which the bonds are to be issued is the purchase of an emergency generator, as more specifically described in Section 3(b) of Bond Ordinance #474 of the Borough finally adopted April 21, 1983.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is \$35,625, including the \$19,000 bonds or notes authorized by Section 3(b) of Bond Ordinance #474 of the Borough finally adopted April 21, 1983, the \$14,250 bonds or notes authorized by Section 1 of Bond Ordinance #497 of the Borough finally adopted November 15, 1984, and the \$2,375 bonds or notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$37,500, including the \$20,000 appropriated by Section 3(b) of Bond Ordinance #474 of the Borough finally adopted April 21, 1983, the \$15,000 appropriated by Section 1 of Bond Ordinance #497 of the Borough finally adopted November 15, 1984, and the \$2,500 appropriated herein.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time, subject to the provisions of N.J.S.A. 40A:2-8(a). The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget of the Borough of Oceanport is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is five (5) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the bonds and notes provided in this bond ordinance by \$2,375, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding @2,625 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. All grant monies received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Passed and approved by Mayor and Council October 2, 1986.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 68 OF THE GENERAL ORDINANCES
OF THE BOROUGH OF OCEANPORT ENTITLED
"THE ZONING ORDINANCE" PASSED AND
APPROVED ON JULY 3, 1969, AS SUB-
SEQUENTLY AMENDED AND SUPPLEMENTED

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, County of Monmouth and State of New Jersey that Chapter 68 of the General Ordinances of the Borough of Oceanport entitled "The Zoning Ordinance" be and the same is hereby amended as follows:

SECTION 1: Purpose: This ordinance is enacted by the Mayor and Council of the Borough of Oceanport to provide regulations, standards and procedures for the installation of satellite dish antennas and conventional television and radio antennas based on current design technology. The installation of these structures in accordance with the rules set forth here is necessary to promote the public health, safety, and welfare of the community; to promote a desirable visual environment; to ensure the orderly and safe installation of such equipment; and to provide sufficient space in appropriate locations for such equipment so as to assure the well being of persons and neighborhoods and safeguard the general welfare. This ordinance acknowledges the interest of the Federal Communications Commission in the regulation of antennas and embodies the intent of the FCC Order PRB-1 to strike a balance between local regulations and communications interests so as to accommodate reasonably amateur communications by imposing the minimum practical regulations necessary to accomplish legitimate zoning purposes.

SECTION 2: Article II, Section 68.4, Definitions, is hereby amended and supplemented to include the following definitions:

"Satellite Dish Antenna" or "Satellite Antenna" means a parabolic reflector antenna which is designed for the purpose of receiving signals from and/or transmitting signals to a transmitter relay located in planetary orbit.

SECTION 3: Article VI, Section 68.23H, Antennas and Towers shall be retitled Radio, Television, and Micro-wave Antenna and shall be amended to read as follows:

- A. In residential zones, including the R-1 through R-5, R-M and RMO Zones, the following antenna structures shall be permitted as accessory structures to a principal residential structure or permitted conditional use on the same lot. No such antenna structures may serve more than one residential lot unless the supporting structure conforms to the minimum regulations on the lot on which it is located and no connecting cables cross property other than that owned by the persons served by the antenna.
1. Two conventional television and/or radio antenna structures attached to a building provided that they do not exceed the height limitations for the zone by more than fifteen feet (15'). Antenna structures operated by holders of a

Federal Communications Commission Amateur Radio License may exceed the height limitations for the zone by thirty-five feet (35'). Such antennas which exceed twenty feet (20') above the point of attachment to the building shall be built to withstand winds of seventy-five (75) miles per hour.

2. Free-standing, non-commercial, mast or pole type radio and/or television antenna structures and one tower-type radio and/or television antenna structure provided that they shall only be placed in the rear yard area. shall be located no closer than fifteen feet (15') to any property line, and may exceed the height limitations for the zone by not more than fifteen feet (15'). In the event any rear yard area shall be contiguous with the front yard area of an adjoining lot, such antenna structure shall be placed in a side yard subject to compliance with the setback and screening requirements otherwise contained in this ordinance. Antenna structures operated by holders of a Federal Communications Commission Amateur Radio License may exceed the height limitations for the zone by thirty-five feet (35'). Such structures over twenty feet (20') in height shall be built to withstand winds of seventy-five (75) miles per hour.
 3. One satellite dish antenna structure erected on a secure ground-mounted foundation provided that it shall only be placed in the rear yard, shall conform to the setbacks for a principal structure in the zone, and shall not exceed twelve feet (12') in height or twelve feet (12') in diameter. In the event any rear yard area shall be contiguous with the front yard area of an adjoining lot, such antenna structure shall be placed in a side yard subject to compliance with the setback and screening requirements otherwise contained in this ordinance. Any wires or connecting cables shall be buried underground unless the antenna is located immediately adjacent to and mounted no more than seven feet (7') from the structure being served. Each such structure shall be screened by fencing not to exceed six feet (6') in height, other structures and/or non-deciduous plantings of sufficient number and height to obstruct any clear view of the antenna from any adjacent conforming residential property, any residential zone, or any public street.
- B. In the B-1 through B-3 and I Zones, the following antenna structures shall be permitted as accessory structures to a principal use, other than a residential use, on the same lot. No such antenna structures may serve more than one lot unless the supporting structure conforms to the minimum regulations on the lot on which it is located and no connecting cables cross property other than that owned by the persons served by the antenna.
1. Conventional television and/or radio antenna structures attached to each building provided that no antenna structure shall exceed the height limitations for the zone by more than fifteen feet (15'). Such structures

which exceed twenty feet (20') above the point of attachment to the building shall be built to withstand winds of seventy-five (75) miles per hour.

2. Freestanding, conventional, non-commercial radio and television antenna structures provided that such antenna structures shall only be placed in the rear yard, shall adhere to setback and yard requirements for accessory structures in the particular zone but in no case shall be closer than fifty feet (50') to any residential property line or zone boundary or closer than fifteen feet (15') to any other property line and shall not exceed the height limitations for the zone by more than fifteen feet (15'). Such structures over twenty feet (20') in height shall be built to withstand winds of seventy-five (75) miles per hour.
3. Satellite dish antennas. Such antenna structures shall be erected on a secure ground-mounted foundation located in the rear yard or may be mounted on a flat roof provided that it is no higher than fifteen feet (15') above the roof line and is concealed from public view. No antenna structure shall exceed twelve feet (12') in diameter. Ground-mounted antenna structures shall conform to the setbacks for a principal structure in the zone, shall not exceed twelve feet (12') in height, and shall in no case be located closer than fifty feet (50') to a residential property line or zone boundary. Wires or connecting cables for ground-mounted antenna shall be buried underground. Each ground-mounted antenna shall be screened by fencing, other structures and/or non-deciduous plantings of sufficient number and height to obstruct any clear view of the structure from any adjacent conforming residential property, any residential zone or any public street.

SECTION 4: Severability. If any section, paragraph, subsection, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, clause or provision so adjudged and the remainder of this ordinance shall be deemed valid and effective.

SECTION 5: Repealer. The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this ordinance shall remain in full force and effect.

SECTION 6: Inconsistent Ordinances. All ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency.

SECTION 7: This ordinance shall take effect immediately upon passage, publication, and filing according to law.

Passed and approved by Mayor and Council October 16, 1986.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE VACATING A PORTION OF
MOHAWK AVENUE WHICH WAS PREVIOUSLY
DEDICATED AS A PUBLIC STREET BUT
NEVER OPENED AND EXTINGUISHING
PUBLIC RIGHT THEREUNDER.

WHEREAS, there appears on the Official Tax Map of the Borough of Oceanport, a certain "paper street" commonly known as Mohawk Avenue, and

WHEREAS, this street is not opened to the public and it appearing to the Governing Body that the public interest would be better served by releasing a portion of said lands from said dedication;

NOW, THEREFORE BE IT ORDAINED by the Borough Council of the Borough of Oceanport, in the County of Monmouth and State of New Jersey, as follows:

SECTION 1. That the public rights, if any, arising from that portion of a street known as Mohawk Avenue, appearing on the Official Tax Map of the Borough of Oceanport, and described as follows:

Beginning on the southerly side of Mohawk Avenue at a point 153.87 feet from the easterly line of Wyandotte Avenue; thence

1. N 57° 43'30" E along the extended southerly line of Mohawk Avenue a distance of 180.00 feet plus or minus; thence

2. N 10° 00' E a distance of 25.00 feet plus or minus; to Blackberry Bay; thence

3. In a westerly direction a distance of 60.00 feet plus or minus to the north line of Mohawk Avenue as extended; thence

4. Along the extended line of Mohawk Avenue S 57° 43' 30" W a distance of 98.00 feet plus or minus to a point on the newly made cul de sac; thence

5. Along a curve to the right having a radius of 50.00 feet and a length of 78.54 feet to the point or place of BEGINNING.

Is hereby vacated and the public right arising from said vacation is released and extinguished.

SECTION 2. This Ordinance shall take effect upon final passage and publication as provided by law.

Passed and approved by Mayor and Council November 6, 1986.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE AUTHORIZING THE MAYOR AND CLERK TO
EXECUTE A PROJECT AGREEMENT WITH MONMOUTH COUNTY
FOR PERFORMANCE AND DELIVERY OF TWELFTH YEAR
COMMUNITY DEVELOPMENT PROJECTS

WHEREAS, certain Federal funds are potentially available to Monmouth County under the Housing and Urban-Rural Recovery Act of 1983, as amended; and

WHEREAS, the U.S. Department of Housing and Urban Development has allocated funding to the County of Monmouth in the amount of \$2,687,000.00 FY 1986 (Twelfth Program Year); and

WHEREAS, the U.S. Department of Housing and Urban Development has approved the County of Monmouth's Final Statement of Objectives and Projected Use of Funds for FY 1986 which included a project hereinafter referred to as Street Improvements (Wolfhill Avenue) with a grant allocation of \$36,319.00. This project will be undertaken in the Arcana Avenue DTN--Wolfhill Avenue from Main to Port-au-Peck Avenue by the Borough of Oceanport; and

WHEREAS, the Borough of Oceanport has hereby met all requirements for the release of funds to begin incurring costs for this project; and

WHEREAS, the Borough of Oceanport has filed with the Monmouth County Community Development Program an acceptable and approveable "TIMETABLE FOR PROJECT COMPLETION AND EXPENDITURE OF GRANT FUNDS" which is included as Appendix 1 of the Project Agreement.

NOW, THEREFORE, BE IT ORDAINED, that the Mayor and Municipal Clerk of the Borough of Oceanport is hereby authorized to execute with the County of Monmouth the attached Agreement.

Passed and approved by Mayor and Council November 6, 1986.

PATRICIA L. VARCA
BOROUGH CLERK

ORDINANCE AUTHORIZING THE MAYOR AND MUNICIPAL
CLERK TO EXECUTE AN AGREEMENT WITH MONMOUTH
COUNTY TO MODIFY THE INTERLOCAL SERVICES
AGREEMENT DATED SEPTEMBER 7, 1984.

WHEREAS, certain federal funds are potentially available to Monmouth County under Title 1 of the Housing and Community Development Act of 1977, commonly known as Community Development Block Grant Program; and

WHEREAS, it is necessary to amend an existing Interlocal Services Agreement for the County and its people to benefit from this Program; and

WHEREAS, an agreement has been proposed under which the Borough of Oceanport and the County of Monmouth in cooperation with other municipalities will modify an Interlocal Services Act pursuant to N.J.S.A. 40:8A-1; and

WHEREAS, it is in the best interest of the Borough of Oceanport to enter into such an agreement;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Governing Body of the Borough of Oceanport that the agreement entitled, "Agreement to Modify Interlocal Services Agreement Dated 9/7/84 for the Purpose of Inserting a Description of Activities for the Thirteenth Year Monmouth County Community Development Block Grant Program", a copy of which is on file in the Municipal Clerk's Office, be executed by the Mayor and Municipal Clerk in accordance with the provisions of law; and

BE IT FURTHER ORDAINED that this ordinance shall take effect immediately upon its enactment.

Passed and approved by Mayor and Council November 6, 1986.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "BOND ORDINANCE PROVIDING FOR THE RECONSTRUCTION OF MAIN STREET FROM EATONTOWN BOULEVARD TO OCEANPORT AVENUE IN AND BY THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$75,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$71,250 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE COST THEREOF" PASSED AND APPROVED ON DECEMBER 15, 1983.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF OCEANPORT IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section 1. Ordinance Number 478 of the Borough of Oceanport entitled "Bond Ordinance Providing for the Reconstruction of Main Street From Eatontown Boulevard to Oceanport Avenue in and by the Borough of Oceanport In the County of Monmouth, New Jersey, Appropriating \$75,000 Therefor and Authorizing the issuance of \$71,250 Bonds or Notes of the Borough for Financing Part of the Cost Thereof" Passed and Approved on December 15, 1983, be and the same is hereby amended as follows:

A. The total sum appropriated in Section 1 of such Bond Ordinance is amended to read \$85,000 and the amount of the down payment in such section is amended to read \$4,250.

B. The principal amount of the negotiable bonds authorized to be issued in Section 2 of said ordinance is amended to read \$80,750.

C. The amount by which the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance as set forth in Section 6(c) of said ordinance is amended to read \$80,750.

D. The aggregate amount for items of expense listed in and permitted under N.J.S.A. 40A:2-20 set forth in Section 6 (d) of said ordinance is amended to read \$17,000.

Section 2. All ordinances or part of ordinances inconsistent with the Amending Ordinance be and the same are hereby repealed.

Section 3. This Amended Bond Ordinance shall take effect twenty days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Passed and approved by Mayor and Council November 20, 1986.

PATRICIA L. VARCA, BOROUGH CLERK

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "BOND ORDINANCE APPROPRIATING \$70,000 AND AUTHORIZING THE ISSUANCE OF \$66,500 BONDS OR NOTES OF THE BOROUGH FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY" PASSED AND APPROVED ON NOVEMBER 21, 1985.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF OCEANPORT IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section 1. Ordinance Number 513 of the Borough of Oceanport entitled "Bond Ordinance Appropriating \$70,000 and Authorizing the issuance of \$66,500 Bonds or Notes of the Borough for various improvements or Purposes Authorized to be Undertaken by the Borough of Oceanport, in the County of Monmouth, New Jersey" passed and approved on November 21, 1985, be and the same is hereby amended as follows:

A. The total sum appropriated in Section 1 of such Bond Ordinance is amended to read \$94,000 and the amount of the down payment in such section is amended to read \$4,700.

B. The principal amount of the negotiable bonds authorized to be issued in Section 2 of said ordinance is amended to read \$89,300.

C. Section 3(a) is amended to include the following additional Improvements or Purposes:

3. Word processor, printer, program and miscellaneous related supplies.
4. Photocopying machine.

D. The appropriation and estimated cost in Section 3 is amended to read \$94,000.

E. The estimated maximum amount of bonds or notes to be issued for the improvement or purpose in section 3 of said ordinance is amended to read \$89,300.

F. The amount by which the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance as set forth in Section 4(c) of said ordinance is amended to read \$89,300.

G. The aggregate amount for items of expense listed in and permitted under N.J.S.A. 40A:2-20 set forth in Section 4 (d) of said ordinance is amended to read \$23,500.

Section 2. All ordinances or part of ordinances inconsistent with the Amending Ordinance be and the same are hereby repealed.

Section 3. This Amended Bond Ordinance shall take effect twenty days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Passed and approved by Mayor and Council December 18, 1986.

PATRICIA L. VARCA
BOROUGH CLERK

BOND ORDINANCE AMENDING IN ITS ENTIRETY BOND ORDINANCE NO. 479, FINALLY ADOPTED DECEMBER 28, 1983, AS AMENDED BY BOND ORDINANCE NO. 508, FINALLY ADOPTED JULY 18, 1985, AS FURTHER AMENDED BY BOND ORDINANCE NO. 512, FINALLY ADOPTED NOVEMBER 7, 1985, BY THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY IN ORDER TO PROVIDE ADDITIONAL FUNDS FOR PURPOSES OF COMPLETION OF THE OLD WHARF PROJECT.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section One. Bond Ordinance no. 479 of the Borough of Oceanport, New Jersey, finally adopted December 28, 1983, as amended by bond ordinance no. 508 of the Borough, finally adopted July 18, 1985, as further amended by bond ordinance no. 512, finally adopted November 7, 1985, and originally entitled, "Bond Ordinance Providing for the Completion of Construction of Old Wharf Park in and by the Borough of Oceanport, in the County of Monmouth, New Jersey, Appropriating \$52,500 Therefor and Authorizing the Issuance of \$50,000 Bonds or Notes of the Borough for Financing Part of the Cost Thereof," is hereby amended, in its entirety, to read as follows:

"Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Oceanport, New Jersey as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$252,500, including the sum of \$12,500. as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment negotiable bonds are hereby authorized to be issued in the principal amount of \$239,875. pursuant to the Local Bond Law. In anticipation of the issuance of the bonds negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the completion of construction of Old Wharf Park and the reconstruction of certain premises known as Lot 2 in Block 103 to be used as a senior citizen center and to be incorporated in and made a part of Old Wharf Park, all as shown on and in accordance with the plans and specifications therefor on file in the office of the Clerk, which plans are hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget of the Borough of Oceanport is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized in this ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the

Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$239,875., and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$12,625 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law."

Section Two. The capital budget of the Borough of Oceanport is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section Three. This amending bond ordinance shall take effect 20 days after the first publication thereof after final adoption as provided by the Local Bond Law.

Passed and approved by Mayor and Council December 18, 1986.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE TO AMEND AN
ORDINANCE ENTITLED "THE
TRAFFIC ORDINANCE OF THE
BOROUGH OF OCEANPORT, COUNTY
OF MONMOUTH AND STATE OF NEW
JERSEY" PASSED AND APPROVED
ON DECEMBER 3, 1970.

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth and State of New Jersey as follows:

SECTION 1: Section 64-28A of an Ordinance entitled "The Traffic Ordinance of the Borough of Oceanport, County of Monmouth and State of New Jersey" passed and approved on December 3, 1970, is hereby amended as follows:

Schedule II - No Stopping, Standing or Parking
Certain Hours.

A. In accordance with the provisions of Section 64-4, no person shall permit a vehicle to be stopped, standing or parked between the hours specified upon any of the following described streets or parts of streets:

| <u>Name of Street</u> | <u>Sides</u> | <u>Hours</u> | <u>Location</u> |
|-----------------------|--------------|-------------------------------|--|
| Myrtle Avenue | Both | 11:00 a.m. to 8:00 p.m. | Entire length |
| Springfield Avenue | Both | 11:00 a.m. to 8:00 p.m. | East of Woodbine Way |
| Woodbine Way | Both | 11:00 a.m. to 8:00 p.m. | Entire length |
| Fairfield Avenue | Both | 11:00 a.m. to 8:00 p.m. | East of Woodbine Way |
| Summerfield Avenue | Both | 11:00 a.m. to 8:00 p.m. | East of Woodbine Way |
| Port-au-Peck Ave. | Both | 11:00 a.m. to 8:00 p.m. | Wolf Hill Avenue to Branchport Avenue |
| East Main Street | Both | 11:00 a.m. to 8:00 p.m. | Bridgewaters Drive to Borough of Oceanport-Borough of West Long Branch corner line |

SECTION 2. All ordinances or parts of ordinances inconsistent with this Amending Ordinance be and the same are hereby repealed.

SECTION 3: This ordinance shall become effective upon final passage and publication according to law.

Passed and approved by Mayor and Council December 18, 1986.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX AND DETERMINE THE SALARIES OF CERTAIN BOROUGH OFFICIALS" PASSED AND APPROVED ON MARCH 16, 1939

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth, State of New Jersey as follows:

1. That Section 1, Paragraph I and Paragraph K of an ordinance entitled "An Ordinance to Fix and Determine the Salaries of Certain Borough Officials" passed and approved on March 16, 1939, be and the same are hereby amended to read as follows:

SECTION 1: The yearly salaries of the officials and employees herein named beginning January 1, 1986 be and hereby are fixed respectively as follows:

I. POLICE DEPARTMENT

| | |
|--|------------|
| Patrolman I (Commencing fifth year and each year thereafter) | \$ 27,719. |
|--|------------|

| | |
|--|---------|
| Patrolman II (Commencing fourth year of service) | 24,709. |
|--|---------|

| | |
|--|---------|
| Patrolman III (Commencing third year of service) | 19,997. |
|--|---------|

| | |
|--|---------|
| Patrolman IV (Commencing second year of service) | 18,932. |
|--|---------|

| | |
|--|---------|
| Patrolman V (Commencing first year of service) | 16,388. |
|--|---------|

K. RECREATION AND EDUCATION

| | |
|---|--------|
| Building Sub Code Official Effective 9/1/86 | 1,500. |
|---|--------|

SECTION 2: All ordinances and resolutions or parts of ordinances and resolutions, inconsistent with this amending ordinance be and the same are hereby repealed.

SECTION 3: This amending ordinance shall become effective upon due passage and publication according to law.

Passed and approved by Mayor and Council December 18, 1986.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE VACATING PORTIONS OF
HIAWATHA AVENUE AND MOHAWK AVENUE
WHICH WERE PREVIOUSLY DEDICATED
AS PUBLIC STREETS BUT NEVER OPENED
AND EXTINGUISHING PUBLIC RIGHT
THEREUNDER.

WHEREAS, there appears on the Official Tax Map of the Borough of Oceanport, certain "paper streets" commonly known as Hiawatha Avenue and Mohawk Avenue, and

WHEREAS, portions of these streets are not opened to the public and it appearing to the Governing Body that the public interest would be better served by releasing a portion of said lands from said dedication;

NOW, THEREFORE BE IT ORDAINED by the Borough Council of the Borough of Oceanport, in the County of Monmouth and State of New Jersey, as follows:

SECTION 1. That the public rights, if any, arising from those portions of streets known as Hiawatha Avenue and Mohawk Avenue, appearing on the Official Tax Map of the Borough of Oceanport, and described as follows:

BEGINNING at a point in the northerly line of Hiawatha Avenue where the same is intersected by the westerly line of lot 1, Block 69, Oceanport Tax Map and running from said Beginning point (1) westwardly along the aforesaid northerly line of Hiawatha Avenue, extended westwardly, 70.00 feet more or less to its intersection with the southeasterly line of Mohawk Avenue, extended southwestwardly, thence (2) northwestwardly along said southeasterly line 94.00 feet more or less to its intersection with the aforesaid westerly line of Lot 1, thence (3) southwardly along the westerly line of Lot 1, 63.48 feet to the point or place of Beginning.

are hereby vacated and the public right arising from said vacation is released and extinguished.

SECTION 2. This Ordinance shall take effect upon final passage and publication as provided by law.

Passed and approved by Mayor and Council February 5, 1987.

PATRICIA L. VARCA
BOROUGH CLERK

BOND ORDINANCE APPROPRIATING \$17,000.
AND AUTHORIZING THE ISSUANCE OF \$16,150.
BONDS OR NOTES OF THE BOROUGH FOR
VARIOUS IMPROVEMENTS OR PURPOSES
AUTHORIZED TO BE UNDERTAKEN BY THE
BOROUGH OF OCEANPORT IN THE COUNTY
OF MONMOUTH, NEW JERSEY.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by the Borough of Oceanport, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor, and amounting in the aggregate to \$17,000. Including the aggregate sum of \$850. as the down payment for said improvements or purposes required by law and more particularly described in said Section 3 and not available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$17,000. appropriations not provided for by application hereunder of said down payments, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$16,150. pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes negotiable notes of the Borough in a principal amount not exceeding \$16,150. are hereby authorized to be issued pursuant to and within the limitations prescribed by said law. All such notes shall mature at such times as may be determined by the chief financial officer or such other financial officer designated by the resolution for this purpose (both being hereafter referred to in this section as the "chief financial officer") provided that no notes shall mature later than one year from its date. The notes shall bear interest at such rate or rates as may be determined by the chief financial officer and shall be in the form determined by him and his signature upon the notes shall be conclusive as to such determination. The chief financial officer is hereby authorized to sell the notes from time to time at public or private sale in such amounts as he may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof for payment therefor. Such officer is authorized and directed to report in writing to the governing body of the Local Unit at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made, such report to include the amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser. Such officer is further directed to determine all matters in connection with said notes not determined by this ordinance and his signature upon said notes shall be conclusive as to such determination. All notes issued hereunder may be renewed from time to time for periods of not exceeding one (1) year for the

time period specified in and in accordance with the provisions of N.J.S. 40A:2-8(a).

Section 3. The improvements hereby authorized and the purpose for the financing of which said obligations are to be issued, the appropriations made for and estimated cost of such purpose, and the estimated maximum amount of bonds or notes to be issued for such purpose, is as follows:

| <u>Improvement or Purpose</u> | <u>Appropriations and Estimated Cost</u> | <u>Estimated Maximum Amount of Bonds or Notes</u> |
|---|--|---|
| (1) Contribution for dredging of various navigational channels in the Lower Shrewsbury River to be performed by the New Jersey Department of Environmental Protection | \$17,000.00 | \$16,150.00 |

the excess of the appropriation made for the improvements or purpose aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose. All funds to be received from the Program shall be used to satisfy the obligations incurred pursuant to the terms of this Ordinance.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in section 3 of this bond ordinance are not current expenses and are each a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefullness of said purpose within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by the bond ordinance is 15 years.

(c) The supplemental debt statement required by said Law has been duly made and filed in the Office of the Borough Clerk and a complete duplicate thereof has been filed in the Office of the Director of the Division of Local Government services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$16,150. and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said law.

(d) Amounts not exceeding \$3,400. in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under section 40A:2-20 of said Law may be included in the foregoing estimate thereof.

Section 5. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 6. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption as provided by the Local Bond Law.

Passed and approved by Mayor and Council February 19, 1987.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE VACATING A PORTION OF
WILLOW COURT WHICH WAS PREVIOUSLY
DEDICATED AS A PUBLIC STREET BUT
NEVER OPENED AND EXTINGUISHING
PUBLIC RIGHT THEREUNDER.

WHEREAS, there appears on the Official Tax Map of the Borough of Oceanport, a certain "paper street" commonly known as Willow Court, and

WHEREAS, a portion of this street is not opened to the public and it appearing to the Governing Body that the public interest would be better served by releasing a portion of said lands from said dedication;

NOW, THEREFORE BE IT ORDAINED by the Borough Council of the Borough of Oceanport, in the County of Monmouth and State of New Jersey, as follows:

Section 1. That the public rights, if any, arising from that portion of a street known as Willow Court, appearing on the Official Tax Map of the Borough of Oceanport, and described as follows:

BEGINNING at the point of intersection of Northwesternly line of Willow Court (45.00 feet in width) with the Easterly line of Oceanport Avenue (Monmouth County Route No. 11, (110.00 feet in width) and running from said Beginning point (1) Northeastwardly along said Northwesternly line of Willow Court, 121.47 feet to a point of curvature, thence (2) Northeastwardly along the arc of a curve bearing to the left an arc distance of 52.05 feet, thence (3) Northwardly still along said Northwesternly line of Willow Court, 80.59 feet to the Southerly line of East Main Street, thence (4) Eastwardly along said Southerly line of East Main street, 45.00 feet more or less to its intersection with the Southeasterly line of the aforesaid Willow Court, thence (6) Southwestwardly along the arc of a curve bearing to the right along said Southeasterly line of Willow Court an arc distance of 66.73 feet, thence, (7) Southwestwardly still along said Southeasterly line of Willow Court, 139.73 feet to its intersection with the aforesaid easterly line of Oceanport Avenue, thence (8) Northwardly along said easterly line of Oceanport Avenue 45.00 feet more or less to the point or place of the Beginning, is hereby vacated and the public right arising from said dedication is released and extinguished.

SECTION 2. The following described rights of public utilities are hereby expressly reserved and excepted from this vacation for the purpose of maintaining, repairing and replacing existing facilities in, adjacent to, over or under the street hereby vacated:

- (a) New Jersey Natural Gas Company
- (b) Monmouth Consolidated Water Company
- (c) Northeast Monmouth County Regional Sewerage Authority

SECTION 3. This Ordinance shall take effect upon final passage and publication as provided by law.

Passed and approved by Mayor and Council March 5, 1987.

PATRICIA L. VARCA, BOROUGH CLERK

BOND ORDINANCE APPROPRIATING \$23,000.
AND AUTHORIZING THE ISSUANCE OF \$21,850.
BONDS OR NOTES OF THE BOROUGH FOR
VARIOUS IMPROVEMENTS OR PURPOSES
AUTHORIZED TO BE UNDERTAKEN BY THE
BOROUGH OF OCEANPORT IN THE COUNTY
OF MONMOUTH, NEW JERSEY

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by the Borough of Oceanport, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor, and amounting in the aggregate to \$23,000. including the aggregate sum of \$1,150. as the down payment for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$23,000. appropriations not provided for by application hereunder of said down payments, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$21,850. pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes negotiable notes of the Borough in a principal amount not exceeding \$21,850. are hereby authorized to be issued pursuant to and within the limitations prescribed by said law. All such notes shall mature at such times as may be determined by the chief financial officer or such other financial officer designated by the resolution for this purpose (both being hereafter referred to in this section as the "chief financial officer"); provided that no notes shall mature later than one year from its date. The notes shall bear interest at such rate or rates as may be determined by the chief financial officer and shall be in the form determined by him and his signature upon the notes shall be conclusive as to such determination. The chief financial officer is hereby authorized to sell the notes from time to time at public or private sale in such amounts as he may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof for payment therefor. Such officer is authorized and directed to report in writing to the governing body of the Local Unit at the meeting next succeeding the dates when any sale or delivery of the notes pursuant to this ordinance is made. Such report to include the amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser. Such officer is further directed to determine all matters in connection with said notes not determined by this ordinance and his signature upon said notes

shall be conclusive as to such determination. All notes issued hereunder may be renewed from time to time for periods of not exceeding one (1) year for the time period specified in and in accordance with the provisions of N.J.S. 40A:2-8(a).

Section 3. The improvements hereby authorized and the purpose for the financing of which said obligations are to be issued, the appropriations made for and estimated cost of such purpose, and the estimated maximum amount of bonds or notes to be issued for such purpose, is as follows:

| <u>Improvement or Purpose</u> | <u>Appropriations and Estimated Cost</u> | <u>Estimated Maximum Amount of Bonds or Notes</u> |
|--|--|---|
| Renovation of the base-ball field at Blackberry Bay Park | \$23,000.00 | \$21,850.00 |

the excess of the appropriation made for the improvements or purpose aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose. All funds to be received from the Program shall be used to satisfy the obligations incurred pursuant to the terms of this Ordinance.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this bond ordinance are not current expenses and are each a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purpose within the limitations of said Local Bond Law and taking into consideration the respective amounts of said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by the bond ordinance is 15 years.

(c) The supplemental debt statement required by said Law has been duly made and filed in the Office of the Borough Clerk and a complete duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$21,850. and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said law.

(d) Amounts not exceeding \$4,600. in the aggregate for interest on said obligation, costs of issuing said obligations, engineering costs and other items of expense listed in and

permitted under section 40A:2-20 of said Law may be included in the foregoing estimate thereof.

Section 5. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 6. The debt authorized by this bond ordinance may be satisfied by monies received from the sale of municipal property.

Section 7. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption as provided by said Local Bond Law.

Passed and approved by Mayor and Council March 19, 1987.

PATRICIA L. VARCA
BOROUGH CLERK

ORDINANCE TO EXCEED INDEX RATE
PURSUANT TO L. 1986, C. 203 FOR
THE BOROUGH OF OCEANPORT'S 1987
MUNICIPAL BUDGET

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., as amended by L. 1983, C. 49, provided that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 5% or the index rate, whichever is less, over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, L. 1986, C. 203 amended the Local Government Cap Law, to provide that a municipality may, in any year in which the index rate is less than 5%, increase its final appropriations by a percentage rate greater than the index rate but not to exceed the 5% rate as defined in the amendatory law, when authorized by ordinance; and

WHEREAS, the index rate for 1987 has been certified by the Director of the Division of Local Government Services in the Department of Community Affairs as 3.5%; and

WHEREAS, the Mayor and Council of the Borough of Oceanport finds it advisable and necessary to increase its 1987 budget by more than 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Mayor and Council hereby determine that a 5% increase in the budget for said year, amounting to \$76,521.94 in excess of the increase in final appropriations otherwise permitted by the Local Government CAP Law, is advisable and necessary;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the 1987 budget year, the final appropriations of the Borough of Oceanport shall, in accordance with this ordinance and L. 1986 C. 203, be increased by 5%, amounting to \$76,521.94, and that the 1987 municipal budget for the Borough of Oceanport be approved and adopted in accordance with this ordinance; and

BE IT ALSO ORDAINED that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED that a certified copy of the ordinance, upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Passed and approved by Mayor and Council April 2, 1987.

PATRICIA L. VARCA
BOROUGH CLERK

AN ORDINANCE TO AMEND AN ORDINANCE
ENTITLED "PLANNING BOARD AND
ZONING BOARD OF ADJUSTMENT FEES"
PASSED AND APPROVED ON APRIL 16, 1981.

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth and State of New Jersey as follows:

SECTION 1: Article 1, Section 35A-1C of an Ordinance entitled "Planning Board and Zoning Board of Adjustment Fees" passed and approved on April 16, 1981, is hereby amended as follows:

C. Site Plan.

(1) Preliminary major site plan:

Total Cost of
Improvement
(including buildings)

Fee

| | |
|-----------------------|--|
| \$0 to \$25,000 | 5% of cost with a minimum fee of \$150 |
| \$25,001 to \$50,000 | \$1,250, plus 2% of cost in excess of \$25,000 |
| \$50,001 to \$250,000 | \$1,750, plus 1% of cost in excess of \$50,000 |
| More than \$250,000 | \$3,750, plus 1/3 of 1% of cost in excess of \$250,000 |

(2) Final major site plan: three hundred fifty (\$350.).

(3) Preliminary minor site plan: three hundred dollars (\$300.).

(4) Final minor site plan: one hundred seventy-five dollars (\$175.).

SECTION 2: All ordinances or parts of ordinances inconsistent with this Amending Ordinance are hereby repealed.

SECTION 3: This Ordinance shall become effective upon final passage and publication according to law and shall be applicable to all matters pending before either the Planning Board or the Zoning Board of Adjustment upon the effective date hereof.

Passed and approved by Mayor and Council April 2, 1987.

PATRICIA L. VARCA
BOROUGH CLERK

ORDINANCE #545

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED
 "AN ORDINANCE TO FIX AND DETERMINE THE SALARIES
 OF CERTAIN BOROUGH OFFICIALS" PASSED AND
 APPROVED ON MARCH 16, 1939

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, in the County of Monmouth, State of New Jersey as follows:

1. That Section 1 of the ordinance entitled "An Ordinance to Fix and Determine the Salaries of Certain Borough Officials" passed and approved on March 13, 1939, be and the same is hereby amended to read as follows:

SECTION 1: The yearly salaries of the officials and employees herein named beginning January 1, 1987, unless otherwise stated, be and the same is hereby amended to read as follows:

A. ADMINISTRATIVE AND EXECUTIVE

| | |
|--------------------------|-----------|
| Mayor | \$ 1,500. |
| Councilpersons, each (6) | 1,000. |
| Borough Clerk | 25,000. |
| Secretary | 12,000. |

B. FINANCIAL ADMINISTRATION

| | |
|------------|---------|
| Treasurer | 16,921. |
| Bookkeeper | 17,829. |

C. BOARD OF ASSESSORS

| | |
|------------------|---------|
| Assessor | 14,866. |
| Deputy | 2,571. |
| Deputy | 2,216. |
| Assessment Clerk | 2,761. |

D. COLLECTION OF TAXES

| | |
|------------------|---------|
| Tax Collector | 9,219. |
| Tax Office Clerk | 10,618. |

E. MUNICIPAL COURT

| | |
|------------------------|--------|
| Municipal Court Judge | 7,500. |
| Court/Violations Clerk | 5,000. |
| Deputy Court Clerk | 2,500. |
| Municipal Prosecutor | 2,000. |

F. PLANNING BOARD

| | |
|--|---------------------|
| Secretary | 3,500. |
| G. ZONING BOARD OF ADJUSTMENT | |
| Secretary | 1,400. |
| H. ENVIRONMENTAL COMMISSION | |
| Secretary | 300. |
| I. POLICE DEPARTMENT | |
| Chief | 35,810. |
| Captain | 32,921. |
| Detective Sgt. | 31,780. |
| Sergeants, each | 31,333. |
| Detective | 30,112. |
| Patrolman I [commencing fifth year of service and each year thereafter] | 29,659. |
| Patrolman II [commencing fourth year of service] | 26,439. |
| Patrolman III [commencing third year of service] | 21,397. |
| Patrolman IV [commencing fourth year of service] | 20,257. |
| Patrolman V [commencing fifth year of service] | 17,535. |
| Dispatchers: | |
| Third year of employment and each year thereafter | 15,138. |
| Second year of employment | 14,349. |
| First year of employment | 13,104. |
| Records Clerk | 1,588. |
| School Crossing Guards, each | 4,123. |
| J. PUBLIC WORKS DEPARTMENT | |
| Public Works Superintendent | 27,000. |
| Road Supervisor | 22,950. |
| Helper I | \$13,250. - 15,550. |

| | | | |
|------------|-----------|---|---------|
| Helper II | \$12,000. | - | 13,200. |
| Helper III | \$11,000. | - | 12,000. |

K. RECREATION AND EDUCATION

| | |
|---|---------|
| Recreation Director | 3,150. |
| Recreation Aides & Assistants, total | 4,000. |
| Building Custodian | 525. |
| Community Center/Old Wharf Reservations | 525. |
| Welfare Director | 1,330. |
| Library Aide | 1,500. |
| Construction Official | 11,000. |
| Building Inspector | 5,000. |
| Building SubCode Official | 2,000. |
| Plumbing SubCode Official | 4,000. |
| Housing Inspector | 2,000. |
| Fire Prevention SubCode Official | 1,650. |
| Fire Marshal | 1,650. |

L. CASUAL LABOR \$4.25 - 5.50 per hour

M. LONGEVITY will be allowed at the rate of \$300.00 for the first five (5) years of service completed and \$300.00 for every five (5) years of service completed thereafter, by all full time employees. (40 hours per week, 52 weeks per year). This provision shall be retroactive to January 1, 1987.

Passed and approved by Mayor & Council May 21, 1987

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED
 "BOND ORDINANCE APPROPRIATING \$75,000. AND AUTHORIZING
 THE ISSUANCE OF \$71,250. BONDS OR NOTES OF THE BOROUGH FOR
 VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY
 THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY"
 PASSED AND APPROVED ON OCTOBER 2, 1986

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF OCEANPORT, in the County of Monmouth, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section 1. Ordinance Number 528 of the Borough of Oceanport entitled "Bond Ordinance Appropriating \$75,000 and Authorizing the Issuance of \$71,250 Bonds or Notes of the Borough for Various Improvements or Purposes Authorized to be Undertaken by the Borough of Oceanport, in the County of Monmouth, New Jersey" passed and approved on October 2, 1986, be and the same is hereby amended as follows:

- A. The total sum appropriated in Section 1 of such Bond Ordinance is amended to read \$280,000 and the amount of the down payment in such section is amended to read \$14,000.
- B. The principal amount of the negotiable bonds authorized to be issued in Section 2 of said ordinance is amended to read \$266,000.
- C. Section 3 is amended to read as follows:

| <u>Improvement or Purpose</u> | <u>Appropriations & Estimated Cost</u> | <u>Estimated Maximum Amount of Bonds or Notes</u> |
|--|--|---|
| 1. Reconstruction of and installation of storm drains and curbs for the following streets: | | |
| [a] Port-au-Peck Ave. between Monmouth Blvd. and Pocano Ave. | | |
| [b] Pocano Avenue | | |
| [c] Gooseneck Point Road | | |
| [d] Blackberry Bay Road | | |
| [e] Shore Road | | |
| 2. Construction of a parking area at Blackberry Bay Park | \$280,000.00 | \$266,000.00 |

D. The amount by which the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance as set forth in Section 4 (c) of said ordinance is amended to read \$266,000.

E. The aggregate amount for items of expense listed in and permitted under N.J.S.A. 40A:2-20 set forth in Section 4 (d) of said ordinance is amended to read \$60,000.

F. Section 5 is amended to read as follows:

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon

without limitation of rate or amount. Payment may also be made from sums to be received by the Borough pursuant to the 1984 New Jersey Transportation Trust Fund Authority Act in the approximate amount of \$83,000.00.

Section 2. All ordinances or part of ordinances inconsistent with the amending ordinance be and the same are hereby repealed.

Section 3. This Amended Bond Ordinance shall take effect twenty days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Passed and approved by the Mayor and Council May 21, 1987

PATRICIA L. VARCA
BOROUGH CLERK

