

| ORDINANCE<br>NUMBER | TITLE OF ORDINANCE   | SHORT DESCRIPTION  | DATE<br>APPROVED |
|---------------------|--|--|------------------|
| #547                | BOND ORDINANCE APPROPRIATING \$65,000 AND AUTHORIZING THE ISSUANCE OF \$61,750 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.   | replacement of (2) 2,000 gallon underground fuel storage tanks at Public Works Building.               | 6/4/87           |
| #548                | AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED THE "REVISED LAND SUBDIVISION ORDINANCE OF THE BOROUGH OF OCEANPORT" PASSED AND APPROVED ON DECEMBER 3, 1970.   | minor subdivision  | 6/4/87           |
| #549                | AN ORDINANCE ESTABLISHING A MANDATORY PROGRAM FOR RECYCLABLE MATERIALS; CREATING THE POSITION OF RECYCLING CO-ORDINATOR; PROMULGATING RULES AND REGULATIONS FOR THE SEPARATING, RECOVERY, COLLECTION, STORAGE AND MARKETING OF SAID MATERIAL AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF.  | Mandatory recycling<br><br>Creating position of recycling co-ordinator                                 | 6/18/87          |
| #550                | AN ORDINANCE AUTHORIZING AND PERMITTING THE CONDUCT OF CHANCE ON SUNDAY.   | permitting raffles on Sunday.  | 7/16/87          |
| #551                | AN ORDINANCE AMENDING CHAPTER 64 OF THE GENERAL ORDINANCES OF THE BOROUGH OF OCEANPORT ENTITLED "THE VEHICLE AND TRAFFIC ORDINANCE" PASSED AND APPROVED ON DECEMBER 3, 1970.   | no left turn from Crescent Place onto Oceanport Ave.<br><br>Speed limits - Port-au-Peck Ave.           | 8/20/87          |
| #552                | AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED THE "PERSONNEL POLICY OF THE BOROUGH OF OCEANPORT" PASSED AND APPROVED ON MARCH 20, 1986.   | Accrued vacation (payment)   | 9/3/87           |
| #553                | BOND ORDINANCE AMENDING 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, AND AS FURTHER AMENDED BY BOND ORDINANCE NO. 536, FINALLY ADOPTED ON DECEMBER 18, 1986, 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 Project.   | 9/17/87          |
| #554                | AN ORDINANCE AUTHORIZING AND GRANTING TO THOMAS L. BYRAM A LEAVE OF ABSENCE WITH PAY.  | Leave of Absence (Thomas L. Byram)   | 9/17/87          |
| #555                | AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED THE "PERSONNEL POLICY OF THE BOROUGH OF OCEANPORT" PASSED AND APPROVED ON MARCH 20, 1986.   | To include personnel below the rank of Patrolman.<br>Monthly payroll/Sec. Bd. of appeals/Housing Insp. | 10/1/87          |

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| #556                | 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 salaries for bookkeeper, public works and recycling department                          | 10/1/87          |
| #557                | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED THE "BOROUGH OF OCEANPORT ZONING ORDINANCE" PASSED AND APPROVED ON JULY 3, 1969.  | Maximum dwellings per acre.  | 10/15/87         |
| #558                | 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 with Monmouth County Community Development Program.                                    | 10/15/87         |
| #559                | AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED THE "PERSONNEL POLICY OF THE BOROUGH OF OCEANPORT" PASSED AND APPROVED ON MARCH 20, 1986.  | Borough to pay for health benefits for retired employee & family for 1 yr. Sick leave for unused | 12/3/87          |
| #560                | CAPITAL PURPOSES ORDINANCE APPROPRIATING THE SUM OF \$43,403.32 FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY.  | repair public works roof and addition to public works garage                                     | 12/17/87         |
| #561                | BOND ORDINANCE APPROPRIATING \$28,000. AND AUTHORIZING THE ISSUANCE OF \$26,600. 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   | 1988 Dodge 2-ton dump truck with snow commander package.   | 2/4/88           |
| #562                | AN ORDINANCE TO AMEND AN ORDINANCE 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, NEW JERSEY" PASSED AND APPROVED ON APRIL 21, 1983.                     | Reconstruction of the Municipal roof.  | 2/4/88           |
| #563                | FLOOD DAMAGE PREVENTION ORDINANCE   | amends flood ord.  | 2/4/88           |
| #564                | ORDINANCE AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE AN AGREEMENT WITH MONMOUTH COUNTY TO MODIFY THE INTERLOCAL SERVICES AGREEMENT DATED 10/22/87   | amends agreement for 14th Yr. Community Devel. Program   | 2/18/88          |
| #565                | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING A MANDATORY PROGRAM FOR RECYCLABLE MATERIALS; CREATING THE POSITION OF PROMULGATING RULES AND REGULATIONS FOR THE SEPARATION, RECOVERY, COLLECTION, STORAGE AND MARKETING OF SAID MATERIAL AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF" PASSED AND APPROVED ON JUNE 18, 1987 | amends Recycling Ordinance RECYCLING CO-ORDINATOR;   | 3/3/88           |

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| #566                | 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 ordinance<br>(road & recycling foreman)  | 3/17/88          |
| #567                | AN ORDINANCE VACATING RIVERVIEW PLACE WHICH WAS PREVIOUSLY DEDICATED AS A PUBLIC STREET BUT NEVER OPENED AND EXTINGUISHING PUBLIC RIGHT THEREUNDER.   | VACATING Riverview Place   | 4/14/88          |
| #568                | AN ORD. TO AMEND AN ORD. ENTITLED "AN ORD. TO FIX & DETERMINE THE SALARIES OF CERTAIN BOROUGH OFFICIALS" PASSED & APPROVED ON 3/16/39.  | 1988 salaries  | 5/5/88           |
| #569                | BOND ORDINANCE APPROPRIATING \$190,000. AND AUTHORIZING THE ISSUANCE OF \$180,500. 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.  | 1.Modification of communications equipment.<br>2.renovation of Public Works garage.<br>3.Restoration of Blackberry Bay playing fields.<br>4.Reconstruction of Goose-neck Point Road. | 5/19/88          |
| #570                | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED THE "BOROUGH OF OCEANPORT SOIL REMOVAL ORDINANCE" PASSED AND APPROVED ON APRIL 15, 1982.  | deletion of subsection F.  | 6/2/88           |
| #571                | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED THE "BOROUGH OF OCEANPORT FEES ORDINANCE" PASSED AND APPROVED ON APRIL 16, 1981.  | amending Planning Board fees. Revised or amended plat or plan reviewed by B.E.   | 6/2/88           |
| #572                | AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED THE "PERSONNEL POLICY OF THE BOROUGH OF OCEANPORT" PASSED AND APPROVED ON MARCH 20, 1986.  | monthly payroll: Sec. of the Board of Tax Appeals & Sec. Planning Board.   | 7/21/88          |
| #573                | AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING A MANDATORY PROGRAM FOR RECYCLABLE MATERIALS, CREATING THE POSITION OF RECYCLING CO-ORDINATOR; PROMULGATING RULES AND REGULATIONS FOR THE SEPARATION, RECOVERY, COLLECTION, STORAGE AND MARKETING OF SAID MATERIAL AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF" PASSED AND APPROVED ON JUNE 18, 1987. | prohibiting non-residents from depositing recyclable materials at drop off center.   | 8/18/88          |
| #574                | 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.  | Planning Board Secretary   | 8/18/88          |
| #575                | AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED THE "BOROUGH OF OCEANPORT ZONING ORDINANCE" PASSED AND APPROVED ON JULY 3, 1969.   | Waiver of Site Plan Approval   | 8/18/88          |

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| # 576            | AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED THE "BOROUGH OF OCEANPORT ZONING ORDINANCE" PASSED AND APPROVED ON JULY 3, 1969.   | Amending fence ordinance  | 9/1/88        |
| # 577            | AN ORDINANCE VACATING A PORTION OF CAYUGA AVENUE WHICH WAS PREVIOUSLY DEDICATED AS A PUBLIC STREET AND EXTINGUISHING PUBLIC RIGHT THEREUNDER  | Vacating portion of Cayuga Ave.   | 9/1/88        |
| # 578            | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED THE "BOROUGH OF OCEANPORT FLOOD DAMAGE PREVENTION ORDINANCE" PASSED AND APPROVED ON FEBRUARY 4, 1988.   | Amending flood ordinance  | 10/20/88      |
| # 579            | AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED THE "BOROUGH OF OCEANPORT TRAFFIC ORDINANCE" PASSED AND APPROVED ON DECEMBER 3, 1970.  | Prohibiting over four tons trucks and buses   | 10/20/88      |
| # 580            | AN ORDINANCE CREATING THE SUBSTANCE ABUSE COMMITTEE OF THE BOROUGH OF OCEANPORT, PROVIDING FOR THE APPOINTMENT OF THE MEMBERS THEREOF AND DEFINING ITS PURPOSE, POWERS AND DUTIES.  | Creating Substance Abuse Committee  | 10/20/88      |
| #581             | AN ORD. TO AMEND AN ORD. ENTITLED "AN ORD. TO FIX AND DETERMINE THE SALARIES OF CERTAIN BOROUGH OFFICIALS" PASSED & APPROVED ON MARCH 16, 1939  | makes provision for salary for new TaxCollector/Treas. effective 1/3/89   | 12/15/88      |
| #582             | ORD. AUTHORIZING THE MAYOR & MUNICIPAL CLERK TO EXECUTE AN AGREEMENT WITH MON.CTY. TO MODIFY THE INTERLOCAL SERVICES AGREEMENT DATED OCTOBER 22, 1987   | allows for alterations for 15th year funding projects to be included  | 12/15/88      |
| #583             | AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED THE "BOROUGH OF OCEAN-PORT ZONING ORDINANCE" PASSED AND APPROVED ON JULY 3, 1969.  | Waiver of site plan approval.   | 2/2/89        |
| #584             | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "BOND ORDINANCE APPROPRIATING \$190,000. AND AUTHORIZING THE ISSUANCE OF \$180,500. 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 MAY 19, 1989. | Modification of communication equipment. Renovation of Public Works Garage. Blackberry Bay Park tennis courts. Reconstruction of Gooseneck Point Road. (2) school flashing warning lights on Wolf Hill Ave. | 2/2/89        |
| #585             | AN ORDINANCE PROVIDING FOR THE ISSUANCE OF MERCANTILE LICENSES; PROVIDING FOR THE DISPLAY OF SUCH LICENSES; PROVIDING FOR A LICENSE FEE AND DETERMINING THE PENALTIES FOR THE VIOLATION THEREOF.  | Mercantile License  | 2/2/89        |
| #586             | AN ORDINANCE CREATING THE POSITION OF CHIEF FINANCIAL OFFICER FOR THE BOROUGH OF OCEAN-PORT AND FIXING THE QUALIFICATIONS, TERM AND DUTIES THEREFOR.  | creating position of Chief Financial Officer  | 2/16/89       |



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| #587                | AN ORDINANCE AUTHORIZING AN EMERGENCY APPROPRIATION N.J.S. 40A:4-53  | Emergency appropriation for revaluation.                                   | 3/2/89           |
| #588                | 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.   | 1989 salaries  | 5/4/89           |
| #589                | AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED "THE BOROUGH OF OCEANPORT FIRE PREVENTION ORDINANCE" PASSED AND APPROVED ON OCTOBER 1, 1970.  | amending fire prevention ordinance.<br>permit fees.                        | 5/4/89           |
| #590                | BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 569 OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, FINALLY ADOPTED MAY 19, 1988, IN ORDER TO REVISE THE AUTHORIZATION PROVIDED FOR THEREIN.                                       | Amending Bond Ordinance #569.  | 7/20/89          |
| #591                | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "THE BOROUGH OF OCEANPORT PERSONNEL POLICY ORDINANCE" PASSED AND APPROVED ON MARCH 20, 1986.   | Amending Personnel Ordinance.  | 9/7/89           |
| #592                | AN ORDINANCE AMENDING CHAPTER 64 OF THE GENERAL ORDINANCES OF THE BOROUGH OF OCEANPORT ENTITLED "THE VEHICLE AND TRAFFIC ORDINANCE" PASSED AND APPROVED ON DECEMBER 3, 1970.   | amending speed limit on East Main St. to 30 MPH                            | 10/5/89          |
| #593                | AN ORDINANCE PROVIDING FOR THE APPROVAL OF A MAP DEPICTING THE LOCATION AND BOUNDARIES OF DRUG-FREE SCHOOL ZONES; AND MAKING AN OFFICIAL FINDING AND RECORD OF THE LOCATION AND BOUNDARIES OF SUCH ZONES.  | Drug-Free School Zones   | 10/19/89         |
| #594                | BOND ORDINANCE APPROPRIATING \$335,000. AND AUTHORIZING THE ISSUANCE OF \$318,250. 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. | GPM Fire Pumper & equipment<br>dumptruck and Goodroads snow<br>plow        | 10/19/89         |
| #595                | 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.   | Police salaries  | 11/2/89          |
| #596                | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "THE BOROUGH OF OCEANPORT FIRE DEPARTMENT ORDINANCE" PASSED AND APPROVED ON DECEMBER 2, 1920.  | Amending Fire Dept. Ordinance<br>physical examine<br>residency of officers | 12/7/89          |
| #597                | AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED "THE BOROUGH OF OCEANPORT ZONING ORDINANCE" PASSED AND APPROVED ON JULY 3, 1969.  | amending Zoning Ordinance  | 12/21/89         |
| #598                | AN ORDINANCE AMENDING CHAPTER 13 OF THE GENERAL ORDINANCE OF THE BOROUGH OF OCEANPORT ENTITLED "PERSONNEL POLICY " PASSED AND APPROVED ON MARCH 20, 1986.  | Amending personnel ordinance   | 2/1/90           |
| #599                | ORDINANCE AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE AN AGREEMENT WITH MONMOUTH COUNTY TO MODIFY THE INTERLOCAL SERVICES AGREEMENT DATED SEPTEMBER 22, 1987.   | Agreement with Monmouth County<br>Community Development Program            | 2/1/90           |

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| #600                | AN ORDINANCE TO REPEAL AN ORDINANCE ENTITLED "LICENSES FOR PUBLICATIONS" PASSED AND APPROVED ON FEBRUARY 21, 1946.  | repealing tip sheet licenses.  | 2/1/90   |
| #601                | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "THE BOROUGH OF OCEANPORT FIRE PREVENTION ORDINANCE" PASSED AND APPROVED ON OCTOBER 1, 1970.  | Amending Fire Prevention Ordinance.  | 2/1/90   |
| #602                | AN ORDINANCE PROHIBITING LITTERING AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF.   | Prohibiting Littering  | 2/1/90   |
| #603                | AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 68 "BOROUGH OF OCEANPORT ZONING ORDINANCE" PASSED AND APPROVED ON JULY 3, 1969.   | Amending zoning ordinance (Recycling, storage)   | 2/15/90  |
| #604                | AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "THE SUBSTANCE COMMITTEE ORDINANCE OF THE BOROUGH OF OCEANPORT NEW JERSEY" PASSED AND APPROVED ON OCTOBER 20, 1988.   | Amending Ordinance in its entirety - Ordinance to be known as "Alliance to Prevent Alcoholism and Drug Abuse | 4/19/90  |
| #605                | BOND ORDINANCE APPROPRIATING \$26,000 AND AUTHORIZING THE ISSUANCE OF \$24,700. 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.   | Acquisition of Air Packs<br>Reconstruction & Renovation of Parks<br>Reconstruction of streets                | 4/19/90  |
| #606                | 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  | 1990 salaries  | 5/3/90   |
| #607                | 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   | AMENDS AGREEMENT FOR NEW PROGRAM YEARS   | 6/21/90  |
| #608                | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "THE BOROUGH OF OCEANPORT SANITARY CODE" PASSED AND APPROVED ON JULY 27, 1944.  | Amending inspections, fees, etc. of the Sanitary Code.   | 7/19/90  |
| #609                | AMENDMENT TO ORDINANCE NO. 607 ENTITLED "AN 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".                                     | AMENDS ORDINANCE NO. 607 REGARDING COMMUNITY DEVELOPMENT PROGRAM   | 10/4/90  |
| #610                | AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED "DOGS" PASSED AND APPROVED ON JULY 2, 1953.  | REMOVAL AND DISPOSAL OF ALL FECES AND DROPPINGS.   | 3/21/91  |
| #611                | AN ORDINANCE GRANTING NON-EXCLUSIVE RENEWAL OF MUNICIPAL CONSENT TO STORER CABLE COMMUNICATIONS OF MONMOUTH COUNTY, INC., d/b/a STORER CABLE COMMUNICATIONS, ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, OPERATE AND MAINTAIN A CABLE TELEVISION SYSTEM IN THE BOROUGH OF OCEANPORT, NEW JERSEY | Renewal of Storer Cable (5 years)  | 4/4/91   |
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| #612                | AN ORDINANCE TO AMEND AN ORDINANCE GRANTING NON-EXCLUSIVE RENEWAL OF MUNICIPAL CONSENT TO STORER CABLE COMMUNICATION OF MONMOUTH COUNTY, INC., d/b/a/ STORER CABLE COMMUNICATIONS, ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, OPERATE AND MAINTAIN A CABLE TELEVISION SYSTEM IN THE BOROUGH OF OCEANPORT, NEW JERSEY PASSED AND APPROVED ON APRIL 4, 1991.                | Repealing Section 19 "Revocation" and Section 20 "Continuation of Service" | 5/16/91          |
| #613                | 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  | 1991 salaries  | 5/16/91          |
| #614                | AN ORDINANCE TO REPEAL AN ORDINANCE ENTITLED THE "CODE OF ETHICS ORDINANCE OF THE BOROUGH OF OCEANPORT" PASSED AND APPROVED ON DECEMBER 20, 1984.  | repealing code of ethics Ordinance #498                                    | 6/20/91          |
| #615                | AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED THE "BOROUGH OF OCEANPORT ZONING ORDINANCE" PASSED AND APPROVED ON JULY 3, 1969.  | amending and supplementing zoning ordinance.                               | 7/18/91          |
| #616                | AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED THE "SHADE TREE ORDINANCE OF THE BOROUGH OF OCEANPORT, NEW JERSEY" PASSED AND APPROVED ON OCTOBER 4, 1973.  | amending and supplementing Shade Tree Ordinance.                           | 7/18/91          |
| #617                | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "SALES AND AUCTIONS, PRIVATE" OF THE BOROUGH OF OCEANPORT PASSED AND APPROVED ON NOVEMBER 1, 1973.   | Increasing garage sales fee from \$2.00 to \$5.00                          | 10/3/91          |
| #618                | AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED "FEES" PASSED AND APPROVED ON APRIL 16, 1991.   | amending fee schedule for site plan approval                               | 10/17/91         |
| #619                | AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED "ALCOHOLIC BEVERAGES" OF THE BOROUGH OF OCEANPORT PASSED AND APPROVED ON JANUARY 17, 1957.  | under age drinking on public or private property.                          | 10/17/91         |
| #620                | CATS   | Licensing of cats  | 11/7/91          |
| #621                | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "THE PERSONNEL POLICY OF THE BOROUGH OF OCEANPORT" PASSED AND APPROVED ON MARCH 20, 1986.  | amending personnel policy (sick leave pay schedule upon retirement)        | 3/19/92          |
| #622                | AN ORDINANCE REGULATING THE STATUTORY AUTHORITY OF NEW JERSEY BELL TELEPHONE COMPANY, ITS SUCCESSORS AND ASSIGNS TO USE THE VARIOUS PUBLIC STREETS, ROADS, AVENUES, HIGHWAYS AND OTHER PUBLIC WAYS IN THE BOROUGH OF OCEANPORT, MONMOUTH COUNTY, NEW JERSEY, FOR ITS LOCAL AND THROUGH LINES AND OTHER COMMUNICATIONS FACILITIES AND PRESCRIBING THE CONDITIONS THEREOF. | Authorizing NJ Bell to use various public streets, roads etc.              | 6/4/92           |

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| #623                | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "GARBAGE, RUBBISH AND REFUSE" PASSED AND APPROVED ON MAY 20, 1976.   | Grass clippings  | 7/16/92          |
| #624                | 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.   | 1992 salaries  | 8/20/92          |
| #625                | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "THE SUBSTANCE ABUSE COMMITTEE ORDINANCE" OF THE BOROUGH OF OCEANPORT PASSED AND APPROVED ON OCTOBER 20, 1988.   | Amends composition and qualifications of members.                          | 9/3/92           |
| #626                | AN ORDINANCE AUTHORIZING THE PARTICIPATION BY THE BOROUGH OF OCEANPORT IN THE MONMOUTH COUNTY MUTUAL AID AGREEMENT.  | Participation in Mutual aid agreement.                                     | 12/3/92          |
| #627                | AN ORDINANCE PURSUANT TO LOCAL CAP LAW CONCERNING THE 1993 MUNICIPAL BUDGET OF THE BOROUGH OF OCEANPORT IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY.  | To exceed Cap Law  | 3/18/93          |
| #628                | ORDINANCE AUTHORIZING INTERLOCAL SERVICES AGREEMENT WITH THE COUNTY OF MONMOUTH FOR PARTICIPATION IN THE COUNTY'S EMERGENCY TELECOMMUNICATIONS SYSTEM (ENHANCED 9-1-1 SERVICE)   | Participation in 911 emergency service                                     | 3/18/93          |
| #629                | ORDINANCE AUTHORIZING THE MAYOR AND CLERK TO EXECUTE A PROJECT AGREEMENT WITH MONMOUTH COUNTY FOR PERFORMANCE AND DELIVERY OF FY 1992 COMMUNITY DEVELOPMENT PROJECTS.  | Project agreement with Monmouth County Community Development               | 3/18/93          |
| #630                | ORDINANCE AUTHORIZING THE MAYOR TO SIGN A CERTIFICATION PROHIBITING THE USE OF EXCESSIVE FORCE AND THE CERTIFICATION PROHIBITING THE USE OF FEDERAL FUNDS FOR LOBBYING.  | Prohibiting Excessive force and the use of Federal Funds lobbying.         | 3/18/93          |
| #631                | 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.   | 1993 salaries  | 4/1/93           |
| #632                | THE VEHICLE AND TRAFFIC ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, NEW JERSEY.   | Vehicle & Traffic  | 4/1/93           |
| #633                | BOND ORDINANCE APPROPRIATING \$134,500. AND AUTHORIZING THE ISSUANCE OF \$127,775. 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. | Ambulance, Computer system gasoline monitoring system Public Works loader. | 4/15/93          |
| #634                | AN ORDINANCE PROHIBITING SMOKING IN PUBLIC BUILDINGS AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.  | Prohibiting smoking in public buildings.                                   | 6/3/93           |
| #635                | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "THE SOIL REMOVAL ORDINANCE" OF THE BOROUGH OF OCEANPORT PASSED AND APPROVED ON APRIL 15, 1982.  | Amends soil removal ordinance.   | 6/17/93          |

| ORDINANCE<br>NUMBER | TITLE OF ORDINANCE   | SHORT DESCRIPTION  | DATE<br>APPROVED |
|---------------------|--|--|------------------|
| #636                | 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 with Monmouth County Community Development Program.  | 7/15/93          |
| #637                | AN ORDINANCE REGULATING THE PLACEMENT OF POLITICAL SIGNS AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.  | Political signs  | 7/15/93          |
| #638                | AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING A MANDATORY PROGRAM FOR RECYCLABLE MATERIALS; CREATING THE POSITION OF RECYCLING COORDINATOR; PROMULGATING RULES AND REGULATIONS FOR THE SEPARATION, RECOVERY, COLLECTION, STORAGE AND MARKETING OF SAID MATERIAL AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF" PASSED AND APPROVED ON JUNE 18, 1987. | Amending recycling ordinance to include grass clippings, automotive and household batteries, white goods and asphalt shingles. | 8/16/93          |
| #639                | AN ORDINANCE AUTHORIZING REPAIR OF TENNIS COURT LIGHTS AT BLACKBERRY BAY PARK FOR THE SUM OF \$3,500., AND THE REPAIR OF BOCCIE COURTS AT OLD WHARF PARK FOR THE SUM OF \$3000.  | Repair of Tennis Court lights and Bocce Courts.  | 9/2/93           |
| #640                | AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED "THE LOT MAINTENANCE ORDINANCE OF THE BOROUGH OF OCEANPORT" PASSED AND APPROVED ON AUGUST 7, 1969.  | Authorizing Monmouth County to carry out any provisions of this Ordinance.   | 10/7/93          |
| #641                | AN ORDINANCE AUTHORIZING THE DISBURSEMENT OF \$2,500. FROM THE BOROUGH OF OCEANPORT CAPITAL SURPLUS ACCOUNT FOR THE PURCHASE OF AN AMBULANCE.  | ambulance  | 11/18/93         |
| #642                | ORDINANCE AUTHORIZING INTERLOCAL SERVICE AGREEMENT WITH THE COUNTY OF MONMOUTH FOR PARTICIPATION IN THE COUNTY'S EMERGENCY TELECOMMUNICATIONS SYSTEM (ENHANCED 9-1-1 SERVICE)  | 9-1-1 SERVICE  | 2/4/94           |
| #643                | AN ORDINANCE SUPPLEMENTING THE SUBDIVISION AND ZONING ORDINANCES OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH AND THE STATE OF NEW JERSEY, ESTABLISHING FACILITIES FOR THE COLLECTION OR STORAGE OF SOURCE SEPARATED RECYCLABLE MATERIALS IN NEW MULTIFAMILY HOUSING DEVELOPMENTS.   | Collection or storage of recyclable materials in new multifamily housing developments  | 2/17/94          |
| #644                | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "THE TRAFFIC ORDINANCE" OF THE BOROUGH OF OCEANPORT PASSED AND APPROVED ON APRIL 1, 1993.  | AMENDING TRAFFIC ORDINANCE   | 3/17/94          |
| #645                | AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED "THE FEES ORDINANCE" OF THE BOROUGH OF OCEANPORT PASSED AND APPROVED ON APRIL 16, 1981.   | Amending fee ordinance (Volunteer-Fire Department and First Aid Squad)   | 4/7/94           |
|                     |  |  |                  |

| ORDINANCE<br>NUMBER - | TITLE OF ORDINANCE   | SHORT DESCRIPTION   | DATE<br>APPROVED |
|-----------------------|--|---|------------------|
| #646                  | AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED THE "BOND ORDINANCE APPROPRIATING \$335,000. AND AUTHORIZING THE ISSUANCE OF \$318,250. 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 19, 1989. | GPM Fire Pumper, renovation of a 1977 American LaFrance Fire Pumper. Ford dumptruck and snow plow.                                | 4/7/94           |
| #647                  | AN ORDINANCE TO EXCEED THE 1994 INDEX RATE IN THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH.  | to exceed 1994 index rate   | 4/7/94           |
| #648                  | AN ORDINANCE REQUIRING DISCLOSURE OF INFORMATION REGARDING APPLICANTS FOR MEMBERSHIP IN A VOLUNTEER FIRE COMPANY OR FIRST AID SQUAD WITHIN THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY.   | Disclosure of information for applicants in volunteer fire company or first aid squad   | 4/21/94          |
| #649                  | AN ORDINANCE AUTHORIZING REPAIR OF TENNIS COURT LIGHTS AT BLACKBERRY BAY PARK FOR THE SUM OF \$8,200.00 AND APPROPRIATING THE SUM OF \$8,200.00 FROM RESERVES IN THE CAPITAL FUND.   | Repair tennis court lights Blackberry Bay Park.   | 4/21/94          |
| #650                  | AN ORDINANCE AUTHORIZING THE BOROUGH OF OCEANPORT TO JOIN THE STATEWIDE WORKER'S COMPENSATION FUND.  | Statewide Worker's Compensation Fund  | 5/5/94           |
| #651                  | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "THE SMOKING ORDINANCE" OF THE BOROUGH OF OCEANPORT PASSED AND APPROVED ON JUNE 3, 1993.   | No smoking Old Wharf House & Municipal Bldg.  | 5/5/94           |
| #652                  | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX AND DETERMINE THE SALARIES OF CERTAIN BOROUGH OFFICIALS" PASSED AND APPROVED MARCH 16, 1939.  | Salary ordinance  | 5/23/94          |
| #653                  | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "THE BOROUGH OF OCEANPORT ZONING ORDINANCE" PASSED AND APPROVED ON JULY 3, 1969.   | Amending Zoning Ordinance (Membership - Meetings)   | 6/16/94          |
| #654                  | AN ORDINANCE ABANDONING, VACATING, RELEASING AND EXTINGUISHING ANY AND ALL PUBLIC RIGHTS IN AND TO AN UNNAMED STREET RUNNING OFF OF RIVERSIDE AVENUE IN BLOCK 105, IN THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY.  | VACATION OF UNNAMED STREET RUNNING OFF RIVERSIDE AVE.   | 6/30/94          |
| #655                  | AN ORDINANCE REGULATING THE TRANSPORTATION ACROSS AND LAUNCHING FROM CERTAIN PUBLIC LANDS AND RIGHTS OF WAY WITHIN THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, OF PERSONAL WATERCRAFT, AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF.   | Regulating the transportation and launching of personal watercraft.   | 7/21/94          |
| #656                  | BOND ORDINANCE APPROPRIATING \$140,000 AND AUTHORIZING THE ISSUANCE OF \$133,000. 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 NEW JERSEY.   | Reconstruction of some or all the following streets. Hiawatha, Allenhurst, Bayview, Deal, Long Branch, Belmar, Bradley, Bungalow. | 8/18/94          |

| ORDINANCE<br>NUMBER | TITLE OF ORDINANCE  | SHORT DESCRIPTION   | DATE<br>APPROVED |
|---------------------|---|---|------------------|
| #657                | AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED "THE FEES ORDINANCE OF THE BOROUGH OF OCEANPORT" PASSED AND APPROVED ON APRIL 16, 1981.  | fee for any hardship/bulk variance for a single or two-family regardless of district.                     | 9/1/94           |
| #658                | AN ORDINANCE AUTHORIZING REPAIR OF BASKETBALL COURT AT COMMUNITY CENTER FOR THE SUM OF \$3,500., AND PURCHASE OF SHRUBBERY FOR OLD WHARF PARK FOR THE SUM OF \$3,000.   | Repair community center basketball court and purchase of shrubbery for Old Wharf Park.                    | 9/1/94           |
| #659                | BOND ORDINANCE APPROPRIATING \$15,000. AND AUTHORIZING THE ISSUANCE OF \$14,250. 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.  | Acquisition of one vacuum leaf loader with curb nozzle pickup   | 9/12/94          |
| #660                | AN ORDINANCE ABANDONING, VACATING, RELEASING AND EXTINGUISHING ANY AND ALL PUBLIC RIGHTS IN AND TO AN UNIMPROVED STREET APPEARING ON THE OFFICIAL TAX MAP AS MALDEN WAY, IN THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY.   | Vacation of Malden Way  | 10/6/94          |
| #661                | AN ORDINANCE TO EXCEED THE CAP INDEX RATE IN THE 1995 MUNICIPAL BUDGET OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NJ.   | To exceed Cap Index Rate  | 2/16/95          |
| #662                | AN ORDINANCE CREATING THE WATER WATCH COMMITTEE OF THE BOROUGH OF OCEANPORT, ESTABLISHING THE QUALIFICATIONS AND TERM OF OFFICE FOR THE MEMBERS THEREOF, AND DEFINING ITS PURPOSES, POWERS AND DUTIES.  | Creating Water Watch committee  | 2/16/95          |
| #663                | AN ORDINANCE ESTABLISHING THE OCEANPORT UNIFORM CONSTRUCTION CODE ENFORCEMENT AGENCY, ESTABLISHING FEES, AND REPEALING PRIOR ORDINANCE.   | Establishing Uniform Construction Code  | 3/2/95           |
| #664                | AN ORDINANCE PROHIBITING THE FEEDING OF WATERFOWL IN THE BOROUGH OF OCEANPORT, MONMOUTH COUNTY, NEW JERSEY, AND FIXING PENALTIES FOR THE VIOLATION THEREOF.   | Prohibiting the feeding of waterfowl.   | 3/2/95           |
| #665                | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX AND DETERMINE THE SALARIES OF CERTAIN BOROUGH OFFICIALS" PASSED AND APPROVED MARCH 16, 1939  | Salary Ordinance  | 3/16/95          |
| #666                | BOND ORDINANCE APPROPRIATING \$50,050. AND AUTHORIZING THE ISSUANCE OF \$47,547.50 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 -Renovations to Borough Hall-Photocopier-recording machine & accessories Police Department | 5/4/95           |

| ORDINANCE<br>NUMBER | TITLE OF ORDINANCE   | SHORT DESCRIPTION   | DATE<br>APPROVED |
|---------------------|--|---|------------------|
| #667                | 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.   | PUBLIC WORKS SUPERINTENDENT & RECYCLING DEPARTMENT                                | 9/7/95           |
| #668                | 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.   | Police salaries   | 10/5/95          |
| #669                | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "THE LAND USE PROCEDURES ORDINANCE OF THE BOROUGH OF OCEANPORT" PASSED AND APPROVED ON DECEMBER 16, 1976.  | Mayor's designee  | 12/7/95          |
| #670                | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "SIGNS" OF THE BOROUGH OF OCEANPORT PASSED AND APPROVED ON JULY 15, 1993.  | AMENDING PLACING OF SIGNS   | 12/21/95         |
| #671                | AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED "LICENSES AND PERMITS" OF THE BOROUGH OF OCEANPORT PASSED AND APPROVED ON FEBRUARY 2, 1989.   | Licensing Commercial Landscapers  | 2/1/96           |
| #672                | AN ORDINANCE CREATING IN THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY A CABLE TELEVISION ADVISORY COMMITTEE, PROVIDING FOR THE APPOINTMENT OF MEMBERS AND FIXING ITS PURPOSE, POWERS AND DUTIES.                       | Creating Cable Television Advisory Committee                                      | 2/15/96          |
| #673                | AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY PROHIBITING THE SALES OF TOBACCO TO MINORS AND LIMITING LOCATIONS OF CIGARETTE VENDING MACHINES.   | Prohibiting sale of tobacco to minors and limiting locations of vending machines. | 2/15/96          |
| #674                | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX AND DETERMINE THE SALARIES OF CERTAIN BOROUGH OFFICIALS" PASSED AND APPROVED MARCH 16, 1939.  | Amends salary ordinance   | 3/7/96           |
| #675                | AN ORDINANCE REGULATING WITHIN THE BOROUGH OF OCEANPORT THE TOWING OF VEHICLES FROM THE SCENE OF AN ACCIDENT OR STOLEN VEHICLES, AND/OR VEHICLES WHEN NECESSARY TO SAFEGUARD PUBLIC HEALTH SAFETY AND WELFARE WITHIN THE BOROUGH OF OCEANPORT. | Towing ordinance  | 3/7/96           |
| #676                | AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED "THE PERSONNEL POLICY ORDINANCE" OF THE BOROUGH OF OCEANPORT PASSED AND APPROVED ON MARCH 20, 1986.   | Amending Personnel Policy   | 3/7/96           |
| #677                | AN ORDINANCE GRANTING RENEWAL OF MUNICIPAL CONSENT TO COMCAST CABLEVISION OF MONMOUTH COUNTY, INC. TO CONSTRUCT, CONNECT, OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM IN THE BOROUGH OF OCEANPORT, NEW JERSEY.           | Comcast renewal consent   | 3/7/96           |



| ORDINANCE<br>NUMBER | TITLE OF ORDINANCE  | SHORT DESCRIPTION  | DATE<br>APPROVED |
|---------------------|---|--|------------------|
| #678                | AN ORDINANCE ABANDONING, VACATING, RELEASING AND EXTINGUISHING ANY AND ALL PUBLIC RIGHTS IN AND TO A PORTION OF AN UNIMPROVED STREET APPEARING ON THE OFFICIAL TAX MAP AS RIVER STREET, IN THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY | vacating portion of River Street   | 5/16/96          |
| #679                | BOND ORDINANCE APPROPRIATING \$200,000. AND AUTHORIZING THE ISSUANCE OF \$190,000, 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, NEW JERSEY.            | bond ordinance-reconstruction of various streets. Public works truck. Computers and related equipment. | 6/6/96           |
| #680                | 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 with Monmouth county Community Development Program.  | 6/20/96          |
| #681                | AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED THE "POLICE DEPARTMENT ORDINANCE" OF THE BOROUGH OF OCEANPORT PASSED AND APPROVED DECEMBER 1, 1938.  | Probationary Trainee   | 8/15/96          |
| #682                | 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 ordinance  | 8/15/96          |
| #683                | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED THE "BOROUGH OF OCEANPORT ZONING ORDINANCE" PASSED AND APPROVED JULY 3, 1969.   | School Sites   | 9/5/96           |
| #684                | ORDINANCE AUTHORIZING THE MAYOR TO SIGN A CERTIFICATION PROHIBITING THE USE OF EXCESSIVE FORCE AND THE CERTIFICATION PROHIBITING THE USE OF FEDERAL FUNDS FOR LOBBYING.   | Prohibiting excessive force  | 9/5/96           |
| #685                | ORDINANCE AUTHORIZING THE MAYOR AND CLERK TO EXECUTE A PROJECT AGREEMENT WITH MONMOUTH COUNTY FOR PERFORMANCE AND DELIVERY OF FY 1995 COMMUNITY DEVELOPMENT PROJECTS.   | Agreement with Monmouth County Community Development Program   | 9/5/96           |
| #686                | AN ORDINANCE AUTHORIZING THE REPAIR/RE CONSTRUCTION OF SOUTH PEMBERTON AVENUE UTILIZING \$18,000 FROM THE CAPITAL IMPROVEMENT FUND FOR ROAD IMPROVEMENTS  | Repair/reconstruction of South Pemberton Avenue  | 10/17/96         |
| #687                | AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED THE "FIRE DEPARTMENT ORDINANCE" OF THE BOROUGH OF OCEANPORT PASSED AND APPROVED DECEMBER 2, 1920.  | Amended and supplementing Fire Ordinance. Regular and special membership                               | 11/7/96          |
| #688                | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED THE "PRIVATE SALES AND AUCTIONS ORDINANCE" OF THE BOROUGH OF OCEANPORT PASSED AND APPROVED NOVEMBER 1, 1973.  | amending garage sales  | 12/5/96          |
|                     |   |  |                  |

| ORDINANCE<br>NUMBER | TITLE OF ORDINANCE  | SHORT DESCRIPTION   | DATE<br>APPROVED |
|---------------------|---|---|------------------|
| #689                | AN ORDINANCE AUTHORIZING REPAIRS TO THE COMMUNITY CENTER BALLFIELD UTILIZING \$7,500 AND \$1,500 FOR THE ROLLER HOCKEY PROJECT FROM THE CAPITAL IMPROVEMENT FUND FOR PARK IMPROVEMENTS.   | Repairs Community Center Ballfield and Roller Hockey Project.   | 12/19/96         |
| #690                | 1997 MODEL "CAP" ORDINANCE TO EXCEED INDEX RATE; INDEX RATE LESS THAN 5% LIMITATIONS FOR THE YEAR 1997 (N.J.S.A. 40A:4-45.14)   | To exceed Cap Index Rate.   | 3/6/97           |
| #691                | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX AND DETERMINE THE SALARIES OF CERTAIN BOROUGH OFFICIALS" PASSED AND APPROVED MARCH 16, 1939.   | Amending salary ordinance.  | 3/6/97           |
| #692                | BOND ORDINANCE APPROPRIATING \$104,300. AND AUTHORIZING THE ISSUANCE OF \$99,085. 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  | Computer System-Tax Office<br>Major Equipment-Fire/First Aid<br>Public Works. Restoration/const<br>Bldgs. & Sts. Emergency<br>Management vehicle. | 5/1/97           |
| #693                | AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED THE "BOROUGH OF OCEANPORT ZONING ORDINANCE" PASSED AND APPROVED JULY 3, 1969.  | Amending and supplementing<br>Zoning Ordinance.   | 6/23/97          |
| #694                | AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED THE "BOROUGH OF OCEANPORT FEES ORDINANCE" PASSED AND APPROVED APRIL 16, 1981.  | Amending fee Ordinance.   | 8/21/97          |
| #695                | AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED THE "BOROUGH OF OCEANPORT VEHICLE AND TRAFFIC ORDINANCE" PASSED AND APPROVED APRIL 1, 1993.  | Amending and supplementing<br>traffic ordinance.  | 9/18/97          |
| #696                | AN ORDINANCE ESTABLISHING THE WOLFHILL FOUNDATION COMMITTEE; PROVIDING FOR THE APPOINTMENT OF MEMBERS THEREOF, AND DESIGNATING ITS PURPOSE, POWERS AND DUTIES.  | Establishing Wolfhill foundation<br>Committee.  | 11/7/97          |
| #697                | AN ORDINANCE CREATING THE OFFICE OF MUNICIPAL COURT PUBLIC DEFENDER IN THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY.  | Creating office of Municipal<br>Court Public Defender.  | 1/15/98          |
| #698                | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED THE "PERSONNEL POLICY ORDINANCE OF THE BOROUGH OF OCEANPORT" PASSED AND APPROVED MARCH 20, 1986   | Vacation Policy   | 2-5-98           |
| #699                | AN ORDINANCE AUTHORIZING REPAIRS TO THE COMMUNITY CENTER KIDDY LOT PLAYGROUND UTILIZING \$2,780.07 FROM THE CAPITAL IMPROVEMENT FUND FOR PARK IMPROVEMENTS AND \$32,775. FOR THE BALANCE OF ROAD IMPROVEMENTS TO TECUMSEH AVENUE FROM THE CAPITAL IMPROVEMENT FUND FOR ROAD IMPROVEMENTS. | Community Center Playgroun<br>equipment and road repair   | 3/5/98           |
| #700                | AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX AND DETERMINE THE SALARIES OF CERTAIN BOROUGH OFFICIALS" PASSED AND APPROVED MARCH 16, 1939  | 1998 Salary Ordinance   | 3/5/98           |
|                     |   |   |                  |

| ORDINANCE<br>NUMBER | TITLE OF ORDINANCE  | SHORT DESCRIPTION  | DATE<br>APPROVED |
|---------------------|---|--|------------------|
| #701                | BOND ORDINANCE APPROPRIATING \$135,790<br>AUTHORIZING THE ISSUANCE OF \$128,995.<br>BONDS OR NOTES OF THE BOROUGH OF FOR<br>VARIOUS IMPROVEMENTS OR PURPOSES<br>AUTHORIZED TO BE UNDERTAKEN BY THE<br>BOROUGH OF OCEANPORT IN THE COUNTY OF<br>MONMOUTH, NEW JERSEY | Bond ordinances for the<br>The improvement of tennis courts<br>at Community Center Computer for<br>police, repair of PAP Firehouse,<br>airpaks, extraction equipment | 4/2/98           |
| #702                | AN ORDINANCE ESTABLISHING THE CAPITAL<br>IMPROVEMENTS ADVISORY COMMITTEE OF THE<br>BOROUGH OF OCEANPORT, NEW JERSEY,<br>PROVIDING FOR THE APPOINTMENT OF MEMBERS<br>THEREOF AND DESIGNATING ITS PURPOSE,<br>POWERS AND DUTIES                                       | Ordinance establishing a Capital<br>Improvements Advisory Committee<br>to assist Mayor and Council and<br>Planning Board in Capital<br>Improvement Matters.          | 4/16/98          |

## **How To Use Your Minute Book**

### **TO OPEN ....**

Pull out locking bar to disengage posts.  
Insert or remove sheets as necessary.

### **TO CLOSE ....**

Align sheets, lift cover to engage posts, close book and push in locking bar.

### **TO PERMANENTLY SEAL ....**

When your record is complete, your Minute Book may be permanently sealed. To do this, drive down the prongs marked "X" on the inside front and back covers, with a nail and hammer.



Dennison National Company  
Holyoke, MA 01041

MADE IN U.S.A.

BOND ORDINANCE APPROPRIATING \$65,000  
AND AUTHORIZING THE ISSUANCE OF \$61,750  
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 \$65,000 including the aggregate sum of \$3,250  
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 \$65,000 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 \$61,750 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 \$61,750 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 a 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<br/>Estimated Cost</u> | <u>Estimated Maximum<br/>Amount of Bonds<br/>or Notes</u> |
|---|--|---|
| (1) Replacement of<br>two (2) 2,000 gallon<br>underground fuel<br>storage tanks at<br>Public Works Building | \$65,000.                                    | \$61,750.   |

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 \$61,750 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said law.

(d) Amounts now exceeding \$20,000 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. 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 after final adoption as provided by said Local Bond Law.

Passed and approved by Mayor and Council June 4, 1987.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE TO AMEND AND SUPPLEMENT  
AN ORDINANCE ENTITLED THE "REVISED  
LAND SUBDIVISION ORDINANCE OF THE  
BOROUGH OF OCEANPORT" 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:

1) That Article I, Section 4 "Definitions" of the ordinance entitled the "Revised Land Subdivision Ordinance of the Borough of Oceanport" passed and approved on December 3, 1970, be and the same is hereby amended and supplemented as follows:

MINOR SUBDIVISION - A minor subdivision is one of the following:

- A. Any subdivision of a lot, tract or parcel into not more than three (3) lots, all of which front on an existing improved street and all of which are adequately drained; not involving a new street or the extension of municipal facilities; and not adversely affecting the development of the remainder of the parcel or adjoining property; and not in conflict with any provision or purpose of the Master Plan, Official Map or Zoning Ordinance, or this ordinance; or
- B. Any subdivision of a lot, tract or parcel into two (2) lots for the sole purpose of merging one (1) of the subdivided lots with an adjoining lot, tract or parcel, provided all the following conditions are complied with.
  - (1) The remaining subdivided lot fronts on an existing improved street and conforms to the Zoning Ordinance.
  - (2) The adjoining lot, tract or parcel fronts on an existing improved street.
  - (3) The merging lot, although not required to front on an existing street or conform to the size or area requirements of the Zoning Ordinance when combined with adjoining lot forms a single lot, tract or parcel which is not in conflict with the Zoning Ordinance.
  - (4) The subdivision will not adversely affect the development of the remainder of the subdivided parcel or the adjoining property and is not in conflict with any portion of the Master Plan, Official Map or this ordinance.
  - (5) The newly formed combined lot resulting from the combination of the merging lot and the adjoining lot is adequately drained.

Any application to subdivide a single lot, tract or parcel into not more than two (2) lots and situated in any of



the single-family or two-family districts may be classified as a minor subdivision notwithstanding that such application may require the approval of one or more variances pursuant to subsection C of section 57 of the Municipal Land Use Law (N.J.S.A. 40:55D-70c); provided that all other conditions for minor subdivision classification can be satisfied.

2) All provisions of the Revised Land Subdivision 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 June 4, 1987.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE ESTABLISHING A  
MANDATORY PROGRAM FOR RECYCLABLE  
MATERIALS; CREATING THE POSITION  
OF RECYCLING CO-ORDINATOR;  
PROMULGATING RULES AND REGULATIONS  
FOR THE SEPARATION, RECOVERY,  
COLLECTION, STORAGE AND MARKETING  
OF SAID MATERIAL AND PRESCRIBING  
PENALTIES FOR THE VIOLATION THEREOF.

WHEREAS, the growing problem of solid waste disposal and the conservation of the recyclable material is an important public concern; and

WHEREAS, the separation of certain recyclable material will serve the public interest by reducing solid waste and conserving our material resources; and

WHEREAS, the promotion of that public interest is best served by establishing rules and regulations for the Separation, Recovery, Collection, Storing and Marketing of said recyclable material.

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. Purpose:

A. On and after Oct. 1, 1987, it shall be mandatory for all persons, except those physically disabled who are owners, lessees and occupants of residential property, to separate leaves, newspapers, glass bottles and jars, and aluminum cans as hereinafter defined from all other solid waste produced by such residence for collection and ultimate recycling of said materials.

B. On and after Oct. 1, 1987 it shall be mandatory for all owners, lessees and occupants of business and industrial property and of private, public and governmental institutions and buildings to separate leaves, newspapers, glass bottles and jars; aluminum, corrugated cardboard and/or high grade paper from all other solid waste produced by said non-residential establishments for collection and the ultimate recycling of said material.

C. On and after the adoption of this Ordinance, and in accordance with existing state regulations (N.J.A.C. 14A:3-11), all service stations, oil retailers and motor vehicle re-inspections stations with "used oil holding tanks" shall accept up to five (5) gallons at a time of used motor oil from individuals changing oil from cars, lawn mowers or motorcycles and shall post a sign informing the public that they are a "Used Oil Collection Site".

D. On and after APRIL 1, 1988 it shall be mandatory to include the separation of tin and bimetal to the list of recycling materials for all residential and non-residential recycling programs.

E. On and after OCTOBER 1, 1988, it shall be mandatory to include demolition materials to the list of recycling materials for all residential and non-residential recycling programs.

## Section 2. Definitions:

"Solid Waste". The term "solid waste" as used herein shall include all garbage and rubbish normally produced by the occupants of commercial, industrial and residential property and disposed of by private or public pick-up.

"Newspapers". Newspapers as used herein includes newspapers and inserts. It excludes magazines, TV Guides, etc. that are not of newspaper quality.

"Aluminum". The term "aluminum" as used herein includes all disposable items made of aluminum including containers used for soda, beer or other beverages, foil, wrappers, containers for prepared food, screen frames and lawn chairs.

"Glass". The term "glass" as used herein includes all products made from silica or sand, soda ash and limestone; the product being transparent or translucent and being used for packaging or bottling of various matters; excluding however, blue or flat glass commonly known as window glass.

"Corrugated Cardboard". The term "corrugated cardboard" as used herein includes cardboard of the type used to make cardboard boxes, cartons, pasteboard and similar corrugated and kraft paper material.

"High Grade Paper". The term "high grade paper" as used herein includes white and/or off white stationery, photocopy and computer paper.

"Demolition Materials". The term "demolition materials" as used herein includes asphalt, concrete, wood wastes.

## Section 3. Recycling Co-ordinator:

A. The position of Recycling Co-ordinator is hereby created and established within the Borough of Oceanport.

B. The Recycling Co-ordinator shall be appointed by the Borough Council for a term of one (1) year expiring December 31 of each year. The term of the person first appointed as Recycling Co-ordinator shall expire December 31 of the year of that person's appointment.

C. The Recycling Co-ordinator, subject to the approval of the Borough Council, shall establish and promulgate reasonable Rules and Regulations as to the manner, days and times for the collection, sorting, transportation, sale and/or marketing of said recyclable material in order to encourage the perservation of material resources while minimizing the cost of the recycling program to the Borough of Oceanport.

## Section 4. Collection by Authorized Persons:

The Borough Council may use municipal personnel to collect recyclable material set forth herein at curbside and/or from a drop off center and shall sell said recyclable material if a

market exists therefor pursuant to N.J.S.A. 40A:11-1 et seq.

The Borough Council may elect to enter into agreements with qualified persons or corporations authorizing them to collect said recyclable material at curbside or from a drop off center and to sell said recyclable material provided the amount of money realized exceeds the cost of collection.

Section 5. Collection by Unauthorized Persons Prohibited:

Recyclable material as defined herein shall be the property of the Borough of Oceanport once placed on the curbside or brought to the drop off center.

It shall be a violation of this Ordinance for any person unauthorized by the Borough Council to pick up or cause to be picked up said recyclable material as defined herein. Each such collection in violation thereof, shall constitute a separate and distinct offense punishable as hereinafter provided.

Section 6. Direct Disposal of Recyclable Material by Resident:

Anything herein to the contrary notwithstanding, any person, partnership or corporation who is owner, lessee or occupant of a residential or non residential property, may donate or sell said recyclable material as defined herein, to any person, partnership or corporation whether or not operating for profit. Said person, partnership or corporation, however, shall not pick up said recyclable materials at curbside or at a municipal drop off center.

Section 7. Violations and Penalties:

Any person, firm or corporation who violates or neglects to comply with any provision of this Ordinance or any rule or regulation promulgated pursuant thereto, shall be punishable upon conviction thereof, by a fine not to exceed five hundred (\$500.00) dollars or up to ninety (90) days in jail or both, except that the maximum fine or penalty for the failure to comply with Section 1, A and B, thereof, or any rule or regulation promulgated pursuant thereto, shall not exceed fifty (\$50.00) Dollars. As an alternate penalty, a convicted person may be ordered to perform community service in the recycling program for a period not to exceed ninety (90) days.

Each day such violation or neglect is committed or permitted to continue shall constitute a separate offense and be punishable as such.

The provisions of this ordinance shall be enforced by the Oceanport Police Department.

Section 8. Severability:

If any section, subsection, clause or phrase of this Ordinance is held unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this Ordinance.

Section 9. Repealer:

All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 10. When Effective:

This Ordinance, when finally passed and published according to law, shall take effect on Oct. 1, 1987.

Passed and approved by Mayor and Council June 18, 1987.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE AUTHORIZING AND PERMITTING  
THE CONDUCT OF GAMES OF CHANCE ON  
SUNDAY.

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. From and after the effective date of this Ordinance, it shall be lawful to hold, operate and conduct on the first day of the week, commonly known and designated as Sunday, a specific game or games of chance, commonly known as a raffle or raffles pursuant to and in accordance with the provisions of the Raffles Licensing Law, N.J.S.A. 5:8-50 et seq. provided there has been compliance with the licensing requirements in such law made and provided.

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

Passed and approved by Mayor and Council July 16, 1987.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE AMENDING CHAPTER 64  
OF THE GENERAL ORDINANCES OF THE  
BOROUGH OF OCEANPORT ENTITLED  
"THE VEHICLE AND TRAFFIC ORDINANCE"  
PASSED AND APPROVED ON DECEMBER 3,  
1970.

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, County of Monmouth and State of New Jersey that Chapter 64 of the General Ordinances of the Borough of Oceanport entitled "The Vehicle and Traffic Ordinance" passed and approved on December 3, 1970 be and the same is hereby amended as follows:

SECTION 1: Section 64-40, Schedule XIV - Left-turn prohibitions, is hereby amended as follows:

In accordance with the provisions of Sec. 64-19, no person shall make a left turn at any of the following locations:

- A. From Crescent Place onto Oceanport Avenue from May 1st through September 30th between the hours 11:30 A.M. and 8:00 P.M.

SECTION 2: Section 64-43, Schedule XVII - Speed limits, is hereby amended by the addition of the following:

PORT-AU-PECK AVENUE

- A. 30 MPH from Wolfhill Avenue to Branchport Avenue from May 1st through September 30th.
- B. 40 MPH from Wolfhill Avenue to Branchport Avenue from October 1st through April 30th
- C. 25 MPH from Branchport Avenue to Pocano Avenue.

SECTION 3: The remainder of all other sections of the aforementioned ordinance not specifically amended shall remain in full force and effect.

SECTION 4: All ordinances and parts thereof inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency.

SECTION 5: This ordinance shall take effect immediately upon approval by the Commissioner of Transportation, passage, publication and filing according to law.

Passed and approved by Mayor and Council August 20, 1987.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE TO AMEND AND SUPPLEMENT  
AN ORDINANCE ENTITLED THE "PERSONNEL  
POLICY OF THE BOROUGH OF OCEANPORT"  
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:

1) That Section 13-17 "Vacations", Subsection D of the ordinance entitled the Personnel Policy of the Borough of Oceanport" passed and approved on March 20, 1986, be and the same is hereby amended and supplemented by the addition of paragraph (6) as follows:

(6) Whenever an employee's duties have prevented him from taking his accrued vacation time, such employee may, at the sole discretion of the Mayor and Council, be paid for such accrued vacation time for a maximum of two (2) weeks per year at the employee's current regular salary.

2) The provisions of this amending ordinance may, at the discretion of the Mayor and Council, be applied retroactively to vacation time accrued prior to the effective date of this ordinance.

3) All provisions of the Personnel Policy of the Borough of Oceanport being amended and supplemented herein which are not modified by this ordinance shall remain in full force and effect.

4) This Ordinance shall take effect upon final passage and publication as provided by law.

Passed and approved by Mayor and Council September 3, 1987.

PATRICIA L. VARCA  
BOROUGH CLERK



BOND ORDINANCE AMENDING 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, AND AS FURTHER AMENDED BY BOND ORDINANCE NO. 536, FINALLY ADOPTED ON DECEMBER 18, 1986, 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 further amended by Bond Ordinance no. 512, finally adopted November 7, 1985, and as further amended by Bond Ordinance no. 536, finally adopted on December 18, 1986, 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 as follows:

A. Section 1 is amended to read:

"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 \$282,500, including the sum of \$14,000 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.

B. Section 2 is amended to read:

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 \$268,375. 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.

C. Section 3 is amended as follows:

(a) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(b) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor as stated in Section 1 hereof.

D. Section 6 (c) is amended to read:

(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 \$268,375., and the obligations authorized herein will be within all debt limitations prescribed by that Law.

E. Section 6 (d) is amended to read:

(d) An aggregate amount not exceeding \$14,000. 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 Two. 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 September 17, 1987.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE AUTHORIZING  
AND GRANTING TO THOMAS L.  
BYRAM A LEAVE OF ABSENCE  
WITH PAY.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH  
OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY AS  
FOLLOWS:

SECTION 1: A leave of absence with pay is hereby  
authorized and granted to Thomas L. Byram, which leave shall  
be retroactive to August 26, 1987.

SECTION 2: The leave of absence hereby authorized and  
granted and all payments of salary pursuant thereto shall  
terminate on and after September 30, 1987.

SECTION 3: This ordinance shall take effect upon final  
passage and publication as provided by law.

Passed and approved by Mayor and Council September 17, 1987.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE TO AMEND AND SUPPLEMENT  
AN ORDINANCE ENTITLED THE "PERSONNEL  
POLICY OF THE BOROUGH OF OCEANPORT"  
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:

1) That Section 13-2 "Scope", of the ordinance entitled the "Personnel Policy of the Borough of Oceanport" passed and approved on March 20, 1986, be and the same is hereby amended and supplemented as follows:

The scope of this ordinance 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. Notwithstanding the foregoing, all Police Department employees below the rank of Patrolman shall be deemed to be included within the scope of this ordinance.

2) That Section 13-32 "Pay Schedule", Paragraph C of the aforementioned ordinance be and the same is hereby amended and supplemented as follows:

C. Monthly payroll: The Secretary of the Board of Tax Appeals and the Housing Inspector.

3) All provisions of the Personnel Policy of the Borough of Oceanport being amended and supplemented herein which are not modified by this ordinance shall remain in full force and effect.

4) This Ordinance shall take effect upon final passage and publication as provided by law.

Passed and approved by Mayor and Council October 1, 1987.

PATRICIA L. VARCA  
BOROUGH CLERK

## ORDINANCE #556

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, Paragraphs B and J 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, 1987 be and hereby are fix<sup>ed</sup> respectively as follows:

B. FINANCIAL ADMINISTRATION

|                                |           |
|--------------------------------|-----------|
| Treasurer                      | \$16,921. |
| Bookkeeper                     | 17,829.   |
| Bookkeeper (effective 10/1/87) | 12,000.   |

J. PUBLIC WORKS & RECYCLING DEPARTMENT

|   |                    |
|---|--------------------|
| Public Works & Recycling Superintendent | \$27,000.          |
| Road & Recycling Supervisor             | 22,950.            |
| Road & Recycling Helper I               | \$13,250.--15,550. |
| Road & Recycling Helper II              | \$12,000.--13,200. |
| Road & Recycling Helper III             | \$11,000.--12,000. |

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 10/1/87

AN ORDINANCE TO AMEND AN ORDINANCE  
ENTITLED THE "BOROUGH OF OCEANPORT  
ZONING ORDINANCE" PASSED AND  
APPROVED ON 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:

1) That Section 68-8 "Schedule of Regulations", of the ordinance entitled the "Borough of Oceanport Zoning Ordinance" passed and approved on July 3, 1969, be and the same is hereby amended as follows:

Schedule II "Bulk and Coverage Controls" is hereby amended as follows:

MAXIMUM DWELLINGS PER ACRE

|     |               |   |     |
|-----|---------------|---|-----|
| R-1 | Single Family | - | 1.5 |
| R-2 | Single Family | - | 3.0 |
| R-3 | Single Family | - | 3.7 |
| R-4 | Single Family | - | 4.5 |
| R-5 | Single Family | - | 4.5 |
| R-5 | Two Family    | - | 6.3 |

2) All provisions of the "Borough of Oceanport Zoning Ordinance" being amended 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 October 15, 1987.

PATRICIA L. VARCA  
BOROUGH CLERK

## ORDINANCE #558

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 the 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 Council October 15, 1987.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE TO AMEND AND SUPPLEMENT  
AN ORDINANCE ENTITLED THE "PERSONNEL  
POLICY OF THE BOROUGH OF OCEANPORT"  
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:

1) That subparagraph (2) of Section 13-26A "Health benefits plan" of the ordinance entitled the Personnel Policy of the Borough of Oceanport" passed and approved on March 20, 1986, be and the same is hereby amended and supplemented as follows:

- (2) The borough shall pay the full premium for such medical plan for the employee and his dependents both during the term of employment and, provided such employee remains insurable, for a period of one (1) year following the date upon which the retirement of any such employee from borough employment shall become effective. Thereafter, the retired employee may elect to continue such coverage; provided, however, that the employee remains insurable and agrees to pay for the cost of continued participation in such plan.

2) That Section 13-34.1 "Compensation for unused sick leave" be added as follows:

Upon retirement from borough employment of any employee, such employee shall have the right to be compensated by the borough for accumulated unused sick leave at such employee's current rate of compensation in accordance with the following schedule:

(1) a maximum of thirty-three (33) days, provided the employee is at least 60 years old and has been employed by the borough for a minimum of ten (10) years.

(2) a maximum of sixty-six (66) days, provided the employee is at least 60 years of old and has been employed by the borough for a minimum of fifteen (15) years.

(3) a maximum of one hundred (100) days, provided the employee is at least fifty-five (55) years old and has been employed by the borough for a minimum of thirty (30) years, or is at least sixty (60) years old and has been employed by the borough for a minimum of twenty (20) years.

3) All provisions of the Personnel Policy of the Borough of Oceanport being amended and supplemented herein which are not modified by this ordinance shall remain in full force and effect.



4). This Ordinance shall take effect upon final passage and publication as provided by law.

Passed and approved by Mayor and Council December 3, 1987.

PATRICIA L. VARCA  
BOROUGH CLERK

## ORDINANCE #560

CAPITAL PURPOSES ORDINANCE  
APPROPRIATING THE SUM OF  
\$43,403.32 FOR VARIOUS  
IMPROVEMENTS OR PURPOSES  
AUTHORIZED TO BE UNDER-  
TAKEN 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 members thereof affirmatively concurring)  
AS FOLLOWS:

SECTION 1. There is hereby appropriated the sum of  
\$43,403.32 to finance from capital surplus the various  
improvements or purposes hereinafter described:

- a) Repair of roof for Public Works garage.
- b) Construction of addition to Public Works garage  
to provide shelter for Borough vehicles and  
equipment.

SECTION 2. This Ordinance shall take effect 20 days  
after the first publication after final adoption as provided  
by law.

Passed and approved by Mayor and Council December 17, 1987.

PATRICIA L. VARCA  
BOROUGH CLERK

BOND ORDINANCE APPROPRIATING \$28,000.  
AND AUTHORIZING THE ISSUANCE OF \$26,600.  
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 \$28,000. 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 \$28,000. 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 \$26,600. 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 \$26,600. 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 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 purpose, is as follows:

| <u>Improvement or Purpose</u>   | <u>Appropriations and<br/>Estimated Cost</u> | <u>Estimated Maximum<br/>Amount of Bonds<br/>or Notes</u> |
|---|--|---|
| (1) acquisition of a<br>1988 Dodge 2-ton<br>dump truck with snow<br>commander package | \$28,000.                                    | \$26,600.   |

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 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 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 \$26,600. and the said obligation authorized by this bond ordinance will be within all debt limitations prescribed by said law.

(d) Amounts not exceeding \$7,000. 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. 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 after final adoption as provided by said Local Bond Law.

Passed and approved by Mayor and Council February 4, 1988.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE TO AMEND AN ORDINANCE 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, NEW JERSEY" PASSED AND APPROVED ON APRIL 21, 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 474 of the Borough of Oceanport 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, New Jersey" passed and approved on April 21, 1983, be and the same is hereby amended as follows:

A. The total sum appropriated in Sections 1 and 2 of such Bond Ordinance is amended to read \$232,000. and the amount of the down payment in Section 1 is amended to read \$11,600.

B. The principal amount of the negotiable bonds authorized to be issued in Section 2 of said ordinance is amended to read \$220,400.

C. Section 3 is amended to read as follows:

| <u>Improvement or Purpose</u>   | <u>Appropriations and<br/>Estimated Cost</u> | <u>Estimated Maxi-<br/>mum Amount of<br/>Bonds or Notes</u> |
|---|--|---|
| (a) Reconstruction of<br>roof to municipal<br>building located at<br>222 Monmouth Boulevard,<br>Oceanport, New Jersey | \$ 82,000                                    | \$ 77,900   |
| TOTALS:   | \$232,000                                    | \$220,400   |

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 \$220,400.

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 \$16,000.

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 February 4, 1988.

PATRICIA L. VARCA  
BOROUGH CLERK

## FLOOD DAMAGE PREVENTION ORDINANCE

## ARTICLE I

## 1.1 STATUTORY AUTHORIZATION

The Legislature of the State of New Jersey has in N.J.S.A. 40:48-1 et seq. delegated the responsibility to local government units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the Mayor and Council of the Borough of Oceanport, in the County of Monmouth and State of New Jersey does ordain as follows:

## 1.2 FINDINGS OF FACT

(1) The flood hazard areas of the Borough of Oceanport are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

(2) These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazards which increase flood heights and velocities, and when inadequately floodproofed, elevated or otherwise protected from flood damage also contribute to the flood loss.

## 1.3 STATEMENT OF PURPOSE

It is the purpose of this ordinance to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

(1) To protect human life and health;

(2) To minimize expenditure of public money for costly flood control projects;

(3) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

(4) To minimize prolonged business interruptions;

(5) To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard;

(6) To help maintain a stable tax base by providing for the second use and development of areas of special flood hazard so as to minimize future flood blight areas;

(7) To insure that potential buyers are notified that property is in an area of special flood hazard; and,



(8) To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

#### 1.4 METHODS OF REDUCING FLOOD LOSSES

In order to accomplish its purposes, this ordinance includes methods and provisions for;

(1) Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;

(2) Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

(3) Controlling the alteration of natural flood plains, stream channels, and natural protective barriers, which help accomodate or channel flood waters;

(4) Controlling filling, grading, dredging, and other development which may increase flood damage; and,

(5) Preventing or regulating the construction of flood barriers which may increase flood hazards in other areas.

### ARTICLE II

#### 2.1 DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

"Appeal" means a request for a review of the Construction Official's interpretation of any provision of this ordinance or a request for a variance.

"Area of shallow flooding" means a designated AO or VO Zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and, velocity flow may be evident.

"Area of special flood hazard" means thae land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year.

"Base flood" means the flood having a one percent chance of being equalled or exceeded in any given year.

"Basement" means any area of the building having its floor subgrade (below ground level) on all sides.

"Breakaway wall" means a wall that is not part of the structural support of the building and is intended through its design

and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation system.

"Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the area of special flood hazard.

"Elevated building" means a non-basement building (i) built in the case of a building in a Area of Special Flood Hazard to have the top of the elevated floor or in the case of a building in a Coastal High Hazard area to have the bottom of the lowest horizontal structural member of the elevated floor elevated above the ground level by means of piling, columns (posts and piers), or shear walls parallel to the flow of the water and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In an Area of Special Flood Hazard "elevated building" also include a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters. In Areas of Coastal High Hazard "elevated building" also includes a building otherwise meeting the definition of "elevated building" even though the lower area is enclosed by means of breakaway walls.

"Flood or flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters and/or

- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

"Flood Insurance Rate Map" (FIRM) means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

"Flood Insurance Study" means the official report provided in which the Federal Insurance Administration has provided flood profiles, as well as the Flood Boundary-Floodway Map and the water surface elevation of the base flood.

"Floodway" means the channel of a river or other water-course and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 0.2 foot.

"Lowest Floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, used solely for the parking of vehicles, building access or storage in an area other than a basement is not considered a buildings lowest floor provided that such enclosure is not built so to render the structure in violation of other applicable non-elevation design requirements.

"Manufactured home" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For flood plain management purposes the term "manufactured home" also includes park trailers, travel trailers and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes the term "manufactured home" does not include park trailers, travel trailers and other similar vehicles.

"Manufactured home park or manufactured home subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

"New construction" means structures for which the "start of construction" commenced on or after the effective date of this ordinance.

"Start of Construction" (for other than new construction or substantial improvements under Coastal Barrier Resources Act (P.L. 97-348) includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site such as the pouring of a slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

"Structure" means a walled and roofed building, a manufactured home, or a gas or liquid storage tank, that is principally above ground.

"Substantial improvement" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

(1) any project for improvement of a structure to comply with existing State or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or

(2) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

"Variance" means a grant of relief from the requirements of this ordinance which permits construction in a manner that would otherwise be prohibited by this ordinance.

## ARTICLE III

## 3.1 LANDS TO WHICH THIS ORDINANCE APPLIES

This ordinance shall apply to all areas of special flood hazards within the jurisdiction of the Borough of Oceanport.

## 3.2 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance study for the Borough of Oceanport" effective February 16, 1977, with accompanying Flood Insurance Rate Maps and Flood Boundary-Floodway Maps is hereby adopted by reference and declared to be a part of this ordinance. The Flood Insurance Study is on file in the office of the Borough Clerk.

## 3.3 PENALTIES FOR NONCOMPLIANCE

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than five hundred (\$500.00) dollars or imprisoned for not more than sixty (60) days, or both, for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing contained shall prevent the Borough of Oceanport from taking such other lawful action as is necessary to prevent or remedy any violation.

## 3.4 ABROGATION AND GREATER RESTRICTIONS

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and other ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

## 3.5 INTERPRETATION

In the interpretation and application of this ordinance, all provisions shall be:

- (1) Considered as minimum requirements;
- (2) Liberally construed in favor of the governing body; and,
- (3) Deemed neither to limit nor repeal any other powers granted under State statutes.

## 3.6 WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods

can and will occur on rare occasions. Flood Heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the area of special flood hazards or uses permitted within such areas will be free from flooding or flood damages.

This ordinance shall not create liability on the part of the Borough of Oceanport, any officer or employee thereof or the Federal Insurance Administration, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

#### ARTICLE IV

##### 4.1 ESTABLISHMENT OF DEVELOPMENT PERMIT

A Development Permit shall be obtained before construction or development begins within any area of special flood hazard established in section 3.2. Application for a Development Permit shall be made on forms furnished by the Construction Official and may include, but not be limited to; plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing.

Specifically, the following information is required:

(1) Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;

(2) Elevation in relation to mean sea level to which any structure has been floodproofed.

(3) Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in Section 5.2-2; and,

(4) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

##### 4.2 DESIGNATION OF THE CONSTRUCTION OFFICIAL

The Construction Official shall include, but not be limited to: ←

##### 4.3 DUTIES AND RESPONSIBILITIES OF THE CONSTRUCTION OFFICIAL

Duties of the Construction Official shall include, but not be limited to:

###### 4.3-1 Permit Review

(1) Review all development permits to determine that the permit requirements of this ordinance have been satisfied.

(2) Review all development permits to determine that

all necessary permits have been obtained from those Federal, State or local governmental agencies from which prior approval is required.

(3) Review all development permits to determine if the proposed development is located in the floodway, assure that the encroachment provisions of Section 5.4(1) are met.

#### 4.3-2 Use of Other Base Flood and Floodway Data

When base flood elevation and floodway data has not been provided in accordance with Section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, the Construction Official shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, in order to administer Sections 5.2-1, SPECIFIC STANDARDS, Residential Construction, and 5.2-2, SPECIFIC STANDARDS, Non-residential Construction.

#### 4.3-3 Information to Be Obtained and Maintained

(1) Obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.

(2) For all new substantially improved floodproofed structures:

(i) verify and record the actual elevation (in relation to mean sea level); and

(ii) maintain the floodproofing certifications required in Section 4.1 (3).

(3) Maintain for public inspection all records pertaining to the provisions of this ordinance.

#### 4.3-4 Alteration of Watercourses

(1) Notify adjacent communities and the New Jersey Bureau of Flood Plain Management prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.

(2) Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

#### 4.3-5 Interpretation of FIRM Boundaries

Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 4.4

#### 4.4 VARIANCE PROCEDURE

##### 4.4-1 Appeal Board

(1) The Zoning Board of Adjustment as established by the Borough of Oceanport shall hear and decide appeals and requests for variances from the requirements of this ordinance.

(2) The Zoning Board of Adjustment shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Construction Official in the enforcement or administration of this ordinance.

(3) Those aggrieved by the decision of the Zoning Board of Adjustment, or any taxpayer, may appeal such decision to the Superior Court of New Jersey, as provided by law.

(4) In passing upon such applications, the Zoning Board of Adjustment, shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance, and:

(i) the danger that materials may be swept onto other lands to the injury of others;

(ii) the danger to life and property due to flooding or erosion damage;

(iii) the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

(iv) the importance of the services provided by the proposed facility to the community.

(v) the necessity to the facility of a waterfront location, where applicable;

(vi) the availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;

(vii) the compatibility of the proposed use with existing and anticipated development;

(viii) the relationship of the proposed use to the comprehensive plan and flood plain management program of that area;

(ix) the safety of access to the property in times of flood for ordinary and emergency vehicles;

(x) the expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site, and,

(xi) the costs of providing governmental services during and after flood conditions, including maintenance and

repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

(5) Upon consideration of the factors of Section 4.4-1(4) and the purposes of this ordinance, the Zoning Board of Adjustment may attach such conditions to the granting of variances as it deems necessary to further the purpose of this ordinance.

(6) The Construction Official shall maintain the records of all appeal actions, including technical information, and report any variances to the Federal Insurance Administration upon request.

#### 4.4-2 Conditions for Variances

(1) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level; providing items (i-xi) in Section 4.4-1(4) have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.

(2) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this section.

(3) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

(4) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(5) Variances shall only be issued upon:

(i) a showing of good and sufficient cause;

(ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant; and,

(iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to the public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in Section 4.4-1(4), or conflict with existing local laws or ordinances.

(6) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest flood elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.



## ARTICLE V

## 5.1 GENERAL STANDARDS

In all areas of special flood hazards the following standards are required:

## 5.1-1 Anchoring

(1) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.

(2) All manufactured homes shall be anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.

## 5.1-2 Construction Materials and Methods

(1) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

(2) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

## 5.1-3 Utilities

(1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

(2) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters;

(3) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding; and

(4) Electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

## 5.1-4 Subdivision Proposals

(1) All subdivision proposals shall be consistent with the need to minimize flood damage;

(2) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;

(3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and,

(4) Base flood elevation data shall be provided for subdivision proposals and other proposed development which contain at least 50 lots or 5 acres (whichever is less).

#### 5.1-5 Enclosure Openings

For all new construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

#### 5.2 SPECIFIC STANDARDS

In all areas of special flood hazards where base flood elevation data have been provided as set forth in Section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD or in Section 4.3-2, Use of Other Base Flood Data, the following standards are required:

##### 5.2-1 Residential Construction

New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above base flood elevation.

##### 5.2-2 Nonresidential Construction

New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to the level of the base flood elevation; or

(1) be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;

(2) have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,

(3) be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of this subsection. Such certification shall be provided to the official as set forth in Section 4.3-3 (2).

## 5.2-3 Manufactured Homes

(1) Manufactured homes shall be anchored in accordance with Section 5.1-1 (2).

(2) All manufactured homes to be placed or substantially improved within an area of special flood hazard shall be elevated on a permanent foundation such that the top of the lowest floor is at or above the base flood elevation.

## 5.3 FLOODWAYS

Located within areas of special flood hazard established in Section 3.2 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

(1) Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless a technical evaluation demonstrates that encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge.

(2) If Section 5.4(1) is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section 5.0 Provisions For Flood Hazard Reduction. (36.16)

(3) In all areas of special flood hazard in which base flood elevation data has been provided and no floodway has been designated, the cumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the water surface elevation of the base flood more than two-tenths (0.2) of a foot at any point.

## ARTICLE VI

## 6.1 REPEALER

By the enactment of this ordinance, the provisions of Chapter 36 of the Ordinances of the Borough of Oceanport entitled "Flood Hazard Areas" are hereby repealed.

## 6.2 WHEN EFFECTIVE

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

Passed and approved by Mayor and Council February 4, 1988.

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 OCTOBER 22, 1987

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. 409:8A-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 10/22/87 for the Purpose of Inserting a Description of Activities for the Fourteenth 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 2/18/88.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE TO AMEND AN ORDINANCE  
ENTITLED "AN ORDINANCE ESTABLISHING  
A MANDATORY PROGRAM FOR RECYCLABLE  
MATERIALS: CREATING THE POSITION OF  
RECYCLING CO-ORDINATOR: PROMULGATING  
RULES AND REGULATIONS FOR THE  
SEPARATION, RECOVERY, COLLECTION,  
STORAGE AND MARKETING OF SAID  
MATERIAL AND PRESCRIBING PENALTIES  
FOR THE VIOLATION THEREOF" PASSED  
AND APPROVED ON OCTOBER 15, 1987

JUNE 18, 1988

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 "Purpose" of the Ordinance entitled "An Ordinance Establishing A Mandatory Program For Recyclable Materials; Creating The Position of Recycling Co-ordinator; Promulgating Rules and Regulations For The Separation, Recovery, Collection, Storage And Marketing of Said Material And Prescribing Penalties For The Violation Thereof" passed and approved on October 15, 1987, be and the same is hereby amended by the addition of the following subsection:

F. On and after April 1, 1988, it shall be mandatory for all nonresidential establishments not served by the Municipal Recycling Program to provide a record to the Municipality of the types and quantities of materials recycled. The report shall be prepared upon such forms as shall be promulgated by the Recycling Co-ordinator and shall be filed with the Recycling Co-ordinator for each calendar quarter not later than 15 days following the expiration of each such calendar quarter. Weights receipts and/or letters on official company stationary shall clearly describe the quantity and disposition of each material included in the quarterly report.

2) All provisions of the Ordinance being amended 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 March 3, 1988.

PATRICIA L. VARCA  
BOROUGH CLERK

## ORDINANCE #566

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 J 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, 1987 be and  
hereby are fixed respectively as follows:

J. PUBLIC WORKS & RECYCLING DEPARTMENT

|  |                    |
|--|--------------------|
| Public Works & Recycling Superintendent  | \$27,000.          |
| Road & Recycling Foreman (as of 2/25/88) | 18,000.            |
| Road & Recycling Helper I                | \$13,250.--15,550. |
| Road & Recycling Helper II               | \$12,000.--13,200. |
| Road & Recycling Helper III              | \$11,000.--12,000. |

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 the Governing Body 3/17/88

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE VACATING RIVERVIEW  
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 Riverview 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 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 street known as Riverview Place, appearing on the Official Tax Map of the Borough of Oceanport, and described as follows:

BEGINNING at the point of intersection of the northerly line of Riverview Place and the westerly line of Relwof Avenue and from said beginning point running:

(1) In a westerly direction along the northerly line of Riverview Place, the various courses thereof, 907 feet more or less to the mean highwater line of Oceanport Creek; thence

(2) In a southerly direction along the mean highwater line of Oceanport Creek, be the distance what it may, to the southerly line of Riverview Place; thence

(3) In an easterly direction along the southerly line of Riverview Place, the various courses thereof, 1244.42 feet more or less to the intersection of the same with the westerly line of Relwof Avenue; thence

(4) In a northerly direction along the westerly line of Relwof Avenue, be the distance what it may, to the point and place of Beginning.

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

Passed and approved by Mayor and Council April 14, 1988.

PATRICIA L. VARCA  
BOROUGH CLERK

## ORDINANCE #568

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, 1988, 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            | 27,750.   |
| Secretary                | 14,000.   |

B. FINANCIAL ADMINISTRATION

|            |         |
|------------|---------|
| Treasurer  | 18,000. |
| Bookkeeper | 13,000. |

C. BOARD OF ASSESSORS

|                  |         |
|------------------|---------|
| Assessor         | 15,200. |
| Deputy           | 2,700.  |
| Deputy           | 2,327.  |
| Assessment Clerk | 2,899.  |

D. COLLECTION OF TAXES

|                  |         |
|------------------|---------|
| Tax Collector    | 9,864.  |
| Tax Office Clerk | 11,361. |

E. MUNICIPAL COURT

|                        |        |
|------------------------|--------|
| Municipal Court Judge  | 8,000. |
| Court/Violations Clerk | 6,000. |
| Deputy Court Clerk     | 3,250. |
| Municipal Prosecutor   | 2,500. |



## F. PLANNING BOARD

|           |        |
|-----------|--------|
| Secretary | 4,500. |
|-----------|--------|

## G. ZONING BOARD OF ADJUSTMENT

|           |        |
|-----------|--------|
| Secretary | 1,800. |
|-----------|--------|

## H. ENVIRONMENTAL COMMISSION

|           |      |
|-----------|------|
| Secretary | 330. |
|-----------|------|

## I. POLICE DEPARTMENT

|                 |         |
|-----------------|---------|
| Chief           | 38,320. |
| Captain         | 35,225. |
| Detective Sgt.  | 34,005. |
| Sergeants, each | 33,526. |
| Detective       | 32,220. |

|  |         |
|--|---------|
| Patrolman I [commencing fifth year of<br>service and each year thereafter] | 31,735. |
|--|---------|

|   |         |
|---|---------|
| Patrolman II [commencing fourth year<br>of service] | 28,735. |
|---|---------|

|   |         |
|---|---------|
| Patrolman III [commencing third year<br>of service] | 25,735. |
|---|---------|

|   |         |
|---|---------|
| Patrolman IV [commencing second year<br>of service] | 22,735. |
|---|---------|

|   |         |
|---|---------|
| Patrolman V [commencing first year<br>of service] | 18,762. |
|---|---------|

## Dispatchers:

|  |         |
|--|---------|
| Third year of employment<br>and each year thereafter | 16,198. |
|--|---------|

|                           |         |
|---------------------------|---------|
| Second year of employment | 15,353. |
|---------------------------|---------|

|                          |         |
|--------------------------|---------|
| First year of employment | 14,021. |
|--------------------------|---------|

|               |        |
|---------------|--------|
| Records Clerk | 1,700. |
|---------------|--------|

|                              |        |
|------------------------------|--------|
| School Crossing Guards, each | 4,411. |
|------------------------------|--------|

## J. PUBLIC WORKS &amp; RECYCLING DEPARTMENT

|                             |             |         |
|-----------------------------|-------------|---------|
| Public Works Superintendent |             | 29,000. |
| Road Foreman                |             | 18,000. |
| Helper I                    | \$15,550. - | 16,600. |
| Helper II                   | \$12,000. - | 13,500. |

## K. RECREATION AND EDUCATION

|   |  |         |
|---|--|---------|
| Recreation Director                     |  | 3,370.  |
| Recreation Aides & Assistants, total    |  | 6,380.  |
| Building Custodian                      |  | 850.    |
| Community Center/Old Wharf Reservations |  | 550.    |
| Welfare Director                        |  | 2,000.  |
| 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.  |
| Zoning Enforcement Officer              |  | 2,500.  |

## L. BOARD OF HEALTH

|                  |      |
|------------------|------|
| Secretary        | 612. |
| Registrar        | 612. |
| Deputy Registrar | 246. |

## M. CASUAL LABOR \$5.00 - 6.50 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, 1988.

Passed and approved by Mayor and Council 5/5/88.

PATRICIA L. VARCA  
BOROUGH CLERK

BOND ORDINANCE APPROPRIATING \$190,000.  
AND AUTHORIZING THE ISSUANCE OF \$180,500.  
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 \$190,000. including the aggregate sum of \$9,500.00 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 \$190,000. 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 \$180,500. 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 \$180,000. 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<br/>Estimated Cost</u> | <u>Estimated Maximum<br/>Amount of Bonds<br/>or Notes</u> |
|---|--|---|
| (1) Acquisition and installation of 2 Motorola Mitrex Base Stations, 18 MT-1000 portable radios, 10 Motorola Syntor X mobile radios, with accessories. Modification of existing communications equipment. | \$ 60,000.                                   | \$ 57,000.  |
| (2) Renovation of Public Works Garage   | 70,000.                                      | 66,500.   |
| (3) Restoration and improvement of Blackberry Bay Park playing fields.  | 25,000.                                      | 23,750.   |
| (4) Reconstruction of Gooseneck Point Road for the entire length.   | 35,000.                                      | 33,250.   |
|   | <u>\$ 190,000.</u>                           | <u>\$ 180,500.</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 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 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 \$180,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said law.

(d) Amounts not exceeding \$47,500 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 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 after final adoption as provided by said Local Bond Law.

Passed and approved by Mayor and Council May 19, 1988.

PATRICIA L. VARCA  
BOROUGH CLERK

## ORDINANCE #570

AN ORDINANCE TO AMEND AN ORDINANCE  
ENTITLED THE "BOROUGH OF OCEANPORT  
SOIL REMOVAL ORDINANCE" 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 and State of New Jersey,  
as follows:

1) That Section 50-2 "Permit required, exceptions" of  
the ordinance entitled the "Borough of Oceanport Soil Removal  
Ordinance" passed and approved on April 15, 1982, be and the  
same is hereby amended by the deletion of subsection F.

2) All provisions of the "Borough of Oceanport Soil  
Removal Ordinance" being amended 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 6/2/88.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE TO AMEND AN ORDINANCE  
ENTITLED THE "BOROUGH OF OCEANPORT  
FEES ORDINANCE" 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 Section 35A-1 "Planning Board Fees", of the  
ordinance entitled the "Borough of Oceanport Fees Ordinance"  
passed and approved on April 16, 1981, be and the same is  
hereby amended by the addition of the following subsection:

E. Revision of plat or plan prior to hearing. An  
applicant seeking or required to revise or amend a preliminary  
or final plat or plan prior to a hearing with respect thereto  
shall pay a fee equal to twenty (20%) percent of the original  
site plan or subdivision plat fee for each occasion that such  
revised or amended plat or plan must be reviewed by the  
Borough Engineer.

2) All provisions of the "Borough of Oceanport Fees  
Ordinance" being amended 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 6/2/88.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE TO AMEND AND SUPPLEMENT  
AN ORDINANCE ENTITLED THE "PERSONNEL  
POLICY OF THE BOROUGH OF OCEANPORT"  
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:

1) That section 13-32 "Pay Schedule" of the ordinance entitled the "Personnel Policy of the Borough of Oceanport" passed and approved on March 20, 1986, be and the same is hereby amended and supplemented as follows:

B. Biweekly payroll: all full-time employees, all members of the Police Department and school crossing guards, Plumbing Inspector, Fire Sub-Code Official, Zoning Enforcement Officer and Construction Official.

C. Monthly payroll: The Secretary of the Board of Tax Appeals and the Secretary of the Planning Board.

2) All provisions of the Personnel Policy 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 July 21, 1988.

PATRICIA L. VARCA  
BOROUGH CLERK



AN ORDINANCE TO AMEND AND SUPPLEMENT  
AN ORDINANCE ENTITLED "AN ORDINANCE  
ESTABLISHING A MANDATORY PROGRAM FOR  
RECYCLABLE MATERIALS, CREATING THE  
POSITION OF RECYCLING CO-ORDINATOR;  
PROMULGATING RULES AND REGULATIONS FOR  
THE SEPARATION, RECOVERY, COLLECTION,  
STORAGE AND MARKETING OF SAID MATERIAL  
AND PRESCRIBING PENALTIES FOR THE  
VIOLATION THEREOF" PASSED AND APPROVED  
ON JUNE 18, 1987.

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 the ordinance entitled "An Ordinance Establishing  
a Mandatory Program for Recyclable Materials; Creating the  
Position of Recycling Co-Ordinator; Promulgating Rules and  
Regulations for the Separation, Recovery, Collection, Storage  
and Marketing of Said Material and Prescribing Penalties for  
the Violation Thereof" passed and approved on June 18, 1987  
be and the same is hereby amended and supplemented by the  
addition of Section 6A as follows:

SECTION 6A. Prohibited Acts:

It shall be unlawful for any person or entity not a  
lawful resident of the Borough of Oceanport or any  
owner or occupant of a non-residential establishment  
to deposit or place any recyclable materials either  
at a municipal drop off center or at any other location  
within the Borough.

2) All provisions of the ordinance 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 August 18, 1988.

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, New Jersey as follows:

1. That Section 1, Paragraph F 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 June 22, 1988 be and hereby are fixed respectively as follows:

F. PLANNING BOARD

|           |            |
|-----------|------------|
| Secretary | \$4,000.00 |
|-----------|------------|

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 August 18, 1988.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE TO AMEND AND SUPPLEMENT  
AN ORDINANCE ENTITLED THE "BOROUGH  
OF OCEANPORT ZONING ORDINANCE" PASSED  
AND APPROVED ON 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:

1) That the ordinance entitled the "Borough of Oceanport Zoning Ordinance" passed and approved on July 3, 1969, be and the same is hereby amended and supplemented by the addition of Section 10.1 as follows:

SECTION 10.1 Waiver of Site Plan Approval.

The Planning Board may waive the requirement for the submission of a site plan for its review and approval if the application or proposed development:

a. Involves normal maintenance, repair or replacement such as a new roof, painting, new siding or similar activity, or

b. Does not affect existing traffic circulation, drainage, building arrangements, landscaping, buffering, lighting or other considerations of site plan review.

The Planning Board shall only grant such a waiver if it finds, on the basis of an on-site inspection and any other documentation presented, that the proposed development will not detrimentally affect or impair considerations of sound planning. Application for a waiver of site plan approval shall be submitted in triplicate to the Secretary of the Planning Board with a fee of One Hundred Fifty (\$150.) Dollars payable to the Borough of Oceanport. The Planning Board shall hold a public hearing on the application as in the case of an application for site plan approval and shall act on the application for a waiver at its meeting during which it holds the public hearing or within such additional time as may be agreeable to the applicant. Any waiver of site plan approval shall be valid for the same period of time as final approval of a site plan would have been valid.

2) All provisions of the ordinance 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 August 18, 1988.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE  
ENTITLED THE "BOROUGH OF OCEANPORT ZONING ORDINANCE"  
PASSED AND APPROVED ON 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:

1] That Subsection F "Fences" of Section 68-23 "Miscellaneous Uses", of the ordinance entitled the "Borough of Oceanport Zoning Ordinance" passed and approved on July 3, 1969, be and the same is hereby amended and supplemented as follows:

F. Fences.

1. No residential fence may be more than six (6) feet in height or constructed of materials substantially dangerous. This interpretation is meant to include barbed-wire but is not limited thereto.
2. No fence shall be erected in a front yard of any lot in a residential zone or along a public right-of-way unless the fence is less than fifty percent (50%) solid and is not more than four (4) feet in height. Such fence shall be no closer than one (1) foot to the Borough road, street and/or right-of-way.
3. No fence shall be erected on any lot within twenty-five (25) feet from the intersection of two (2) or more public rights-of-way more than three (3) feet in height.
4. All fences must be constructed with the face or finished side away from the property and the structural side toward the interior.
5. Stone and masonry walls are not considered to be fences and are prohibited.
6. All uses other than residential uses which abut a residential use shall provide screening in the form of a fence or hedge at least six (6) feet high and not more than forty percent (40%) open.

2] All provisions of the "Borough of Oceanport Zoning Ordinance" 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 THE MAYOR AND COUNCIL SEPTEMBER 1, 1988.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE VACATING A PORTION OF CAYUGA AVENUE  
WHICH WAS PREVIOUSLY DEDICATED AS A PUBLIC  
STREET AND EXTINGUISHING PUBLIC RIGHT THEREUNDER

WHEREAS, there appears on the Official Tax Map of the Borough of Oceanport, a certain street commonly known as Cayuga Avenue; and

WHEREAS, it appears to the Governing Body that the public interest would be better served by releasing a portion of said street 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 the street known as Cayuga Avenue appearing on the Official Tax Map of the Borough of Oceanport, and described as follows:

BEGINNING at a point in the southerly line of Cayuga Avenue where the same is intersected by the dividing line between Lot 12.01 and Lot 14.01, Block 27, Borough of Oceanport Tax Map and running from said Beginning point (1) North 83 degrees 50 minutes 00 seconds West along the aforesaid southerly line of Cayuga Avenue, 25.89 feet to a point, thence (2) North 21 degrees 12 minutes 00 seconds East along the westerly end of Cayuga Avenue, 51.77 feet to its intersection with the northerly line of Cayuga Avenue, thence (3) South 83 degrees 50 minutes 00 seconds East along said northerly line, 25.89 feet to its intersection with the dividing line between Lot 14.01 and Lot 15, thence (4) South 21 degrees 12 minutes 00 seconds West, along a proposed new line, 51.77 feet to the point or place of BEGINNING.  
Containing 1,214.4 Square Feet.

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 ON SEPTEMBER 1, 1988

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE TO AMEND AN ORDINANCE  
ENTITLED THE "BOROUGH OF OCEANPORT  
FLOOD DAMAGE PREVENTION ORDINANCE"  
PASSED AND APPROVED ON FEBRUARY 4,  
1988.

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 2.1 Definitions: SUBSTANTIAL IMPROVEMENT, of the Ordinance entitled the "Borough of Oceanport Flood Damage Prevention Ordinance" passed and approved on February 4, 1988, be and the same is hereby amended as follows:

SUBSTANTIAL IMPROVEMENT -- Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure either before the improvement or repair is started or, if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to commence when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either:

(1) Any project for improvement of a structure to comply with existing state or local building, fire, health, sanitary or safety code specifications which are solely necessary to assure safe living conditions; or

(2) Any alteration of a structure or contributing structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

2) That Section 4.2 DESIGNATION OF THE CONSTRUCTION OFFICIAL of the said ordinance be and the same is hereby amended as follows:

The Construction Official is hereby appointed to administer and implement this ordinance by granting or denying development permit applications in accordance with its provisions.

3) That Subsection (2) of Section 5.3 FLOODWAYS of the said ordinance be and the same is hereby amended as follows:

If Section 5.3(1) is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of ARTICLE V of this ordinance.

4) All provisions of the "Borough of Oceanport Flood Damage Prevention Ordinance" being amended and supplemented herein which are not modified by this ordinance shall remain in full force and effect.

5) This Ordinance shall take effect upon final passage and publication as provided by law.

Passed and approved by Mayor and Council October 20, 1988.

PATRICIA L. VARCA, BOROUGH CLERK

AN ORDINANCE TO AMEND AND SUPPLEMENT  
AN ORDINANCE ENTITLED THE "BOROUGH OF  
OCEANPORT TRAFFIC ORDINANCE" 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:

1) That Section 64-32 Schedule VI - Trucks over four tons excluded, of the ordinance entitled the "Borough of Oceanport Traffic Ordinance" passed and approved on December 3, 1970, be and the same is hereby amended and supplemented as follows:

In accordance with the provisions of Section 64-11, trucks and buses over four tons registered weight are hereby excluded from the following streets or parts of streets, except for the pick-up and delivery of materials or passengers on such streets:

| <u>Name of Street</u>        | <u>Location</u>  |
|------------------------------|--|
| Evergreen Lane -             | Between Monmouth Road (NJ Route 71)  |
| Burnt Mill Circle            | and Eatontown Boulevard (Co. Rd. 537)  |
| Wolfhill Avenue              | Between Eatontown Boulevard<br>(Co. Rd. 537) and Main Street                                 |
| Bridgewater-Asbury<br>Avenue | Between East Main Street-Oceanport<br>Avenue (Co. Rd. 11) and Myrtle<br>Avenue (Co. Rd. 29A) |
| Port-au-Peck Avenue          | Between Monmouth Boulevard (Co. Rd. 33)<br>and Branchport Avenue (Co. Rd. 29)                |
| Comanche Drive               | Between Monmouth Boulevard (Co. Rd. 33)<br>and Port-au-Peck Avenue.                          |

2) All provisions of the "Borough of Oceanport Traffic Ordinance" 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 October 20, 1988.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE CREATING THE SUBSTANCE  
ABUSE COMMITTEE OF THE BOROUGH  
OF OCEANPORT, PROVIDING FOR THE  
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 "Substance Abuse Committee Ordinance of the Borough of Oceanport, New Jersey".

Section 2: Establishment.

There is hereby established and created a Committee to be known as the "Substance Abuse Committee of the Borough of Oceanport".

Section 3: Composition.

The Substance Abuse Committee of the Borough of Oceanport shall be composed of twenty (20) members, to be selected and appointed by the Mayor and Council at its next regular meeting after this ordinance shall become effective. The Committee may include representatives from the Oceanport Police Department, Parent-Teacher Organization and other public and private agencies which deal with the community on a regular basis.

Section 4: Appointments; terms of office.

The members of said Substance Abuse 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 31, 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 Substance Abuse 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 Substance Abuse Committee shall be residents of the Borough of Oceanport and shall serve without compensation, except as may be hereinafter provided.

Section 7: Oath of office.

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 Substance Abuse Committee in the Borough of Oceanport to provide leadership in planning and formulating solutions to the various problems created by drug and alcohol abuse and other youth related problems in the community. The Committee will be responsible for the preparation and presentation of public programs to educate and inform the community on all aspects of drug and alcohol abuse and youth-related problems and will be responsible for the recommendation and implementation of preventive measures to curtail the incidents of drug and alcohol abuse and other youth-related problems in the community. In addition, the Committee will evaluate the administration of any new programs which might be implemented in an effort to help achieve these goals.

B. To effectuate its purposes, the Committee shall have the power to:

(1) establish liaison with Courts, police, schools, juvenile conference committee, clergy, professionals, parents and service organizations.

(2) establish an independent counseling and referral service which can be utilized by the above mentioned individuals and agencies.

(3) provide training programs for selected residents to enable them to conduct "group dynamics" sessions throughout the Borough.

(4) coordinate all public relations efforts.

(5) research all sources of funding.

(6) design community-wide educational programs.

(7) submit quarterly reports and program evaluations to the Borough Council.

(8) be responsible for continuing personal education in all appropriate fields.

### Section 11: Annual appropriation.

A. During the month of December in each year, the Substance Abuse 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: Liability.

Nothing in the 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 October 20, 1988.

PATRICIA L. VARCA  
BOROUGH CLERK

## ORDINANCE #581

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, New Jersey as follows:

1. That Section 1, Paragraphs B and D 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:

B. FINANCIAL ADMINISTRATION

|                              |           |
|------------------------------|-----------|
| Treasurer (effective 1/3/89) | \$10,000. |
| Bookkeeper                   | 13,000.   |

D. COLLECTION OF TAXES

|                                  |         |
|----------------------------------|---------|
| Tax Collector (effective 1/3/89) | 9,000.  |
| Tax Office Clerk                 | 11,361. |

SECTION 2: All ordinances and resolutions or parts of ordinances or 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 12/15/88

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 OCTOBER 22, 1987

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 with the Borough of Oceanport and the County of Monmouth in cooperation with other municipalities which will modify the 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 October 22, 1987 for the purpose of Inserting a Description of Activities for the Fifteenth 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 12/15/88

PATRICIA L. VARCA  
BOROUGH CLERK

## ORDINANCE #583

AN ORDINANCE TO AMEND AND SUPPLEMENT  
AN ORDINANCE ENTITLED THE "BOROUGH  
OF OCEANPORT ZONING ORDINANCE" PASSED  
AND APPROVED ON 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:

1) That the ordinance entitled the "Borough of Oceanport Zoning Ordinance" passed and approved on July 3, 1969, be and the same is hereby amended and supplemented by the addition of Section 10.1 as follows:

SECTION 10.1 Waiver of Site Plan Approval.

A. The requirement for the submission of a site plan for review and approval may be waived if the application or proposed development:

1) Involves the construction of minor improvements such as, but not limited to, a new roof, new siding or similar activity;

2) Does not significantly affect existing traffic circulation, drainage, building arrangements, landscaping, buffering, lighting or other considerations of site plan review, and

3) Does not conflict with the terms, provisions or conditions of any site plan previously approved for the same premises.

B. An application for a waiver of site plan approval shall be filed initially with the Construction Official, who shall accept such application without a fee or other charge. If the Construction Official is satisfied that a waiver may be properly granted in accordance with this section, he shall cause to be issued all permits and approvals as may be required by the proposed improvement upon the payment of such fees as may be required by law. Otherwise, the Construction Official shall issue forthwith a letter of denial.

C. Any applicant who has been denied by the Construction Official a waiver of site plan approval may appeal such denial to the Planning Board within thirty (30) days of the date of such denial. The Planning Board shall only grant such a waiver if it finds, on the basis of an on-site inspection and any other documentation presented, that the proposed development satisfies the criteria set forth in Paragraph A of this section and will not detrimentally affect or impair consideration of sound planning. Application for a waiver of site plan approval shall be submitted in triplicate to the Secretary of the Planning Board with a fee of One Hundred Fifty (\$150.) Dollars payable to the Borough of Oceanport. The Planning Board shall hold a public hearing on the application as in the case of an application for site plan approval and shall act on the application for a waiver at its meeting during which it holds the public hearing or within such additional time as may be agreeable to the applicant. Any waiver of site plan approval shall be valid for the same period of time as final approval of a site plan would have been valid.

2) All provisions of the ordinance 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 February 2, 1989.

PATRICIA L. VARCA, BOROUGH CLERK

AN ORDINANCE TO AMEND AN ORDINANCE  
ENTITLED "BOND ORDINANCE APPROPRIATING  
\$190,000. AND AUTHORIZING THE ISSUANCE  
OF \$180,500. 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 MAY 19, 1988.

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 569 of the Borough of Oceanport entitled "Bond Ordinance Appropriating \$190,000 and Authorizing the issuance of \$180,500 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 May 19, 1988, be and the same is hereby amended as follows:

A. The total sum appropriated in Sections 1 and 2 of such Bond Ordinance is amended to read \$268,400. and the amount of the down payment in Section 1 is amended to read \$13,420.

B. The principal amount of the negotiable bonds authorized to be issued in Section 2 of said ordinance is amended to read \$254,980.00.

C. Section 3 is amended to read as follows:

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 purposes, is as follows:

| <u>Improvement or Purpose</u>   | <u>Appropriations and<br/>Estimated Cost</u> | <u>Estimated Maximum<br/>Amount of Bonds<br/>or Notes</u> |
|---|--|---|
| (1) Acquisition and installation of 2 Motorola Mitrex Base Stations, 18 MT-1000 portable radios, 10 Motorola Syntor X mobile radios, with accessories; Modification of existing communications equipment. | \$ 60,000.                                   | \$ 57,000.  |
| (2) Renovation of Public Works Garage.  | 70,000.                                      | 66,500.   |
| (3) Restoration and improvement of Blackberry Bay Park, including tennis courts.  | 93,500.                                      | 88,825.   |
| (4) Reconstruction of Gooseneck Point Road for the entire length.   | 35,000.                                      | 33,250.   |

## ORDINANCE #584

| <u>Improvement or Purpose</u>   | <u>Appropriations and<br/>Estimated Cost</u> | <u>Estimated Maximum<br/>Amount of Bonds<br/>or Notes</u> |
|---|--|---|
| (5) Acquisition and<br>installation of two<br>(2) school flashing<br>warning lights on<br>Wolf Hill Avenue. | \$ 9,900.                                    | \$ 9,405.   |
|   | <hr/>  | <hr/>   |
|   | \$ 268,400.00                                | \$ 254,980.00   |

the excess of the appropriation made for the improvements or purpose afore-said 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.

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 \$254,980.

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 \$67,100.

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 February 2, 1989.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE PROVIDING FOR THE ISSUANCE  
OF MERCANTILE LICENSES; PROVIDING FOR  
THE DISPLAY OF SUCH LICENSES; PROVIDING  
FOR A LICENSE FEE AND DETERMINING THE  
PENALTIES FOR THE VIOLATION THEREOF.

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. License Required. It shall be unlawful for any person, firm or corporation to maintain an office or place of business, to conduct, engage in or carry on any business, trade or occupation within the Borough of Oceanport without first complying with the provisions of this Ordinance and obtaining a license therefor as provided herein.

Section 2. Applications.

A. Application for a license shall be made to the Borough Clerk within thirty (30) days after the effective date of this Ordinance. All such applications shall be made in writing and shall contain the following information:

1. The name of the applicant; if a corporation, the names and addresses of the President and Secretary shall be set forth; if a partnership, the names and addresses of all partners shall be set forth.

2. The name under which the business is to be conducted.

3. The present residence of the applicant.

4. The address at which the business is to be conducted.

5. The specific nature of the business.

6. The residence of the applicant during the past five (5) years.

7. Whether or not the applicant has ever had a license to conduct the business herein described denied or revoked. If such license has been denied or revoked, the applicant shall set forth in detail the facts leading to such denial or revocation.

8. The details of any conviction for crimes of the first, second, third or fourth degree, the date of the conviction and the place where said conviction was obtained.

9. The business telephone number of the applicant.

10. If a corporation, the name and address of the registered agent, thereof.

B. Prior to the issuance of a license, the Borough Clerk, in his discretion, shall have the authority to cause a routine police check to be made of the applicant to verify the validity of such information.

C. The applicant shall certify that it supplies the information knowing the Borough of Oceanport shall rely thereon in issuing a license, and the applicant further agrees to comply with all laws and ordinances of the Borough applicable to the operation of said business.



D. The application shall be made upon forms supplied by the Borough Clerk.

Section 3. Applicability. Any person, firm or corporation shall be subject to the requirement to obtain a mercantile license if, by himself or through an agent, employee or partner, he holds himself forth as being engaged in a business or occupation or solicits patronage therefor, actively or passively, or performs or attempts to perform any part of such business or occupation within the Borough of Oceanport.

Section 4. License Fees Payable.

A. All license fees shall be due and payable to the Borough Clerk on the first day of January of each year, the term thereof commencing on January 1 and expiring on December 31 thereafter.

B. In the absence of any provision to the contrary, all fees and charges for licenses shall be paid in advance at the time of the application to the Borough Clerk.

Section 4. Fee; Special Registrations and Veteran's Exemption.

A. The license fees to be paid annually: all businesses, trades and occupations conducted within the Borough of Oceanport shall pay a license fee of twenty-five (\$25.00) dollars for each year, or part thereof, in which they shall operate said business.

B. The Borough Clerk may issue a special registration certificate, and authorize the waiver of the payment of license fees or other charges, to public, charitable, educational, literary, fraternal, religious, or other non-profit enterprise for a public, charitable, educational, literary, fraternal, religious or other similar purpose. However, the applicant shall submit the usual application form in the manner required by this Ordinance, and shall operate in accordance with all other requirements.

C. Any person holding a valid license issued by the Monmouth County Clerk in accordance with the provisions of N.J.S.A. 45:24-9 shall be exempt from the payment of any fees required by this Ordinance. This exemption shall only apply to the payment of fees, and shall not exempt the holder of any such license from the obligation to register in accordance with the requirements of this Ordinance.

Section 5. Renewal Applications. Prior to November 1, of each year, the Borough Clerk shall mail to all valid licensees of the Borough a statement of the time of expiration of the license currently held by the licensee, a renewal application, and specify the amount of the renewal fee. However, the failure of the Borough Clerk to send out such notice, or the failure of the licensee to receive it, shall not excuse a licensee for failing to obtain a mercantile license, nor shall it be a defense in an action for operating without having received a valid license.

Section 6. Issuance of License Not Approval of Use. The acceptance of a mercantile license application or fee, or the issuance of such license, or any renewal thereof, shall not be construed or considered as an approval by the Borough of the use or activity being conducted by the applicant or licensee. It shall be the obligation of the applicant or licensee to comply fully with all applicable Statutes, Ordinances, Rules and Regulations, and obtain from all governmental agencies all consents, permits, and approvals required in order for the applicant or licensee to lawfully conduct its activity.

Section 7. Conspicuous Display of License.

A. The person, firm or corporation conducting said business shall display the license issued hereunder at the principal place of business in a conspicuous place.

B. The licensee shall notify the Borough Clerk within ten (10) days after a change in the location of any licensed business.

Section 8. Revocation; Appeals. The Borough Clerk shall have the right to revoke any license whenever the holder thereof or any of the licensees, agents or servants violate any provisions of this chapter, the laws of the State of New Jersey or any rules or regulations promulgated as herein provided. After written notice of the revocation has been served upon the licensee, an appeal may be filed with the governing body within ten (10) days of the service of said notice. The governing body shall thereupon conduct a hearing in the matter within thirty (30) days after receipt of the notice of appeal and shall render a decision within fifteen (15) days of the date of said hearing.

Section 9. Enforcement. The primary party responsible for the enforcement of this ordinance and the issuance of a complaint for any violation thereof, shall be the Zoning Officer of the Borough. However, the Construction Official or any other Borough official or police officer shall also be authorized to issue a complaint for any violation of this Ordinance.

Section 10. Violations and Penalties. Any person, firm, association or corporation violating any section of this Ordinance shall, upon conviction in the Municipal Court, be subject to a fine not exceeding Five Hundred (\$500.00) Dollars or imprisonment for a term not exceeding ninety (90) days in the Monmouth County Jail or both. Each day after the initial violation shall be considered a new and individual violation.

Section 11. Repealer. All ordinances and parts of ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of such inconsistencies.

Section 12. Severability. If any section or part of a section of this Ordinance is declared or held to be illegal or unconstitutional, no other section or part of a section of this Ordinance shall be affected thereby, but the unconstitutional section or part thereof shall be rescinded and the remaining provisions of this Ordinance shall remain in force.

Section 13. Effective Date. This Ordinance shall take effect following adoption and publication as required by law.

Passed and approved by Mayor and Council February 2, 1989.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE CREATING THE POSITION  
OF CHIEF FINANCIAL OFFICER 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 Chief Financial Officer 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 Chief Financial Officer shall be qualified in accordance with the requirements of P.L. 1988,C.110 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 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 Chief Financial Officer. Such nomination shall be made at the annual organizational 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 Chief Financial Officer. 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 Chief Financial Officer, 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 Chief Financial Officer pursuant to the terms of this ordinance, and to serve until December 31, 1989, 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 ordinance. 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 Chief Financial Officer. No appointment shall be made except by vote of a majority of 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.

Section 3. Compensation.

The Chief Financial Officer 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 Chief Financial Officer shall have such powers and duties as may be established and provided by the laws of the State of New Jersey, including, but not limited to N.J.S.A. 40A:9-140.1 et seq. and N.J.S.A. 52:27BB-26 et seq., as may be amended and supplemented from time to time.

#### 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 16, 1989.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE AUTHORIZING AN  
EMERGENCY APPROPRIATION  
N.J.S. 40A:4-53

BE IT ORDAINED by the Borough 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.L. 1956 as amended by Ch. 144, P.L. 1965 and Ch. 38, P.L. 1969) the sum of \$69,900.00 dollars is hereby appropriated for Revaluation of Real Property, 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 the 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 & Council March 2, 1989.

PATRICIA L. VARCA  
BOROUGH CLERK

## ORDINANCE #588

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, 1989, unless otherwise stated, be and the same is hereby amended to read as follows:

A. ADMINISTRATIVE AND EXECUTIVE

|                          |           |
|--------------------------|-----------|
| Mayor                    | \$ 1,500. |
| Councilpersons, each (6) | 1,500.    |
| Borough Clerk            | 30,000.   |
| Secretary                | 14,980.   |

B. FINANCIAL ADMINISTRATION

|                          |         |
|--------------------------|---------|
| Treasurer                | 10,000. |
| Bookkeeper/Payroll Clerk | 15,780. |

C. BOARD OF ASSESSORS

|                  |         |
|------------------|---------|
| Assessor         | 16,112. |
| Deputy           | 2,835.  |
| Deputy           | 2,432.  |
| Assessment Clerk | 2,000.  |

D. COLLECTION OF TAXES

|                  |         |
|------------------|---------|
| Tax Collector    | 9,000.  |
| Tax Office Clerk | 12,043. |

E. MUNICIPAL COURT

|                        |        |
|------------------------|--------|
| Municipal Court Judge  | 9,000. |
| Court/Violations Clerk | 7,000. |
| Deputy Court Clerk     | 4,250. |
| Municipal Prosecutor   | 3,000. |

## ORDINANCE #588

## F. PLANNING BOARD

|           |        |
|-----------|--------|
| Secretary | 4,200. |
|-----------|--------|

## G. ZONING BOARD OF ADJUSTMENT

|           |        |
|-----------|--------|
| Secretary | 2,000. |
|-----------|--------|

## H. ENVIRONMENTAL COMMISSION

|           |      |
|-----------|------|
| Secretary | 330. |
|-----------|------|

## I. POLICE DEPARTMENT

|                   |         |
|-------------------|---------|
| Chief             | 41,000. |
| * Captain         | 35,225. |
| * Detective Sgt.  | 34,005. |
| * Sergeants, each | 33,526. |
| * Detective       | 32,220. |

|  |         |
|--|---------|
| * Patrolman I [commencing fifth year of<br>service and each year thereafter] | 31,735. |
|--|---------|

|   |         |
|---|---------|
| * Patrolman II [commencing fourth year<br>of service] | 28,735. |
|---|---------|

|   |         |
|---|---------|
| * Patrolman III [commencing third year<br>of service] | 25,735. |
|---|---------|

|   |         |
|---|---------|
| * Patrolman IV [commencing second year<br>of service] | 22,735. |
|---|---------|

|   |         |
|---|---------|
| * Patrolman V [commencing first year<br>of service] | 18,762. |
|---|---------|

## Dispatchers:

|  |         |
|--|---------|
| Third year of employment<br>and each year thereafter | 17,170. |
|--|---------|

|                           |         |
|---------------------------|---------|
| Second year of employment | 16,274. |
|---------------------------|---------|

|                          |         |
|--------------------------|---------|
| First year of employment | 14,862. |
|--------------------------|---------|

|               |        |
|---------------|--------|
| Records Clerk | 1,802. |
|---------------|--------|

|                              |        |
|------------------------------|--------|
| School Crossing Guards, each | 4,632. |
|------------------------------|--------|

\* Indicates 1988 salaries; police contract negotiations in progress.

## J. PUBLIC WORKS &amp; RECYCLING DEPARTMENT

|                             |             |         |
|-----------------------------|-------------|---------|
| Public Works Superintendent |             | 31,030. |
| Helper I                    | \$17,000. - | 18,000. |
| Helper II                   | 16,000 -    | 17,500. |
| Helper III                  | 14,000 -    | 15,500. |

## K. RECREATION AND EDUCATION

|   |         |
|---|---------|
| Recreation Director                     | 3,540.  |
| Recreation Aides & Assistants, total    | 7,000.  |
| Building Custodian                      | 895.    |
| Community Center/Old Wharf Reservations | 580.    |
| Welfare Director                        | 2,200.  |
| Library Aide                            | 1,500.  |
| Construction Official                   | 11,550. |
| Building Inspector                      | 5,250.  |
| Building SubCode Official               | 2,100.  |
| Plumbing SubCode Official               | 4,200.  |
| Housing Inspector                       | 2,100.  |
| Fire Prevention SubCode Official        | 1,733.  |
| Fire Marshal                            | 1,733.  |
| Zoning Enforcement Officer              | 2,500.  |

## L. BOARD OF HEALTH

|                  |      |
|------------------|------|
| Secretary        | 643. |
| Registrar        | 643. |
| Deputy Registrar | 258. |

## M. CASUAL LABOR \$5.00 - 6.50 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, 1989.

PATRICIA L. VARCA  
BOROUGH CLERK



AN ORDINANCE TO AMEND AND SUPPLEMENT  
AN ORDINANCE ENTITLED "THE BOROUGH OF  
OCEANPORT FIRE PREVENTION ORDINANCE"  
PASSED AND APPROVED ON OCTOBER 1,  
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:

1) That the ordinance entitled the "Borough of Oceanport Fire  
Prevention Ordinance" passed and approved on October 1, 1970, be and the  
same is hereby amended and supplemented as follows:

A. That Article I, Section 1 is hereby amended to read as follows:

There are 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 certain code known as the Uniform Fire  
Safety Act (P.L. 1983, C.383), save and except for such portions as are  
hereinafter deleted, modified or amended, of which codes not less than  
three (3) 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.

B. That Article I, Section 2A is hereby amended to read as follows:

A. The Fire Prevention Code shall be enforced by the Bureau of  
Fire Prevention in the Fire Department of the Borough of Oceanport, which is  
hereby established, and which shall be operated under the supervision of the  
Chief of the Bureau of Fire Prevention.

C. That Article I, Section 2B is hereby amended to read as follows:

B. The Fire Marshal (Fire Official) in charge of the Bureau of  
Fire Prevention shall be a State of New Jersey certified Fire Official and  
shall be appointed by the Mayor and Council on the basis of an examination  
to determine his qualifications. The appointment of any successor Fire  
Marshal shall be based on an examination to determine his qualifications,  
and he shall continue in office as provided in Article II, Section 22 of  
this Ordinance.

D. That Article I, Section 2C is hereby repealed.

E. That Article I, Section 2D shall be designated as Section 2C  
and is hereby amended to read as follows:

C. A report of the Bureau of Fire Prevention shall be made  
annually and transmitted to the chief executive officer of the municipality.

F. That Article I, Section 3 is hereby amended to read as follows:

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

CHIEF OF THE BUREAU OF FIRE PREVENTION-  
 The Fire Marshal (Fire Official)  
 CORPORATION COUNSEL - The Attorney for  
 the Borough of Oceanport.  
 MUNICIPALITY - The Borough of Oceanport

G. That Article I, Section 9 is hereby amended to read as follows:

The Fire Marshal 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, residential and commercial condominiums, 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 ensure that 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 Marshal. 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 and the total area of the property, including the size of the parking lot or lots.

H. That Article II, Section 21 is hereby amended to read as follows:

The local enforcing agency established by § 37-18 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 (Fire Official).

I. That Article II, Section 22C is hereby amended to read as follows:

C. Inspectors and employees. Such inspectors and other employees as may be necessary in the local enforcing agency shall be State of New Jersey certified fire inspectors, and shall be appointed by the Mayor and Council upon the recommendation of the Fire Marshal (Fire Official).

J. That Article II, Section 24 shall be amended to read as follows:

Section 24. Registration and inspection fees. Life hazard uses as defined in The Uniform Fire Code (N.J.A.C. 5:18-2.47) shall be exempt from additional inspection fees pursuant to this ordinance. Inspection and registration fees shall be required as follows: (Subsections A through D - no change).

K. That Article II, Section 24E is hereby amended to read as follows:

E. Business offices (lawyers, doctors and other professional offices, barbershops and insurance offices) shall be inspected yearly with a fee schedule of:

|                         |         |
|-------------------------|---------|
| Number of Professionals | Fee     |
| Each professional       | \$20.00 |

L. That Article II, Section 24F is hereby added as follows:

F. Multi-Family housing and dwellings with a fee schedule of:

Each building \$20.00

M. That Article II, Section 24F is hereby redesignated as Section 24G.

N. That Article II, Section 24H is hereby added as follows:

H. All commercial enterprises named in Section 24 of this ordinance must register annually with the Bureau of Fire Prevention and shall pay all inspection fees not later than March 15th of each year. All new enterprises shall register within sixty (60) days of commencement of business activity.

O. That Article II, Section 25 shall be amended to read as follows:

The permit fees established by the Uniform Fire Code shall be amended to be as follows:

| Permit | Fee      |
|--------|----------|
| Type 1 | \$ 25.00 |
| Type 2 | 100.00   |
| Type 3 | 200.00   |
| Type 4 | 300.00   |
| Type 5 | 1,000.00 |

P. That Article II, Section 26C shall be amended to read as follows:

C. Violations of the fire lanes shall be punishable by a fine of not less than fifty dollars (\$50.00) for the first offense and not less than one hundred dollars (\$100.) for each repeated offense.

2) All provisions of the "Borough of Oceanport Fire Prevention Ordinance" 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 May 4, 1989.

PATRICIA L. VARCA  
BOROUGH CLERK

BOND ORDINANCE AMENDING BOND ORDINANCE  
NUMBER 569 OF THE BOROUGH OF OCEANPORT, IN  
THE COUNTY OF MONMOUTH, NEW JERSEY, FINALLY  
ADOPTED MAY 19, 1988, IN ORDER TO REVISE THE  
AUTHORIZATION PROVIDED FOR THEREIN.

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. Section 2 and Section 4(c) of bond ordinance number 569 of  
the Borough, finally adopted May 19, 1988, are hereby amended to reflect the  
correct amount of bonds or notes authorized for the improvement provided  
for therein. The correct authorization is \$180,500 bonds or notes rather than  
\$180,000 as stated in each of the above-mentioned sections.

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

Passed and approved by Mayor and Council July 20, 1989.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE TO AMEND AN ORDINANCE  
ENTITLED "THE BOROUGH OF OCEANPORT  
PERSONNEL POLICY ORDINANCE" 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:

1) That the ordinance entitled the "Borough of Oceanport Personnel Policy Ordinance" passed and approved on March 20, 1986, be and the same is hereby amended and supplemented as follows:

A. That Section 26A(1) is hereby amended to read as follows:

A. Health benefits plan.

(1) All full-time permanent employees and dependents shall become eligible for enrollment in the Borough's hospitalization, medical and major medical group insurance plan, effective sixty (60) days after the date of employment.

B. That Section 32C and D are hereby amended to read as follows:

C. Monthly payroll: the Secretary of the Board of Tax Appeals, the Municipal Welfare Director, Housing Inspector, and the Secretary of the Planning Board.

D. Quarterly payroll: members of the Board of Tax Assessors, ~~the Secretary of the Planning Board~~, the Secretary of the Board of Adjustment, the Municipal Court Clerk, the Municipal Court Judge, the Fire Marshal, the Assessment Clerk, the Borough Attorney, the Mayor, members of the Borough Council and all other employees.

2) All provisions of the "Borough of Oceanport Personnel Policy Ordinance" 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 September 7, 1989.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE AMENDING CHAPTER 64  
OF THE GENERAL ORDINANCES OF THE  
BOROUGH OF OCEANPORT ENTITLED  
"THE VEHICLE AND TRAFFIC ORDINANCE"  
PASSED AND APPROVED ON DECEMBER 3, 1970.

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, County of Monmouth and State of New Jersey that Chapter 64 of the General Ordinances of the Borough of Oceanport entitled "The Vehicle and Traffic Ordinance" passed and approved on December 3, 1970 be and the same is hereby amended as follows:

SECTION 1: Section 64-43, Schedule XVII - Speed limits, is hereby amended by the addition of the following:

EAST MAIN STREET

30 MPH entire length from the intersection of Main Street and Oceanport Avenue to Port-Au-Peck Avenue.

SECTION 2: The remainder of all other sections of the aforementioned ordinance not specifically amended 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 approval by the Commissioner of Transportation, passage, publication and filing according to law.

Passed and approved by Mayor and Council October 5, 1989.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE PROVIDING FOR THE  
APPROVAL OF A MAP DEPICTING THE  
LOCATION AND BOUNDARIES OF  
DRUG-FREE SCHOOL ZONES, AND  
MAKING AN OFFICIAL FINDING AND  
RECORD OF THE LOCATION AND  
BOUNDARIES OF SUCH ZONES

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. In accordance with and pursuant to the authority of L. 1988, c. 44 (C. 2C:35-7), the Drug-Free School Zone Map produced on or about October 21, 1987 by Thomas K. Rospos, P.E., municipal engineer, is hereby approved and adopted as an official finding and record of the location and areas within the municipality of property which is used for school purposes and which is owned by or leased to any elementary or secondary school or school board, and of the areas on or within one thousand feet of such school property.

Section 2. The Drug-Free School Zone Map approved and adopted pursuant to section 1 of this ordinance shall continue to constitute an official finding and record as to the location and boundaries of areas on or within one thousand feet of property owned by or leased to any elementary or secondary school or school board which is used for school purposes until such time, if any, that this ordinance shall be amended to reflect any additions or deletions with respect to the location and boundaries of school property and Drug-Free School Zones.

Section 3. The school board, or the chief administrative officer in the case of any private or parochial school, is hereby directed and shall have the continuing obligation to promptly notify the municipal engineer and the attorney of any changes or contemplated changes in the location and boundaries of any property owned by or leased to any elementary or secondary school or school board and which is used for school purposes.

Section 4. The Borough Clerk is hereby directed to receive and to keep on file the original of the map approved and adopted pursuant to Section 1. of this ordinance, and to provide at a reasonable cost a true copy thereof to any person, agency or court which may from time to time request such a copy, along with a certification that such copy is a true copy of the map approved and adopted herein and kept on file. It is hereby further directed that a true copy of such map and of this ordinance shall be provided without cost to the Monmouth County Clerk and to the office of the Monmouth County Prosecutor.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) It is understood that the map approved and adopted pursuant to section 1. of this ordinance was prepared and is intended to be used as evidence in prosecutions arising under the criminal laws of this state, and that pursuant to State law, such map shall constitute prima facie evidence of the following:

- 1) the location of elementary and secondary schools within the municipality;

- 2) the boundaries of the real property which is owned by or leased to such schools or a school board;

- 3) that such school property is and continues to be used for school purposes; and
- 4) the location and boundaries of areas which are on or within one thousand feet of such school property.

(b) All of the property depicted on the map approved and adopted herein as school property was owned by a school or school board and was being used for school purposes as of July 9, 1987, that being the effective date of L. 1987, c. 101 (C. 2C:35-7).

(c) Pursuant to the provisions of L. 1988, c.44, a prosecutor is not precluded from introducing or relying upon any other evidence or testimony to establish a violation of the offense defined in that statute, including use of a map or diagram other than the one approved and adopted pursuant to Section 1 of this ordinance. The failure of the map approved herein to depict the location and boundaries of any property which is, in fact, used for school purposes and which is owned by or leased to any elementary or secondary school or school board, whether the absence of such depiction is the result of inadvertent omission or the result of any changes in the location and boundaries of such property which have not yet been incorporated into a revised approved map, shall not be deemed to be an official finding and record that such property is not owned by or leased to a school or school board, or that such property is not used for school purposes.

(d) All of the requirements set forth in L. 1988, c. 44 concerning the preparation, approval and adoption of a Drug-Free School Zone Map have been complied with.

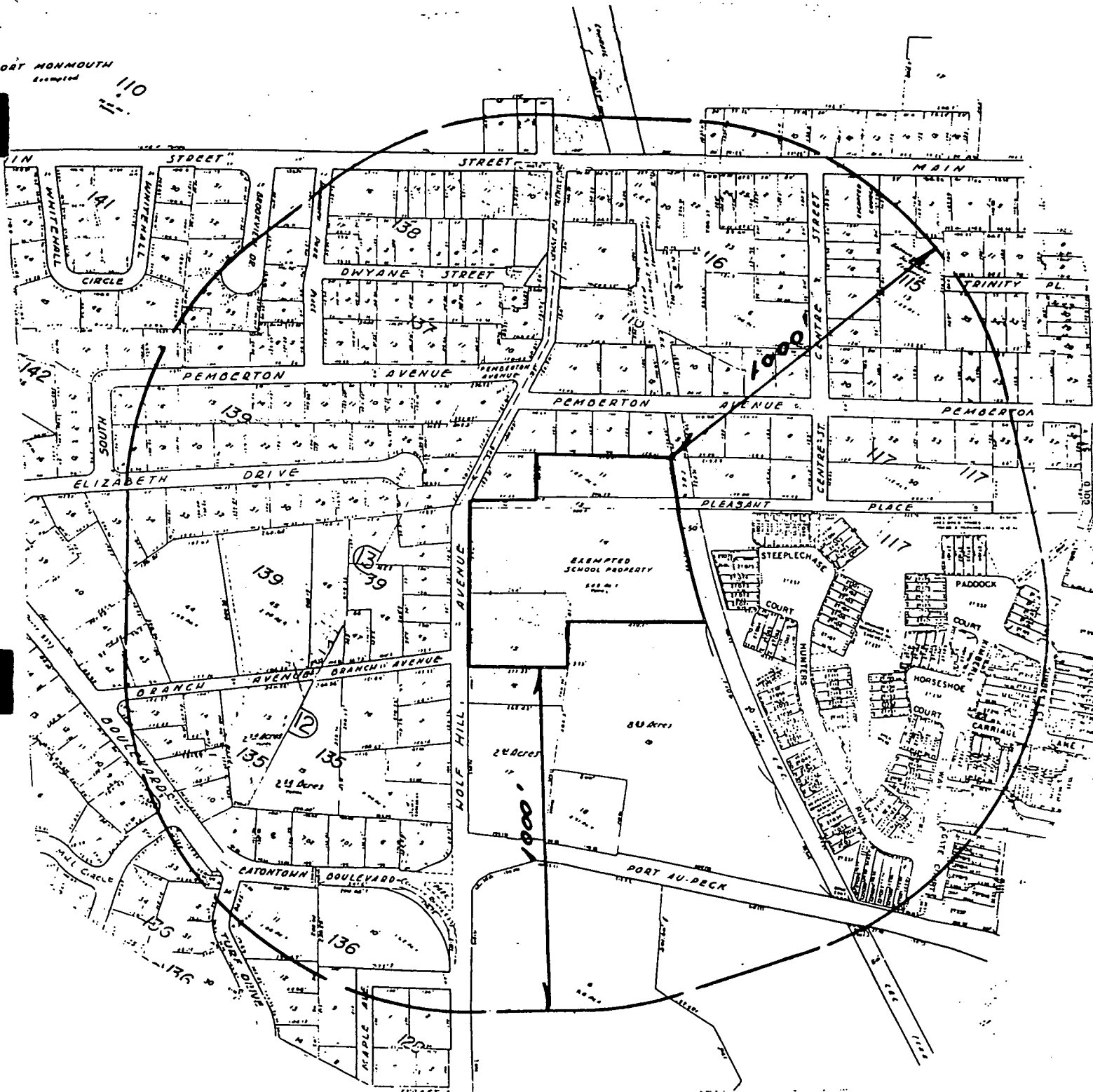
Section 6. This ordinance shall take effect upon final passage and publication according to law.

Passed and approved by Mayor and Council October 19, 1989.

Maps on pages 85 & 86.

PATRICIA L. VARCA  
BOROUGH CLERK



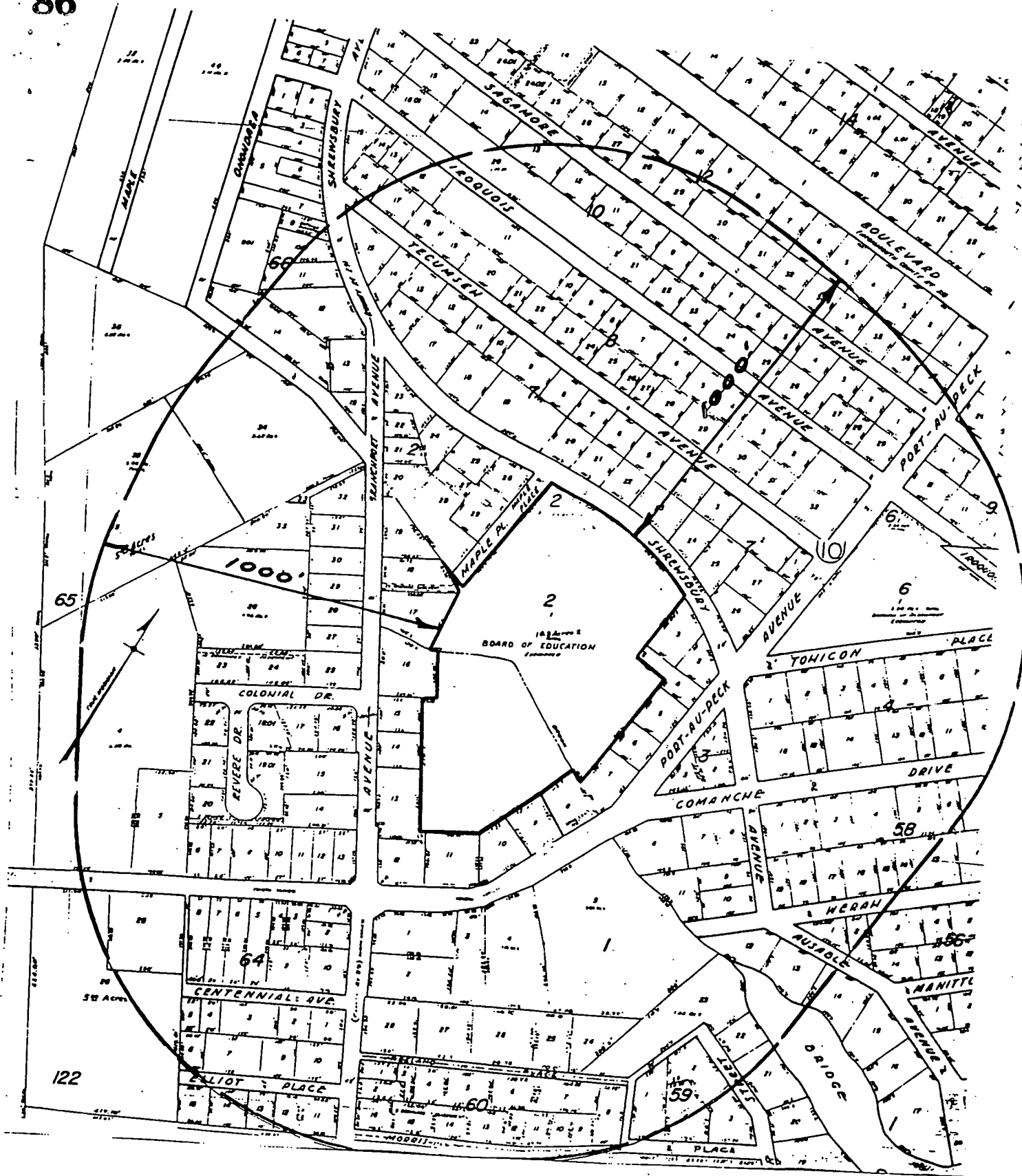
PORT MONMOUTH  
Assumed

PLAN SHOWING 1000' RADIUS  
WOLF HILL SCHOOL  
BOROUGH OF OCEANPORT  
MONMOUTH COUNTY, N. J.

1" = 400'

October 21, 1987

*Thomas K. Rospos*  
THOMAS K. ROSPOS P.E. LIC. NO. 27028



PLAN SHOWING 1000' RADIUS  
 MAPLE PLACE SCHOOL  
 BOROUGH OF OCEANPORT  
 MONMOUTH COUNTY, N.J.

1" = 400'

Thomas K. Rospos

THOMAS K. ROSPOS P.E. LIC. NO. 27028

October 21, 1988

BOND ORDINANCE APPROPRIATING \$335,000.  
AND AUTHORIZING THE ISSUANCE OF \$318,250.  
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 improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor, and amounting in the aggregate to \$335,000. including the aggregate sum of \$16,750. 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 \$335,000. 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 \$318,250. 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 \$318,250. 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 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<br/>Estimated Cost</u> | <u>Estimated Maximum<br/>Amount of Bonds<br/>or Notes</u> |
|--|--|---|
| (1) 1250 GPM Fire<br>Pumper and related<br>equipment     | \$300,000.                                   | \$285,000.  |
| (1) Ford F800 Cab<br>and chassis, 154"<br>W.B. dumptruck | 30,000.                                      | 28,500.   |
| (1) ten foot<br>Goodroads snow<br>plow                   | 5,000.                                       | 4,750.  |
|  | <hr/>  | <hr/>   |
|  | \$335,000.                                   | \$318,250.  |

the excess of the appropriation made for 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. 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 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 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 7½ 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 hereof 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 \$318,250. and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said law.

(d) Amounts not exceeding \$83,750. 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. 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 after final adoption as provided by said Local Bond Law.

Passed and approved by Mayor and Council October 19, 1989.

PATRICIA L. VARCA  
BOROUGH CLERK

## ORDINANCE #595

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, New Jersey as follows:

1. That Section 1, Paragraphs I and N 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, 1989, be and hereby are fixed respectively as follows:

## I. POLICE DEPARTMENT

|                 |           |
|-----------------|-----------|
| Chief           | \$41,000. |
| Captain         | 37,691.   |
| Detective Sgt.  | 36,385.   |
| Sergeants, each | 35,873.   |
| Detective       | 34,475.   |

|   |         |
|---|---------|
| Patrolman I [commencing fifth year of service & each year thereafter] | 33,956. |
|---|---------|

|  |         |
|--|---------|
| Patrolman II [commencing fourth year of service] | 30,746. |
|--|---------|

|  |         |
|--|---------|
| Patrolman III [commencing third year of service] | 27,536. |
|--|---------|

|  |         |
|--|---------|
| Patrolman IV [commencing second year of service] | 24,326. |
|--|---------|

|  |         |
|--|---------|
| Patrolman V [commencing first year of service] | 20,075. |
|--|---------|

## Dispatchers:

|   |         |
|---|---------|
| Dispatcher I [commencing third year of employment and each year thereafter] | 17,170. |
|---|---------|

|   |         |
|---|---------|
| Dispatcher II [second year of employment] | 16,274. |
|---|---------|

|   |         |
|---|---------|
| Dispatcher I [first year of employment] | 14,862. |
|---|---------|

|               |        |
|---------------|--------|
| Records Clerk | 1,802. |
|---------------|--------|

|                              |        |
|------------------------------|--------|
| School Crossing Guards, each | 4,632. |
|------------------------------|--------|

## ORDINANCE #595

N. LONGEVITY will be allowed in accordance with the schedule as listed below by all full time employees. (40 hours per week, 52 weeks per year) This provision shall be retroactive to January 1, 1989:

|   |         |
|---|---------|
| 6 through 10 years of service-----      | \$ 400. |
| 11 through 15 years of service-----     | 700.    |
| 16 through 20 years of service-----     | 1,000.  |
| 21 through 25 years of service-----     | 1,300.  |
| 26 years of service and thereafter----- | 1,600.  |

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 11/2/89

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE TO AMEND AN ORDINANCE  
ENTITLED "THE BOROUGH OF OCEANPORT  
FIRE DEPARTMENT ORDINANCE" PASSED  
AND APPROVED ON DECEMBER 2, 1920.

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 the ordinance entitled the "Borough of Oceanport Fire Department Ordinance" passed and approved on December 2, 1920, be and the same is hereby amended as follows:

A. That Section 8-3 "Qualifications for membership" shall be amended to read as follows:

No person under the age of eighteen (18) may become a member of the Fire Department. Any applicant for membership must pass satisfactorily a physical examination by a practicing physician, which examination must be made within two (2) weeks of the filing of the application for membership; and a certificate as to his physical condition, disclosed by such examination, and signed by the physician making such examination, must be presented to the company with his application for membership in the Department. Each active member of the Department must do sixty percent (60%) of duty each and every year, said duty to include only fires, fire alarms and twenty ((20) drills in each and every year until he reaches New Jersey exempt status. Qualifications for active membership shall be determined by the By-laws of the fire company of which each individual is a member.

B. That Section 8-4 "Annual meeting" shall be amended to read as follows:

Within ten (10) days after the final passage and publication of this ordinance and on the first Tuesday after the first Monday in December in each year thereafter, the said companies shall elect one (1) person to be known as "Chief of the Fire Department"; one (1) person to be known as "Assistant Chief" and one (1) person to be known as "Second Assistant Chief". Only residents of Oceanport may be elected to and hold any of the Departmental offices enumerated herein. When a departmental officer moves from the Borough of Oceanport, he shall cease to be a departmental officer and shall return all Borough property in his possession.

2) All provisions of the "Borough of Oceanport Fire Department Ordinance" being amended herein which are not modified by this ordinance shall remain in full force and effect.

3) This Ordinance shall take effect on January 1, 1990.

Passed and approved by Mayor and Council December 12, 1989.

PATRICIA L. VARCA  
BOROUGH CLERK



AN ORDINANCE TO AMEND AND SUPPLEMENT  
AN ORDINANCE ENTITLED "THE BOROUGH OF  
OCEANPORT ZONING ORDINANCE" PASSED  
AND APPROVED ON 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:

1) That the ordinance entitled the "Borough of Oceanport Zoning Ordinance" passed and approved on July 3, 1969, be and the same is hereby amended and supplemented as follows:

A. That Article II, Section 4B is hereby amended to read as follows:

STRUCTURE - An assembly of materials forming construction for occupancy or use, including, among others, buildings, stadiums, gospel and circus tents, reviewing stands, grandstands, platforms, staging and observation towers, radio towers, water tanks, trestles, piers, wharves, open sheds, decks, open and covered porches, coal bins, shelters, fences, helicopter landing pads and display signs.

B. That Article IV, Section 10A is hereby amended to read as follows:

A. Application. Upon application for a building permit for the construction of any new building or structure of a permanent nature, excluding detached one or two dwelling-unit buildings and accessory buildings, the Construction Official shall forward within ten (10) days such application and six (6) copies of supporting documentation to the Planning Board for its review and approval of the site development plan and to the Borough Engineer for his comment. Moreover, any changes, conversions or alterations in use to existing structures are subject to the provisions of this section.

C. That Article IV, Section 9C is hereby amended to read as follows:

C. No building shall be erected, no existing buildings shall be altered, enlarged or rebuilt, nor shall any open space surrounding any building be encroached upon or reduced in any manner, except in conformity to the yard, lot area and building location regulations hereinafter designated for the district in which such building or open space is located. Notwithstanding the foregoing, a variance shall not be required for the construction of a patio, deck, porch or building addition which does not further encroach upon the existing non-conformity; provided, however, that a variance shall be required for any such addition which would increase the bulk lot coverage beyond that which is permissible under the existing ordinance.

D. That Article IV, Section 9 is hereby amended by the addition of subsection E to read as follows:

E. In the event that any application for construction of a handicap ramp shall require variance approval, the Construction Official may issue a temporary building permit which shall be valid for a period not exceeding six (6) months from the date of issue. If the property owner shall fail to obtain final variance approval prior

to the expiration of such temporary building permit, the Construction Official shall compel the removal of such handicap ramp.

E. E. That Article VI, Section 20B(2) is hereby amended to read as follows:

(2) No building, storage area or parking or loading area shall be located within one hundred (100) feet of the boundary of a residential zone. Ingress and egress to each lot shall be provided by not more than two (2) driveways, each not less than twenty (20) feet nor more than thirty (30) feet in width. No driveway shall be located within two hundred (200) feet of the intersection of two (2) public streets.

F. That Article VI, Section 22K is hereby amended to read as follows:

K. Height of building. No building shall exceed the height of thirty (30) feet or two (2) stories (exclusive of basement), whichever is greater. Height shall be measured from the average elevation of the lowest and highest points of the property to the highest point of the structure, excluding chimneys.

G. That Schedule II Bulk and Coverage Controls is hereby amended to read as follows:

R-1 Single-Family - Minimum Lot Depth (feet) - 200.

2) All provisions of the "Borough of Oceanport Zoning Ordinance" 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 December 21, 1989.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE AMENDING CHAPTER 13 OF  
THE GENERAL ORDINANCE OF THE BOROUGH  
OF OCEANPORT ENTITLED "PERSONNEL POLICY"  
PASSED AND APPROVED ON MARCH 20, 1986.

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, County of Monmouth and State of New Jersey that Chapter 13 of the General Ordinances of the Borough of Oceanport entitled "Personnel Policy" passed and approved on March 20, 1986, be and the same is hereby amended as follows:

SECTION 1: Section 13-27 A(1) is amended as follows:

- (1) 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 whenever the municipality shall determine to provide such insurance to its employees.

SECTION 2: Section 13-27 B(1) is amended as follows:

- (1) All full-time permanent employees shall be eligible for life insurance under a group plan arranged and paid for by the municipality whenever the municipality shall determine to provide such insurance to its employees.

SECTION 3: The remainder of all other sections of the aforementioned ordinance not specifically amended shall remain in full force and effect.

SECTION 4: All ordinances and parts thereof inconsistent with the provisions of this ordinance are hereby repealed as to such consistency.

SECTION 5: This ordinance shall take effect upon final passage and publication according to law.

Passed and approved by Mayor and Council February 1, 1990.

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 22, 1987

WHEREAS, certain Federal funds are potentially available to Monmouth County under Title I of the Housing and Community Development Act of 1977, as amended, 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 with the Borough of Oceanport and the County of Monmouth in cooperation with other municipalities to modify an Interlocal Services Act pursuant to N.J.S.A. 40:8B-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 September 22, 1987 for the purpose of Inserting a Description of Activities for the Fiscal Year 1990 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.

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

Passed and approved by Mayor and Council February 1, 1990.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE TO REPEAL AN ORDINANCE  
ENTITLED "LICENSES FOR PUBLICATIONS"  
PASSED AND APPROVED ON FEBRUARY 21, 1946.

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. That Chapter 47 of the General Ordinances of the Borough  
of Oceanport entitled "Licenses for Publications" passed and approved  
on February 21, 1946, be and the same is hereby repealed in its entirety.

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

Passed and approved by Mayor and Council February 1, 1990.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE TO AMEND AN ORDINANCE  
ENTITLED "THE BOROUGH OF OCEANPORT  
FIRE PREVENTION ORDINANCE" PASSED  
AND APPROVED ON OCTOBER 1, 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:

1. That the Ordinance entitled "The Borough of Oceanport Fire Prevention Ordinance" passed and approved on October 1, 1970, be and the same is hereby amended as follows:

A. That Article I is hereby repealed in its entirety.

B. That Article II is hereby amended as follows:

(1) The heading "Article II" is deleted and the remainder of the ordinance is amended and restated in its entirety as follows:

Section 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.

Section 2. Designation of enforcement agency. The local enforcing agency shall be the Bureau of Fire Prevention in the Fire Department of the Borough of Oceanport.

Section 3. Applicability. 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 buildings owned or operated by the Federal or State government or interstate agencies, and shall faithfully comply with the requirements of the Uniform Fire Safety Act and the Uniform Fire Code.

Section 4. Inspections of life hazard uses. The local enforcing agency established by Section 37-2 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.

Section 5. Administration. The local enforcing agency established by Section 37-2 of this ordinance shall be the Bureau of Fire Prevention within the Fire Department of the Borough of Oceanport and shall be under the direct supervision and control of the Fire Official, who shall be the Fire Marshal.

Section 6. Fire Official; inspectors and other employees.

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 and shall be certified as a fire inspector by the State of New Jersey. In making this appointment, the appointing authority shall make the appointment from among a list of three (3) 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 State of New Jersey certified fire inspectors, appointed by the Mayor and Council upon the recommendation of the Fire Official.
- D. Removal from office. The Fire Official and inspectors and other employees of the enforcing agency shall be subject to the 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 7. 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.

Section 8. Additional registrations 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 registrations and fees shall be required:

- A. Mercantile businesses, repair shops, service businesses and business and professional offices and all other uses not otherwise provided in this section shall be inspected yearly, with a fee schedule of:

| SIZE                  |          |
|-----------------------|----------|
| (square feet)         | FEE      |
| First 1,000           | \$ 40.00 |
| Each additional 1,000 | 5.00     |

- B. Factories shall be inspected yearly with a fee schedule of:

| FEE                 |          |
|---------------------|----------|
| (square feet)       | FEE      |
| First 1,000         | \$ 40.00 |
| 1,001 to 3,500      | 50.00    |
| 3,501 to 6,000      | 60.00    |
| 6,001 to 10,000     | 70.00    |
| In excess of 10,000 | 80.00    |

- C. Warehouses shall be inspected yearly with a fee schedule of:

| SIZE               |          |
|--------------------|----------|
| (square feet)      | FEE      |
| First 2,000        | \$ 40.00 |
| 2,001 to 5,000     | 50.00    |
| In excess of 5,000 | 60.00    |

- D. All other types of structures and facilities not otherwise described or included in this section 37-8 shall be inspected yearly with the same fee schedule as that pertaining to mercantile businesses.
- E. Multi-family housing and dwellings with a fee schedule of:
 

|               |          |
|---------------|----------|
| Each Building | \$ 20.00 |
|---------------|----------|
- F. All commercial enterprises named in section 8 of this ordinance must register annually with the Bureau of Fire Prevention and shall pay all inspection fees not later than March 15th of each year. All new enterprises shall register within sixty (60) days of commencement of business activity.

Section 9. Permit fees. The permit fees established by the Uniform Fire Code shall be as follows:

| PERMIT | FEE      |
|--------|----------|
| Type 1 | \$ 25.00 |
| Type 2 | 100.00   |
| Type 3 | 200.00   |
| Type 4 | 300.00   |
| Type 5 | 1,000.00 |

Section 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 from obstruction and vehicles and marked in a manner prescribed by the Fire Official in accordance with the New Jersey Department of Transportation regulations regarding highway signs and markings.
- C. Violations of the fire lanes shall be punishable by a fine of not less than fifty dollars (\$50.) for the first offense and not less than one hundred dollars (\$100.) for each repeated offense.
- D. To the extent that the provisions of this Section shall be inconsistent with the provisions of N.J.A.C. 5:18-3.2(a) F311 of the Uniform Fire Safety Code, the provisions of this Section shall prevail.

Section 11. 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.

2. All provisions of the "Borough of Oceanport Fire Prevention Ordinance" being amended 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 February 1, 1990.

PATRICIA L. VARCA, BOROUGH CLERK



AN ORDINANCE PROHIBITING LITTERING  
AND PRESCRIBING PENALTIES FOR THE  
VIOLATION THEREOF.

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: Unless the context otherwise dictates, the following definitions shall be used in the interpretation and construction of this Ordinance:

A. "Litter" means any used or unconsumed substance or waste material which has been discarded whether made of aluminum, glass, plastic, rubber, paper, or other natural or synthetic material, or any combination thereof including, but not limited to, any bottle, jar or can, or any top, cap, or detachable tab of any bottle, jar or can, any unlighted cigarette, cigar, match or debris, rubbish, grass clippings or other lawn or garden waste, newspaper, magazines, glass, metal, plastic or paper containers or other packaging or construction material but does not include the waste of the primary processes of mining or other extraction processes, logging, sawmilling, farming or manufacturing.

B. "Litter receptacle" means a container suitable for the depositing of litter.

SECTION 2: Littering Prohibited. It shall be unlawful for any person to throw, drop, discard, or otherwise place litter of any nature upon any public or private property, other than a litter receptacle.

SECTION 3: Illegal Dumping. It shall be unlawful for any person to discard or dump along any street or road, on or off any right-of-way, any household or commercial solid waste, rubbish, refuse, junk, vehicle or vehicle parts, rubber tires, appliances, furniture, or private property, except by written consent of the owner of said property, in any place not specifically designated for the purpose of solid waste storage or disposal.

SECTION 4: Use of Litter Receptacles. Litter receptacles and their servicing are required at the following public places which exist in the municipality, including: sidewalks used by pedestrians in active retail commercially zoned areas, such that at a minimum there shall be no single linear quarter-mile without a receptacle; buildings held out for use by the public, including schools, government buildings, and railroad and bus stations; parks; drive-in restaurants; all street vendor locations; self-service refreshment areas; construction sites; gasoline service stations islands; shopping centers; parking lots; campgrounds and trailer parks; marinas, boat moorage and fueling stations; boat launching areas; public and private piers operated for public use; beaches and bathing areas; and at special events to which the public is invited, including sporting events, parades, carnivals, circuses, and festivals. The proprietors of these places or the sponsors of these events shall be responsible for providing and servicing the receptacles such that adequate containerization is available.

SECTION 5: Containerization of Sweepings. No person shall sweep into or deposit in any gutter, street, catch basin or other public place any accumulation of litter from any public or private sidewalk or driveway. Every person who owns or occupies property shall keep the sidewalk in front of his or her premises free of litter. All litter sweepings shall be collected and properly containerized for disposal.

SECTION 6: Open or Overflowing Waste Disposal Bins. It shall be unlawful for any residential or commercial property owner to permit open or overflowing waste disposal bins on his or her property.

SECTION 7: Uncovered Vehicles. It shall be unlawful for any vehicle to be driven, moved, stopped or parked, on any public roadway unless such a vehicle is constructed, covered or loaded to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom. Any person operating a vehicle from which any materials which constitute litter have fallen or escaped, which could cause an obstruction, damage a vehicle, or otherwise endanger travelers or public property, shall immediately cause the public property to be cleaned of all such materials and shall pay the costs therefor.

SECTION 8: Construction Sites. It shall be unlawful for any owner, agent, or contractor in charge of a construction or demolition site to permit the accumulation of litter before, during, or immediately following completion of any construction or demolition project. It shall be the duty of the owner, agent, or contractor in charge of a construction site to furnish containers adequate to accommodate flyable or non-flyable debris or trash at areas convenient to construction areas, and to maintain and empty the receptacles in such a manner and with such a frequency as to prevent spillage of refuse.

SECTION 9: Commercial Establishments and Residences. It shall be the duty of the owner, lessee, tenant, occupant or person in charge of any structure to keep and cause to be kept the sidewalk and curb abutting the building or structure free from obstruction or nuisances of every kind, and to keep sidewalks, areaways, backyards, courts and alleys free from litter.

SECTION 10: Distribution of Handbills. It shall be unlawful for any person to place, to cause to be placed, or to hire another person to place any advertisement, handbill or unsolicited material of any kind in or on any street, sidewalk, building or vehicle within the community in such a manner that it may be removed by natural forces.

SECTION 11: Collection of Costs. In the event that the owner or possessor of private property or lands shall refuse or neglect to abate or remedy the condition which constitutes a violation of this ordinance, the municipality may cause the condition to be abated and remedied. Upon the removal of any materials prohibited to be stored or abandoned on lands by this ordinance by or under the direction of the Road Supervisor, in cases where the owner or tenant shall have refused or neglected to remove the materials within five days of receiving a notice of the violation, such officer shall certify the cost thereof to the municipality, which shall examine the certificate, and if found correct shall cause the cost as shown thereon to be charged against said lands and will be added to and become and form part of the taxes next to be assessed and levied upon said lands. The fines shall bear interest at the same rate as taxes and shall be collected and enforced by the same officers and in the same manner as taxes.

SECTION 12: Violation and Penalties. Any person who shall refuse or neglect, after written notice, to comply with the demands therein made or who shall otherwise violate any provision of this ordinance, shall, upon conviction thereof, be liable to a penalty not to exceed a one hundred dollar (\$100.) fine for each violation thereof. If the violation is of a continuing nature, each day during which it continues shall constitute a separate and distinct offense. The imposition and collection of any fine or penalty prescribed by this section shall not bar the right of the municipality to collect the cost of the removal of the materials as hereinabove specified; and the said remedies shall be cumulative.

SECTION 13: Repealer. All ordinances and parts of ordinances inconsistent with the terms of this ordinance are hereby repealed to the extent of such inconsistencies.

SECTION 14: Severability. If any section or part of a section of this ordinance is declared or held to be illegal or unconstitutional, such section or part shall be deemed to be severable from the remainder of this ordinance, which shall not be affected by any such judgment.

SECTION 15. When Effective. This ordinance shall take effect upon adoption and publication as provided by law..

Passed and approved by Mayor and Council on February 1, 1990.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER 68  
"BOROUGH OF OCEANPORT ZONING ORDINANCE"  
PASSED AND APPROVED ON JULY 3, 1969.

BE IT ORDAINED by the Mayor and Council of the Borough of Oceanport, County of Monmouth and State of New Jersey that Chapter 68 "Borough of Oceanport Zoning Ordinance" passed and approved on July 3, 1969, be and the same is hereby amended and supplemented as follows:

PURPOSE: The New Jersey Statewide Mandatory Source Separation and Recycling Act (P.L. 1987,c.102) requires that municipal development regulations include provisions for the collection, disposition and recycling of materials for any development proposal for 50 or more single family units, 25 or more multifamily units or any commercial or industrial development proposal utilizing 1000 or more square feet of land.

SECTION 1: Section 25A, Recyclable Materials Storage shall be added to Article VI Supplementary Use Regulations as follows:

A. Materials designated in the Borough of Oceanport Recycling Ordinance Chapter 43A shall be separated from other solid waste by the generator and a storage area for recyclable material shall be provided as follows:

1. For each subdivision application for 50 or more single family units, the applicant shall provide a storage area of at least 12 square feet within each dwelling unit to accommodate a four week accumulation of mandated recyclables (including but not limited to: newspaper, glass bottles, aluminum cans, tin and bi-metal cans). The storage area may be located in the laundry room, garage, basement or kitchen.

2. For each subdivision application for 25 or more multifamily units, the applicant shall provide a storage area of at least 3 square feet within each dwelling unit to accommodate a one week accumulation of mandated recyclables (including, but not limited to: newspaper, glass bottles, aluminum cans, tin and bi-metal cans). The storage area may be located in the laundry room, garage, basement or kitchen. Unless recyclables are collected on a weekly basis from each dwelling unit, one or more common storage areas must be provided at convenient locations within the development.

3. For each site plan application for commercial and industrial developments that utilize 1000 square feet or more of land, the applicant shall provide the Municipal Agency with estimates of the quantity of mandated recyclable materials (including but not limited to: newspaper, glass bottles, aluminum cans, tin and bi-metal cans, high grade paper, and corrugated cardboard) that will be generated by the development during each week. A separated storage area must be provided to accommodate a one to four weeks accumulation of recyclable material. The Municipal Agency may require the location of one or more common storage areas at convenient locations within the development.

SECTION 2: Severability. If any section, subsection, clause or phrase of this ordinance is held unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this ordinance.

SECTION 3: Repealer: All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4: This ordinance shall take effect upon final passage and publication as required by law.

Passed and approved by Mayor and Council February 15, 1990.

PATRICIA L. VARCA, BOROUGH CLERK

AN ORDINANCE AMENDING AN ORDINANCE  
ENTITLED "THE SUBSTANCE COMMITTEE  
ORDINANCE OF THE BOROUGH OF OCEANPORT,  
NEW JERSEY" PASSED AND APPROVED ON  
OCTOBER 20, 1988.

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. An ordinance entitled "The Substance Abuse Committee Ordinance of the Borough of Oceanport, New Jersey" passed and approved on October 20, 1988, is hereby amended in its entirety as follows:

Section 1. **Title.** This Ordinance shall be known and may be cited as the "Alliance to Prevent Alcoholism and Drug Abuse Ordinance of the Borough of Oceanport, New Jersey".

Section 2. **Committee Established; Purposes.** There is hereby established and created a Committee to be known as the "Alliance to Prevent Alcoholism and Drug Abuse of the Borough of Oceanport" for the purposes of:

a. Organizing and coordinating efforts involving schools, law enforcement, business groups and other community organizations for the purpose of reducing alcoholism and drug abuse;

b. In cooperation with local school districts, developing comprehensive and effective alcoholism and drug abuse education programs in grades kindergarten through 12;

c. In cooperation with local school districts, developing procedures for the intervention, treatment and discipline of students abusing alcohol or drugs;

d. Developing comprehensive alcoholism and drug abuse education, support and outreach efforts for parents in the community; and

e. Developing comprehensive alcoholism and drug abuse community awareness programs..

f. In consultation with the Monmouth County Board of Alcohol and Drug Abuse Services, identifying alcoholism and drug abuse prevention education and community needs.

Section 3. **Composition.** The Committee shall be composed of twenty (20) members to be selected and appointed by the Mayor and Council at its next regular meeting after this Ordinance shall become effective. The Committee shall include, but need not be limited to, the Chief of Police, President of the Board Education, Superintendent of Schools, the Substance Awareness Coordinator, a representative of the Parent Teacher Organization, a representative of the local bargaining unit for teachers, representative(s) of the Chamber of Commerce, if any, the Municipal Court Judge, representatives of local civic associations, representatives of local religious groups and private citizens.

Section 4. **Appointments; Terms of Office; Vacancy.** The members of the Committee shall be nominated by the Mayor and confirmed by vote of the Council. All members shall serve for a term of one (1) year to expire on December 31, 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 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; Compensation.** Members of the Committee shall be residents of the Borough of Oceanport and shall serve without compensation, except as may be hereinafter provided.

**Section 7. Oath of Office.** 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; liaison.** 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. Powers and Duties.**

A. The Committee created by this Ordinance shall provide leadership in planning and formulating solutions to the various problems created by drug and alcohol abuse and other youth-related problems in the community. The Committee will be responsible for the preparation and presentation of public programs to educate and inform the community on all aspects of drug and alcohol abuse and youth-related problems and will be responsible for the recommendation and implementation of preventive measures to curtail the incidence of drug and alcohol abuse and other youth-related problems in the community. In addition, the Committee will evaluate the administration of any new programs which might be implemented in an effort to help achieve these goals.

B. To effectuate its goals, the Committee shall have the power to:

(1) establish liaison with courts, police, schools, juvenile conference committees, clergy, professionals, parents and service organizations.

(2) establish an independent counseling and referral service which can be utilized by the above mentioned individuals and agencies.

(3) provide training programs for selected residents to enable them to conduct group dynamics sessions throughout the Borough.

(4) coordinate all public relations efforts.

(5) research all sources of funding.

(6) design community-wide educational programs.

(7) submit quarterly reports and program evaluations to the Borough Council.

(8) be responsible for continuing personal education in all appropriate fields.

**Section 11. Expenditures; Annual Appropriation.**

A. During the month of December in each year, the 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. Liability.** 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 April 19, 1990.

PATRICIA L. VARCA  
BOROUGH CLERK

BOND ORDINANCE APPROPRIATING \$26,000  
AND AUTHORIZING THE ISSUANCE OF \$24,700.  
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 \$26,000. including the aggregate sum of \$1,300. 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 \$26,000. 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 \$24,700. 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 \$24,000. 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 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<br/>Estimated Cost</u> | <u>Estimated Maximum<br/>Amount of Bonds<br/>or Notes</u> |
|--|--|---|
| (1) Acquisition of<br>Scott Air Packs  | \$ 6,000.                                    | \$ 5,700.   |
| (2) Reconstruction and<br>Renovation of Parks  | 10,000.                                      | 9,500.  |
| (3) Reconstruction of some<br>or all of the following<br>streets:<br>Ticonderoga Avenue<br>Oneida Avenue<br>Ithaca Avenue<br>Algonquin Avenue<br>Shrewsbury Avenue<br>Cayuga Avenue<br>Horicon Avenue<br>Manitto Place<br>Wyandotte Avenue<br>Bungalow Place<br>Bayview Place<br>Hiawatha Avenue<br>Mohican Avenue<br>Morris Place<br>Maple Place<br>Tecumseh Avenue | 10,000.                                      | 9,500..   |
|  | <hr/> 26,000.                                | <hr/> 24,700.   |

the excess of the appropriation made for 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. 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 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 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 18½ 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 hereof 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 \$24,700. and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said law.

(d) Amounts not exceeding \$6,700. 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. 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 after final adoption as provided by said Local Bond Law.

Passed and approved by Mayor and Council April 19, 1990.

PATRICIA L. VARCA  
BOROUGH CLERK

**ORDINANCE #606**  
**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, 1990 unless otherwise stated, be and the same is hereby amended to read as follows:

**A. ADMINISTRATIVE AND EXECUTIVE**

|                          |           |
|--------------------------|-----------|
| Mayor                    | \$ 1,500. |
| Councilpersons, each (6) | 1,500.    |
| Borough Clerk            | 33,000.   |
| Secretary                | 16,180.   |

**B. FINANCIAL ADMINISTRATION**

|                                   |         |
|-----------------------------------|---------|
| Chief Financial Officer/Treasurer | 10,500. |
| Bookkeeper/Payroll Clerk          | 17,360. |

**C. BOARD OF ASSESSORS**

|                  |         |
|------------------|---------|
| Assessor         | 17,400. |
| Deputy           | 3,000.  |
| Deputy           | 2,630.  |
| Assessment Clerk | 2,160.  |

**D. COLLECTION OF TAXES**

|                  |         |
|------------------|---------|
| Tax Collector    | 9,720.  |
| Tax Office Clerk | 13,000. |

**E. MUNICIPAL COURT**

|                        |        |
|------------------------|--------|
| Municipal Court Judge  | 9,000. |
| Court/Violations Clerk | 7,700. |
| Deputy Court Clerk     | 4,675. |
| Municipal Prosecutor   | 3,000. |

**F. LEGAL SERVICES**

|                  |        |
|------------------|--------|
| Borough Attorney | 3,500. |
|------------------|--------|

## G. PLANNING BOARD

|           |        |
|-----------|--------|
| Secretary | 4,450. |
|-----------|--------|

## H. ZONING BOARD OF ADJUSTMENT

|           |        |
|-----------|--------|
| Secretary | 2,160. |
|-----------|--------|

## I. ENVIRONMENTAL COMMISSION

|           |      |
|-----------|------|
| Secretary | 400. |
|-----------|------|

## J. POLICE DEPARTMENT

|                 |         |
|-----------------|---------|
| Chief           | 44,500. |
| Captain         | 40,706. |
| Detective Sgt.  | 39,296. |
| Sergeants, each | 38,743. |
| Detective       | 37,233. |

|  |         |
|--|---------|
| Patrolman I [commencing fifth year of<br>service and each year thereafter] | 36,672. |
|--|---------|

|   |         |
|---|---------|
| Patrolman II [commencing fourth year<br>of service] | 33,306. |
|---|---------|

|   |         |
|---|---------|
| Patrolman III [commencing third year<br>of service] | 29,739. |
|---|---------|

|   |         |
|---|---------|
| Patrolman IV [commencing second year<br>of service] | 26,272. |
|---|---------|

|   |         |
|---|---------|
| Patrolman V [commencing first year<br>of service] | 21,681. |
|---|---------|

## Dispatchers:

|  |         |
|--|---------|
| Third year of employment<br>and each year thereafter | 19,230. |
|--|---------|

|                           |         |
|---------------------------|---------|
| Second year of employment | 18,227. |
|---------------------------|---------|

|                          |         |
|--------------------------|---------|
| First year of employment | 16,645. |
|--------------------------|---------|

|               |        |
|---------------|--------|
| Records Clerk | 1,946. |
|---------------|--------|

|                              |        |
|------------------------------|--------|
| School Crossing Guards, each | 5,000. |
|------------------------------|--------|

## ORDINANCE #606

## K. PUBLIC WORKS &amp; RECYCLING DEPARTMENT

|                             |             |         |
|-----------------------------|-------------|---------|
| Public Works Superintendent |             | 33,700. |
| Helper I                    | \$18,000. - | 19,100. |
| Helper II                   | 17,000 -    | 17,744. |
| Helper III                  | 14,500 -    | 15,660. |

## L. RECREATION AND EDUCATION

|   |         |
|---|---------|
| Recreation Director                     | 3,770.  |
| Recreation Aides & Assistants, total    | 7,450.  |
| Building Custodian                      | 955.    |
| Community Center/Old Wharf Reservations | 615.    |
| Welfare Director                        | 2,800.  |
| Library Aide                            | 1,664.  |
| Construction Official                   | 12,125. |
| Building Inspector                      | 5,510.  |
| Building SubCode Official               | 2,200.  |
| Plumbing SubCode Official               | 4,400.  |
| Housing Inspector                       | 2,200.  |
| Fire Prevention SubCode Official        | 1,820.  |
| Fire Marshal                            | 1,820.  |
| Zoning Enforcement Officer              | 2,625.  |

## M. BOARD OF HEALTH

|                  |      |
|------------------|------|
| Secretary        | 700. |
| Registrar        | 700. |
| Deputy Registrar | 280. |

## N. CASUAL LABOR \$5.00 - 6.50 per hour

O. **LONGEVITY** will be allowed at the rate of \$400.00 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, 1990.

**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 5/3/90

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 the 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. 40:8B-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 COUNCIL JUNE 21, 1990**

PATRICIA L. VARCA  
BOROUGH CLERK

**AN ORDINANCE TO AMEND AN  
ORDINANCE ENTITLED "THE  
BOROUGH OF OCEANPORT  
SANITARY CODE" PASSED AND  
APPROVED ON JULY 27, 1944.**

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 Article III Food and Drink of the ordinance entitled "The Borough of Oceanport Sanitary Code" passed and approved on July 27, 1944, be and the same is hereby amended by the addition of the following sections:

**A. Section 10.1 Inspections.** The Board of Health, and its members, agents or employees, including, but not limited to its health officer, shall have the right of entry not less than once each year, at any reasonable hour, into and upon any public or private building or premises for the purpose of enforcing the provisions of this Ordinance, as well as the provisions of any other applicable sanitary code or regulation, or determining whether such provisions are being complied with and obeyed. No person shall oppose such entry or hinder or interfere with the Board or any of its members, agents or employees or health officer in the performance of their duties.

**B. Section 10.2 Fees.** Fees for inspection of retail food establishments are hereby fixed as follows:

|   |          |
|---|----------|
| (a) A minimum fee for any inspection                      | \$ 50.00 |
| (b) Establishments between 2,000 and<br>3,000 square feet | 75.00    |
| (c) Establishments over 3,000 square<br>feet              | 100.00   |

**C. Section 10.3 Operation of Food Establishments.** All retail food establishments shall be operated in compliance with the provisions of this Ordinance and the provisions of any other applicable sanitary code or regulation.

2. All provisions of the "Borough of Oceanport Sanitary Code" being amended 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 July 19, 1990.

PATRICIA L. VARCA  
BOROUGH CLERK

AMENDMENT TO ORDINANCE NO. 607 ENTITLED "AN  
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**, on June 21, 1990 the Mayor and Governing Body of the Borough of Oceanport adopted an ordinance authorizing the Mayor and Municipal Clerk to enter in an agreement entitled "Agreement Between the County of Monmouth and Certain Municipalities Located Therein for the Establishment of a Cooperative Means of Conducting Certain Community Development Activities", and a copy of which was attached to said Ordinance; and

**WHEREAS**, certain revisions of the Agreement were mandated by the United States Department of Housing and Urban Development;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Governing Body of the Borough of Oceanport that the Agreement as amended entitled "Agreement Between the County of Monmouth and Certain Municipalities Located Therein 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 October 4, 1990.

PATRICIA L. VARCA  
BOROUGH CLERK



AN ORDINANCE TO AMEND AND SUPPLEMENT  
AN ORDINANCE ENTITLED "DOGS" PASSED  
AND APPROVED ON JULY 2, 1953

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 the ordinance entitled "Dogs" passed and approved on July 2, 1953, be and the same is hereby amended and supplemented as follows:

A. That Section 35-4.1 "Additional regulations" is hereby added as follows:

**Section 35-4.1 Additional provisions.**

No person owning, harboring, keeping or in charge of any dog shall cause, suffer or allow such dog to soil, defile, defecate on, or commit any nuisance on any common driveway, sidewalk, passageway, by-pass, play area, or any place where people congregate or walk, or upon any public property or upon any private property without the permission of the owner of said property. In the event of a violation occurring on private property, a complaint is only filable by the owner of the property. The restriction in this Section shall not apply to that portion of the street lying between the curb lines or outer edges of the paved roadway which shall be used to curb such dog under the following conditions:

1) The person who so curbs such dog shall immediately remove and dispose of all feces and droppings deposited by said dog, which removal shall be in a sanitary manner by shovel, container, disposal bag or such other sanitary means.

2) The feces removed from the aforementioned designated area shall be disposed of by the person owning, harboring, keeping or in charge of any dog curbed in accordance with the provisions of this Ordinance by placing the feces in a water-proof container, properly sealed and placed in a garbage container, or disposed of in any other sanitary manner.

The provisions of this Section shall not apply to a guide dog accompanying any blind person.

2) All provisions of the Ordinance entitled "Dogs" 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 March 21, 1991.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE GRANTING NON-EXCLUSIVE RENEWAL  
OF MUNICIPAL CONSENT TO STORER CABLE COMMUNICATIONS  
OF MONMOUTH COUNTY, INC., d/b/a STORER CABLE  
COMMUNICATIONS, ITS SUCCESSORS AND ASSIGNS, TO  
CONSTRUCT, OPERATE AND MAINTAIN A CABLE  
TELEVISION SYSTEM IN THE BOROUGH OF  
OCEANPORT, NEW JERSEY

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

SECTION 1. PURPOSE OF THE ORDINANCE

The Municipality hereby grants to the Company renewal of its non-exclusive Municipal Consent to place in, upon, along, across, above, over and under highways, streets, alleys, sidewalks, easements, public ways and public places in the Municipality poles, wires, cables, underground conduits, manholes and other television conductors, fixtures, apparatus and equipment as may be necessary for the construction, operation and maintenance in the Municipality of a cable television system and cable communications system.

SECTION 2. DEFINITIONS

For the purpose of this Ordinance the following terms, phrases, words and their derivations shall have the meaning given herein. Such meaning or definition of terms is supplemental to those definitions of the Federal Communications Commission (47 C.F.R. 76.5) and the Cable Television Act (N.J.S.A. 48:5A-1 et seq.) and shall in no way be construed to broaden, alter or conflict with the Federal or State definitions:

- (a) "Municipality" or "Borough" is the Borough of Oceanport, County of Monmouth in the State of New Jersey.
- (b) "Company" is the grantee of rights under this Ordinance and is known as Storer Cable Communications of Monmouth County, Inc., d/b/a Storer Cable Communications.
- (c) "Act" or "Cable" Television Act" is Chapter 186 of the General Laws of New Jersey, 1972, Section 48:5A-1 et seq.
- (d) "Board" is the Board of Public Utilities.
- (e) "Office" is the Office of Cable Television within the Department of Energy.

SECTION 3. STATEMENT OF FINDINGS

A public hearing concerning the renewal of Municipal Consent herein granted to the Company was held after proper public notice pursuant to the terms and conditions of the Act and the regulations of the Board adopted pursuant thereto. Said hearing having been fully open to the public, and the Municipality having received at said public hearing all comments regarding the qualifications of the Company to receive this renewal of Municipal Consent, the Municipality hereby finds that the Company possesses the necessary legal, technical, character, financial and other qualifications and that the Company's operating arrangements are adequate and feasible.

SECTION 4. TERM OF FRANCHISE

The renewal of Municipal Consent and all rights herein granted shall take effect and be in force for a period of five (5) years.

SECTION 5. FRANCHISE FEE

Pursuant to the terms and conditions of the Act, N.J.S.A. 48:5A-30, the Company shall, during each year of operation under the renewal of Municipal Consent granted herein, pay to the Municipality two per cent (2%) of the gross revenues from all recurring charges received by the Company from subscribers to its cable television reception service in the Municipality.

SECTION 6. FRANCHISE TERRITORY

The consent granted herein to the Company shall apply to the entirety of the Municipality and any property hereafter annexed thereto.

SECTION 7. CONSTRUCTION TIMETABLE

The Company has completed significant construction within the Municipality, and will within sixty (60) days of issuance of a Certificate of Occupancy for any new dwelling offer service to it.

SECTION 8. EXTENSION OF SERVICE

The Company shall be required to proffer service to any person's residence or business located in those areas of the Municipality as set forth in and in accordance with the Company's Application for Renewal of Municipal Consent. 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 line extension policy as set forth in the Company's Application and as set forth herein.

SECTION 9. CONDITIONS OF CONSTRUCTION

- (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 to a condition as reasonably close as possible to that which 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 given by the Municipality, shall, at its sole expense, remove, re-lay 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 buildings or machinery or in other like circumstances. Whenever the request for removal is made by, for or on behalf of 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 under this renewal of Municipal Consent, the Company shall have the authority to trim trees upon and overhanging highways, streets, alleys, sidewalks, easement, public ways and public places of the Municipality so as to prevent the branches of such 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 wires and cables.

SECTION 10. MUNICIPAL COMPLAINT OFFICER

The Borough Clerk is hereby designated as the complaint officer for the Municipality, pursuant to N.J.S.A. 48:5A-26b. All complaints shall be received and processed in accordance with N.J.A.C. 14:17-7.1.

SECTION 11. PERFORMANCE BOND

During the period of this consent the Company shall give a bond to the Municipality, which bond shall be in the amount of \$25,000.00. Such bond shall be to insure the faithful performance of all undertakings of the Company as represented in its Application for Renewal of Municipal Consent incorporated herein.

SECTION 12. ELECTRONIC INTERFERENCE PROHIBITED

The Company shall not cause any interference on any television set, radio or other electronic device in the Borough, and, if such interference occurs, the Company shall immediately at its own cost expense, eliminate all such interference.

SECTION 13. INDEMNIFICATION AND INSURANCE

The Company shall indemnify, protect and hold the Borough harmless at all times from and against all claims for injury and damage to persons or property, both real and personal, including payments made under Workers' Compensation Law, arising out of the construction, erection, operation, repair, installation, replacement and maintenance of any structure, equipment or appliance or product used pursuant to the provisions of this chapter or caused by the awarding of this Municipal Consent or by any act of the Company, its agents or employees. The Company shall also provide evidence by certificate of insurance or otherwise of sufficient insurance insuring the Borough and the Company with respect to all liability for any death, personal injury, property damage or other liability arising out of the Company's construction and operation of its CATV System in the following minimum amounts:

- (a) \$1,000,000.00 for bodily injury or death to any one person or \$3,000,000.00 for bodily injury or death resulting from any one accident.
- (b) \$500,000.00 for property damage resulting from any one accident.
- (c) \$100,000.00 for all other types of liability.

SECTION 14. MAINTENANCE REQUIRED

Throughout the term of this consent, the Company shall maintain all parts of the system in good working condition, and to this end, the company shall maintain a sufficiently competent staff of technicians to provide adequate and prompt service to its subscribers.

SECTION 15. MOST FAVORED MUNICIPALITY CLAUSE

In the event the Company enters into a franchise renewal agreement with any other municipality within one year of the date herein, and the other municipality receives more favorable terms than those obtained by the Borough of Oceanport, the Company shall offer the same terms to the Borough of Oceanport provided: (a) the other renewal is for a term of 5 years or less; (b) the other renewal is with respect to a municipality that has had continuous cable service commencing on or after 1979; and (c) that the term or terms in question are the same or similar in value or benefit as those set forth in the within Ordinance but not obtained by the other Municipality, the Borough of Oceanport shall have the option to substitute the other municipality's term or terms or its own term or terms of similar value.

SECTION 16. RESIDENTS' ADVISORY COMMITTEE

There may be appointed by the Mayor with approval of Council an Advisory Committee composed of residents of the municipality which will be empowered to make advisory comments, suggestions and recommendations to the Council concerning the status of the Company's operations as well as the needs and desires of the people of the Borough of Oceanport. The Company shall actively participate in the meetings and proceedings conducted by the Advisory Committee. The Advisory Committee shall conduct an annual public forum to discuss the activities of the Residents' Advisory Committee and the Company's operation hereunder. Comments, suggestions and recommendations of the Advisory Committee and any and all comments derived through the public forum shall not be binding upon the Company.

SECTION 17. INCORPORATION OF APPLICATION

All of the written commitments contained in the written Application for Renewal of Municipal Consent filed by the Company, except as modified herein, are to be considered binding upon the Company as the terms and conditions of this Renewal of Municipal Consent, and that Application shall be made a part hereof by reference thereto.

SECTION 18. SEPARABILITY

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 19. REVOCATION

If the Company shall fail to comply with any of the substantive provisions of this chapter, or defaults in any of its substantive obligations hereunder, except for causes beyond the reasonable control of the Company, and shall fail within 30 days after written notice from the Borough to correct such default or non-compliance, the Borough shall have the right, after full public proceeding affording due process, to revoke this Municipal Consent and all rights of the Company pursuant thereto.

SECTION 20. CONTINUATION OF SERVICE

In the event the Consent granted hereby is not renewed upon termination, the Company agrees to cooperate fully with any successor franchise during the term of installation of its system (not to exceed two (2) years) to insure continued and uninterrupted service to the residents of the Municipality.

SECTION 21. REPEAL

The terms and provisions of Ordinance No. 440 of the Revised Ordinances of the Borough of Oceanport adopted on February 21, 1980, are hereby repealed.

SECTION 22. EFFECTIVE DATE OF THE ORDINANCE

This renewal of Municipal Consent shall become effective as of the date of expiration of the Company's existing Certificate of Approval as issued by the Board.

Passed and approved by Mayor and Council April 4, 1991.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE TO AMEND AN ORDINANCE GRANTING NON-EXCLUSIVE RENEWAL OF MUNICIPAL CONSENT TO STORER CABLE COMMUNICATIONS OF MONMOUTH COUNTY, INC., d/b/a/ STORER CABLE COMMUNICATIONS, ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, OPERATE AND MAINTAIN A CABLE TELEVISION SYSTEM IN THE BOROUGH OF OCEANPORT, NEW JERSEY PASSED AND APPROVED ON APRIL 4, 1991.

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

1. That the ordinance entitled "An Ordinance Granting Non-Exclusive Renewal of Municipal Consent to Storer Cable Communications of Monmouth County, Inc., d/b/a/ Storer Cable Communications, its successors and assigns, to construct, operate and maintain a cable television system in the Borough of Oceanport, New Jersey" passed and approved on April 4, 1991, be and the same is hereby amended as follows:

A. That Section 19 "Revocation" and Section 20 "Continuation of Service" are hereby repealed.

2. All provisions of the ordinance being amended 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 May 16, 1991.

PATRICIA L. VARCA  
BOROUGH CLERK

## ORDINANCE #613

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, 1991 unless otherwise stated, be and the same is hereby amended to read as follows:

**A. ADMINISTRATIVE AND EXECUTIVE**

|                          |           |
|--------------------------|-----------|
| Mayor                    | \$ 1,500. |
| Councilpersons, each (6) | 1,500.    |
| Borough Clerk            | 35,650.   |
| Secretary                | 17,475.   |

**B. FINANCIAL ADMINISTRATION**

|                                   |         |
|-----------------------------------|---------|
| Chief Financial Officer/Treasurer | 11,000. |
| Supervisor, Accounts Payable      | 18,750. |

**C. BOARD OF ASSESSORS**

|                  |         |
|------------------|---------|
| Assessor         | 18,270. |
| Deputy           | 3,150.  |
| Deputy           | 2,765.  |
| Assessment Clerk | 2,245.  |

**D. COLLECTION OF TAXES**

|                  |         |
|------------------|---------|
| Tax Collector    | 9,720.  |
| Tax Office Clerk | 14,050. |

**E. MUNICIPAL COURT**

|                        |        |
|------------------------|--------|
| Municipal Court Judge  | 9,450. |
| Court/Violations Clerk | 8,085. |
| Deputy Court Clerk     | 4,910. |
| Municipal Prosecutor   | 3,000. |

**F. LEGAL SERVICES**

|                  |        |
|------------------|--------|
| Borough Attorney | 3,500. |
|------------------|--------|



## G. PLANNING BOARD

|           |        |
|-----------|--------|
| Secretary | 4,000. |
|-----------|--------|

## H. ZONING BOARD OF ADJUSTMENT

|           |        |
|-----------|--------|
| Secretary | 2,270. |
|-----------|--------|

## I. ENVIRONMENTAL COMMISSION

|           |      |
|-----------|------|
| Secretary | 400. |
|-----------|------|

## J. POLICE DEPARTMENT

|                 |         |
|-----------------|---------|
| Chief           | 48,060. |
| Captain         | 43,962. |
| Detective Sgt.  | 42,440. |
| Sergeants, each | 41,842. |
| Detective       | 40,212. |

|  |         |
|--|---------|
| Patrolman I [commencing fifth year of<br>service and each year thereafter] | 39,606. |
|--|---------|

|   |         |
|---|---------|
| Patrolman II [commencing fourth year<br>of service] | 35,862. |
|---|---------|

|   |         |
|---|---------|
| Patrolman III [commencing third year<br>of service] | 32,118. |
|---|---------|

|   |         |
|---|---------|
| Patrolman IV [commencing second year<br>of service] | 28,374. |
|---|---------|

|   |          |
|---|----------|
| Patrolman V [commencing first year<br>of service] | 23,415.. |
|---|----------|

## Dispatchers:

|  |         |
|--|---------|
| Third year of employment<br>and each year thereafter | 21,600. |
|--|---------|

|                           |         |
|---------------------------|---------|
| Second year of employment | 20,520. |
|---------------------------|---------|

|                          |         |
|--------------------------|---------|
| First year of employment | 18,360. |
|--------------------------|---------|

|               |        |
|---------------|--------|
| Records Clerk | 2,045. |
|---------------|--------|

|                              |        |
|------------------------------|--------|
| School Crossing Guards, each | 5,250. |
|------------------------------|--------|

**K. PUBLIC WORKS & RECYCLING DEPARTMENT**

|                             |             |         |
|-----------------------------|-------------|---------|
| Public Works Superintendent |             | 36,400. |
| Helper I                    | \$19,250. - | 20,800. |
| Helper II                   | 17,500 -    | 19,165. |
| Helper III                  | 15,500 -    | 16,915. |

**L. RECREATION AND EDUCATION**

|   |         |
|---|---------|
| Recreation Director                     | 3,960.  |
| Recreation Aides & Assistants, total    | 7,145.  |
| Basketball Director                     | 675.    |
| Building Custodian                      | 1,000.  |
| Community Center/Old Wharf Reservations | 650.    |
| Welfare Director                        | 2,900.  |
| Library Aide                            | 1,750.  |
| Construction Official                   | 12,125. |
| Building Inspector                      | 5,510.  |
| Building SubCode Official               | 2,200.  |
| Plumbing SubCode Official               | 4,400.  |
| Housing Inspector                       | 2,200.  |
| Fire Prevention SubCode Official        | 1,820.  |
| Fire Marshal                            | 1,820.  |
| Zoning Enforcement Officer              | 2,625.  |

**M. BOARD OF HEALTH**

|                  |      |
|------------------|------|
| Secretary        | 735. |
| Registrar        | 735. |
| Deputy Registrar | 300. |

**N. CASUAL LABOR \$5.00 - 6.50 per hour****O. LONGEVITY** will be allowed in accordance with the schedule as listed below by all full time employees. (40 hours per week, 52 weeks per year) This provision shall be retroactive to January 1, 1991.

|                                     |         |
|-------------------------------------|---------|
| 6 through 10 years of service-----  | \$ 600. |
| 11 through 15 years of service----- | 900.    |
| 16 through 20 years of service----- | 1,200.  |
| 21 through 25 years of service----- | 1,500.  |
| 25 years of service and above-----  | 1,800.  |

**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 5/16/91**

PATRICIA L. VARCA  
BOROUGH CLERK

**AN ORDINANCE TO REPEAL AN ORDINANCE  
ENTITLED THE "CODE OF ETHICS ORDINANCE  
OF THE BOROUGH OF OCEANPORT" PASSED  
AND APPROVED ON DECEMBER 20, 1984.**

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 the Ordinance entitled the "Code of Ethics Ordinance of the Borough of Oceanport" passed and approved on December 20, 1984, be and the same is hereby repealed.

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

Passed and approved by Mayor and Council June 20, 1991.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE TO AMEND AND SUPPLEMENT  
AN ORDINANCE ENTITLED THE "BOROUGH OF  
OCEANPORT ZONING ORDINANCE" PASSED AND  
APPROVED ON 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:

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

A. That subsection A of Section 68-10 "Site plan approval" is hereby amended as follows:

A. Application. Upon application for a building permit for the construction of any new building or structure of a permanent nature, excluding detached one-or two-dwelling-unit buildings and accessory buildings, the Construction Official shall forward, within ten (10) days, such application and eight (8) copies of supporting documentation to the Planning Board for its review and approval of the site development plan and to the Borough Engineer for his comment. Moreover, any changes, conversions or alterations in use to existing structures are subject to the provisions of this section.

B. That subsection B (1) of Section 68-10 is hereby amended to require eight (8) sets of plot plans to be included in the supporting documentation.

C. That subsection C of section 68-10 is hereby amended by the addition of sub-paragraph (3) as follows:

(3) The Planning Board shall forward a copy of the plot plan and such other details of the application as may deemed to be necessary to both the Shade Tree Committee and the Environmental Commission with a request that they promptly report their recommendations or comments in writing to the Planning Board.

2. All provisions of the ordinance 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 July 18, 1991.

PATRICIA L. VARCA  
BOROUGH CLERK

**AN ORDINANCE TO AMEND AND SUPPLEMENT  
AN ORDINANCE ENTITLED THE "SHADE TREE  
ORDINANCE OF THE BOROUGH OF OCEANPORT,  
NEW JERSEY" PASSED AND APPROVED ON  
OCTOBER 4, 1973.**

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 20-10 "Purpose; powers and duties" of the Ordinance entitled the "Shade Tree Ordinance of the Borough of Oceanport, New Jersey" passed and approved on October 4, 1973, be and the same is hereby amended and supplemented as follows:

**Section 20-10. Purpose; powers and duties.**

A. The purpose of this Ordinance shall be to create a Shade Tree Committee in the Borough of Oceanport to provide for the preservation, regulation, planting, care and control of the shade and ornamental trees and shrubbery upon and in the streets, highways, public places, parks and parkways under the control of the Borough of Oceanport, and to make recommendations regarding the removal of existing trees and the selection, placement and planting of trees upon private property in connection with site plan and major subdivision applications.

B. To effectuate its purposes, the Committee shall have the power to:

- (1) Exercise full and exclusive control over the regulation, planting and care of shade and ornamental trees and shrubbery now located, or which may hereafter be planted in any public highway, park or parkway, including the planting, trimming, spraying and care and protection thereof.
- (2) Regulate and control the use of the ground surrounding the same, so far as may be necessary for their proper growth and protection.
- (3) Care for and control such parks and parkways and encourage arboriculture.
- (4) Administer treatment to or remove any tree situated upon private property which is believed to harbor a disease, or insects readily communicable to neighboring healthy trees in the care of the municipality, provided that such treatment or removal is done with the written consent of the owner thereof, and further provided that the suspected condition is first confirmed by a certificate issued by or on behalf of the New Jersey Department of Agriculture.
- (5) Review and make recommendations regarding the removal of existing trees and the selection, placement and planting of new trees upon private property in connection with any application for site plan or major subdivision approval pending before any board or agency of the Borough.

2. All provisions of the ordinance 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 July 18, 1991.

PATRICIA L. VARCA, BOROUGH CLERK

**AN ORDINANCE TO AMEND AN ORDINANCE  
ENTITLED "SALES AND AUCTIONS, PRIVATE"  
OF THE BOROUGH OF OCEANPORT PASSED  
AND APPROVED ON NOVEMBER 1, 1973.**

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 48-3 B of the Ordinance entitled "Sales and Auctions, Private" of the Borough of Oceanport passed and approved on November 3, 1973, be and the same is hereby amended to read as follows:

B. There shall be a fee of five (\$5.00) dollars for the issuance of said permit.

2. All provisions of the ordinance being amended herein which are not modified by this Ordinance shall remain in full force and effect.

3. This Ordinance shall take effect on January 1, 1992, following final passage and publication as provided by law.

Passed and approved by Mayor and Council October 3, 1991.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE TO AMEND AND SUPPLEMENT  
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 the Ordinance entitled "Fees" passed and approved on April 16, 1981, be and the same is hereby amended and supplemented as follows:

A. Article 1, Section 35A-1 C(1) shall be amended as follows:

C. Site plan

(1) Preliminary major site plan:

**Applications for Site Plan Approval**

**Fee**

- |  |   |
|--|---|
| (a) For new construction of buildings or other improvements (excluding parking areas) less than 5,000 square feet.   | \$300.00 plus \$10.00 for each 10,000 square feet or part thereof of total lot area.  |
| (b) For new construction of buildings or other improvements (excluding parking areas) in excess of 5,000 square feet.  | \$300.00 plus \$20.00 for each 1,000 square feet or part thereof of floor area in excess of 5,000 square feet plus \$10.00 for each 10,000 square feet or part thereof of total lot area. |
| (c) Where no new construction is proposed, and the total floor area of buildings and other improvements including parking areas is less than 2,500 square feet.    | \$100.00  |
| (d) Where no new construction is proposed, and the total floor area of buildings and other improvements including parking areas is in excess of 2,500 square feet. | \$150.00  |

B. Article I, Section 35A-1 E is repealed.

C. Article I shall be amended by the addition of Section 35A-2A as follows:

**35A-2A. Review Deposits.**

For every application for subdivision or site plan approval, the applicant shall pay to the Borough the following review deposits in addition to all other filing fees:

(1) The applicant shall deposit with the Borough moneys to be utilized to pay the cost of any professional fees, including those of the Municipal Engineer, incurred for review of a submission for development. Said moneys shall be placed in an escrow account by the Borough's Chief Financial Officer in accordance with the provisions of N.J.S.A. 40:55D-53.1.

(2) No submission shall be deemed complete until such time as the applicant shall have posted with the Borough in cash, certified check or money order the amount of escrow determined herein. The amount of fees to be posted shall be:

**Development Application**

**Escrow To  
Be Posted**

**Residential  
(units and/or lots)**

|                            |           |
|----------------------------|-----------|
| 1                          | \$ 250.00 |
| 2 to 3 (minor subdivision) | 500.00    |
| 2 to 3 (major subdivision) | 2,000.00  |
| 4 to 10                    | 2,500.00  |
| 11 to 25                   | 3,500.00  |
| 26 to 100                  | 5,000.00  |
| 101 to 500                 | 6,000.00  |
| 501 and over               | 7,500.00  |

**Commercial/Industrial  
Proposed additional or  
expanded structures involving  
gross floor area of:  
(square feet)**

|                   |             |
|-------------------|-------------|
| 0 to 2,500        | \$ 1,000.00 |
| 2,501 to 5,000    | 2,000.00    |
| 5,001 to 10,000   | 3,000.00    |
| 10,001 to 25,000  | 4,000.00    |
| 25,001 to 50,000  | 5,000.00    |
| 50,001 to 100,000 | 7,500.00    |
| 100,001 and over  | 10,000.00   |

(3) Upon the determination of completeness, the Municipal Engineer shall review the submission to determine whether the escrow amount set forth herein and posted by the applicant is adequate to fund the review of the submissions. The Municipal Engineer shall consider the following criteria in making such determination:

- (a) Presence or absence of public water and/or public sanitary sewer serving the site.
- (b) Environmental considerations, including but not limited to geological, hydrological and ecological factors required to be addressed by an environmental impact report.
- (c) Presence of critical areas as identified by the Borough of Oceanport Master Plan.
- (d) Traffic impact of the proposed development.
- (e) Impact of the proposed development on existing aquifers and water quality.

(4) The Municipal Engineer shall then determine whether the escrow amount specified is sufficient, excessive or insufficient. Such determination shall be filed with the municipal agency and the applicant. In the event that the amount posted is deemed to be excessive or that no escrow amount is required, the same shall be refunded within thirty (30) days. In the event that additional moneys are required, then the municipal agency shall make a determination which shall be deemed binding upon the parties.



(5) In the event that the applicant or the municipal agency disagrees with the determination of the Municipal Engineer of the escrow fee amount, then the municipal agency shall make a determination which shall be deemed binding upon the parties.

(6) All such escrow funds shall be utilized by the Borough to pay the cost of any professional fees incurred by the municipality for review and/or testimony in connection with the applicant's submission. All sums not actually so expended shall be refunded to the applicant within sixty (60) days after the final determination by the municipal agency.

(7) When eighty (80%) percent of the escrow amount has been expended, and the municipal agency determines that additional funds are required, a letter shall be sent to the applicant indicating the additional escrow amount which shall be deposited by the applicant. In the event that the applicant shall fail to post the additional escrow amount, the municipal agency shall have the power to deny the application on those grounds. No building permit shall be issued until all application and professional fees have been paid.

B. That Article III **Copies of Public Records** shall be added as follows:

The following fee schedule shall pertain to requests for the reproduction of all public records:

A. In connection with any action, whether civil or otherwise, pending in the Municipal Court a fee of \$ 15.00 shall be charged for the reproduction of each set of documents, regardless of the number of pages, and a fee of \$ 25.00 for the reproduction of each videotape.

B. For all other public records, a fee for the reproduction thereof shall be charged as permitted by N.J.S.A. 47:1A-2, as the same may be amended from time to time.

2. All provisions of the Ordinance entitled "Fees" 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 October 17, 1991.

PATRICIA L. VARCA  
Borough Clerk

AN ORDINANCE TO AMEND AND SUPPLEMENT  
AN ORDINANCE ENTITLED "ALCOHOLIC  
BEVERAGES" OF THE BOROUGH OF OCEANPORT  
PASSED AND APPROVED ON JANUARY 17, 1957.

**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 22-1 of the Ordinance entitled "Alcoholic Beverages" of the Borough of Oceanport passed and approved on January 17, 1957, be and the same is hereby amended and supplemented as follows:

**Section 22-1. In Public or private places.**

It shall be unlawful for any person under the age of twenty-one (21) years to purchase, sell, consume or to have in his or her possession any alcoholic beverage in or upon any public or private street, highway, park, footway or other public or quasi-public place or in a private residence or upon any private property within the Borough of Oceanport, except as may be permitted by State Statute.

2. All provisions of the ordinance 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 following final passage and publication as provided by law.

Passed and approved by Mayor and Council October 17, 1991.

PATRICIA L. VARCA  
BOROUGH CLERK

## CATS

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.**

Certain words, phrases and terms in this Ordinance are defined for the purposes herein as follows:

**ANIMAL CONTROL AUTHORITY:** Any person or agency designated or certified by the State of New Jersey to enforce the provisions of this ordinance.

**CAT:** Any member of the domestic feline species; male, female, or altered.

**CAT OF LICENSING AGE:** Any cat which has attained the age of seven (7) months or which possess a set of permanent teeth.

**CATTERY:** Shall mean any room or group of rooms, cage, or exhibition pen, not part of a kennel, wherein cats for sale are kept or displayed.

**LICENSING AUTHORITY:** The Board of Health of the Borough of Oceanport or any designated representative thereof charged with administering the issuance and/or revocation of permits and licenses under the provisions of this ordinance.

**NEUTERED:** Rendered permanently incapable of reproduction as certified by a licensed veterinarian.

**OWNER:** When applied to the proprietorship of a cat shall include every person having a right of property (or custody) in such cat and every person who has such cat in his/her keeping, or who harbors or maintains a cat or knowingly permits a cat to remain on or about any premises occupied by that person.

**PERSON:** Any individual, corporation, partnership, organization, or institution commonly recognized by law as a unit.

**SECTION 2. Rabies vaccination.**

(a) **Vaccination and license requirements:** No person shall keep, harbor, or maintain any cat over seven months of age within the Borough of Oceanport, unless such cat is vaccinated and licensed. The provisions of this Section do not apply to cats held in a cattery, or those held by a state or federal licensed research facility, or a veterinary establishment where cats are received or kept for diagnostic, medical surgical, or other treatments, or licensed animal shelters, pounds, kennels, or pet shops.

(b) **Vaccination:** All cats shall be vaccinated against rabies by a licensed veterinarian in accordance with the latest "Compendium of Animal Rabies vaccines and recommendations for Immunization" published by the National Association of State Public Health Veterinarians, except as provided in Section (d).

(c) **Vaccination Certificate:** A certificate of vaccination shall be issued to the owner of each cat vaccinated on a form recommended by the State.

(d) **Exemptions:** Any cat may be exempted from the requirements of such vaccination for a specified period of time by the local Board of Health,

upon presentation of a veterinarian's certificate that because of an infirmity or other physical condition, or regimen of therapy, the inoculation of such cat shall be deemed inadvisable.

### SECTION 3. Licensing requirements.

(a) Cats Must Have License Number Displayed: Any person who shall own, keep, or harbor a cat of licensing age shall annually apply for and procure from the Borough Clerk, or other official designated by the Mayor and Council to license cats in the Borough, a license and official registration tag with license number or a registration sleeve for each cat so owned, kept, or harbored, and shall place upon such cat a collar, or other device with the license number securely fastened or displayed thereto. Acceptable methods of displaying license number shall include, but are not limited to, break-away or elastic collars. License tags or sleeves are not transferable.

(b) Time For Applying For License: The owner of any newly acquired cat of licensing age, or of any cat which attains licensing age, shall make application for license tag or sleeve for such cat within ten days after such acquisition or age attainment. The requirement will not apply to a non-resident keeping a cat within the Borough for no longer than ninety days.

(c) Cats Brought Into Jurisdiction: Any person who shall bring, or cause to be brought into the Borough of Oceanport, any cat licensed in another state for the current year, and bearing registration tag or sleeve, and shall keep the same or permit the same to be kept within the Borough of Oceanport for a period of more than ninety (90) days, shall immediately apply for a license and registration tag or sleeve for each such cat.

Any person who shall bring or cause to be brought into the Borough of Oceanport any unlicensed cat, and shall keep the same or permit the same to be kept within the Borough of Oceanport for a period of more than ten (10) days, shall immediately apply for a license and registration tag or sleeve for each such cat.

(d) Application, Contents, Preservation of Information: The application shall state the breed, sex, age, color, and markings of the cat for which license and registration are sought, and whether it is of a long-or shorthaired variety; also the name, street, and post office address of the owner, and the person who shall keep or harbor such cat. The information on said application and the registration number issued for the cat shall be preserved for a period of three years by the Borough Clerk or other local official designated to license cats in the Borough.

(e) License Forms and Tags: License forms and official tags or sleeves shall be furnished by the Borough and shall be numbered serially, and shall bear the year of issuance and the name of the Borough.

(f) Evidence of Inoculation with Rabies Vaccine or Certification of Exemption; Requirement for License: Neither the Borough Clerk nor any other official designated by the Mayor and Council to license cats shall grant for any such license and official registration tag or sleeve for any cat, unless the owner thereof provides evidence that the cat to be licensed and registered has been inoculated with a rabies vaccine of a type approved by and administered in accordance with the recommendations of the United States Department of Agriculture and the United States Department of Human Services, or has been certified exempt as provided in Section 2 of this Ordinance. The rabies inoculation shall be administered by a duly licensed veterinarian, or by such other veterinarian permitted by law to do the same.

(g) License Fee Schedule: A license shall be issued after payment of a fee of \$11.00 for each unneutered cat, and \$8.00 for each neutered cat.

(h) Fees, Renewals, Expiration Date of License: License from another municipality shall be accepted. The person applying for the license and registration tag and/or sleeve shall pay the fee fixed or authorized. The fee for the renewal of license and registration tag or sleeve shall be the same as for the original, and said license, registration tag or sleeve and renewal thereof shall expire on the last day of January in the following year.

Only one license and registration tag or sleeve shall be required in the licensing year for any cat in the Borough. Any valid New Jersey license tag or sleeve issued by a New Jersey municipality shall be accepted by the Borough as evidence of compliance.

(i) Loss of License: If a license tag or sleeve has been misplaced or lost, the Borough Clerk may issue a duplicate license and/or registration sleeve for that particular cat at a fee of \$1.00.

(j) Proof of Licensing: Proof of licensing shall be produced by any person owning, keeping, maintaining, or harboring a cat upon the request of any health official, police officer, animal control officer, or other authorized person.

(k) Interfering With Persons Performing Duties Under this Ordinance: No person shall hinder, molest or interfere with anyone authorized or empowered to perform any duty under this Ordinance.

(l) Disposition of Fees Collected: License fees and other moneys collected or received under the provisions of this Ordinance, shall be forwarded to the Treasurer of the Borough, and shall be placed in a special account separate from any of the other accounts of the Borough and shall be used for the following purposes only: collecting, keeping, and disposing of cats liable to seizure, for local prevention and control of rabies, providing anti-rabies treatment under the direction of the local Board of Health for any person known or suspected to have been exposed to rabies, and for administering the provisions of this Ordinance. Any unexpected balance remaining in such special account shall be retained until the end of the third fiscal year following, and may be used for any of the purposes set forth in this section. At the end of the said third fiscal year following, and at the end of each fiscal year thereafter, there shall be transferred from such special account to the general funds of the Borough any amount then in such account which is in excess of the total amount paid into the special account during the last two fiscal years next preceding.

#### **SECTION 4. Nuisances Upon Property of Others, Including Public Property, Prohibited.**

(a) No person owning or having the care, custody or control of any cat shall permit such cat to soil or defile or to commit any nuisance upon any sidewalk, gutter, street, throughfare, park, in or upon any public property or in or upon the property of persons other than the owner or person having the care, custody and control of such cat.

(b) No person owning or having the care, custody or control of any cat shall suffer or permit it to soil or defile or do any injury or damage to any lawn, shrubbery, flowers; grounds, trees or any property of persons other than the owner or person having the care, custody or control of such cat.

(c) It shall be the duty of any person owning or having the care, custody or control of any cat to remove any feces left by such cat on any

sidewalk, gutter, street, throughfare, park or other public area, or private property not his or her own.

#### **SECTION 5. Seizure and Detention of Cats Running at Large.**

(a) Any person appointed for the purpose shall take into custody and impound, or cause to be taken into custody and impounded, any male or female cat running at large in the Borough contrary to any of the provisions or sections of this Ordinance.

(b) When any cat so seized has been detained for seven (7) days after notice, when notice can be given, or has been detained for seven (7) days after seizure, when notice cannot be given, in accordance with the laws of the State of New Jersey, and if the owner or person keeping or harboring said cat has not claimed said cat and paid all expenses incurred by reason of its seizure and detention, and if the cat shall be unlicensed at the time of this seizure and the owner or person keeping or harboring said cat has not produced a license and registration tag for said cat, the designated authority may cause the cat to be destroyed in a manner causing as little pain as possible.

#### **SECTION 6. Severability.**

Every section of this Ordinance or subdivision or separate part thereof shall be considered a separate provision to the intent that if any portion shall be declared ineffective it shall not affect the remaining parts of this Ordinance.

#### **SECTION 7. Violations and Penalties.**

Any person convicted of violating any of the provisions of this Ordinance shall, upon conviction thereof, be liable to a penalty of not more than Two Hundred Fifty Dollars (\$250.) for each offense, and upon failure to pay said fine and the costs and charges incident thereto, may be imprisoned in the County jail for a period not exceeding ten (10) days in the case of a first conviction, and in the case of a conviction for a second or subsequent violation, for a period not exceeding thirty (30) days.

#### **SECTION 8. Provisions Supplementary to Statutes and Other Regulations.**

Nothing herein contained shall in any way be construed as relieving any person from complying with any state statutes or other regulations pertaining to the licensing and registration of cats, and this Ordinance is intended to be supplementary to any provisions of any such other laws.

#### **SECTION 9. When Effective.**

This Ordinance shall take effect on January 1, 1992.

Passed and approved by Mayor and Council November 7, 1991.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE TO AMEND AN ORDINANCE  
ENTITLED "THE PERSONNEL POLICY OF  
THE BOROUGH OF OCEANPORT" 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:

1. That Section 13-34.1 Compensation for Unused Sick Leave of the Ordinance entitled "The Personnel Policy of the Borough of Oceanport" passed and approved on March 20, 1986, be and the same is hereby amended as follows:

Upon retirement from borough employment of any employee, such employee shall have the right to be compensated by the borough for accumulated sick leave at such employee's current rate of compensation in accordance with the following schedule:

- A. A maximum of thirty-three (33) days, provided that the employee is at least sixty (60) years old and has been employed by the borough for a minimum of ten (10) years.
- B. A maximum of sixty-six (66) days, provided that the employee is at least sixty (60) years old and has been employed by the borough for a minimum of fifteen (15) years.
- C. A maximum of one hundred (100) days, provided that the employee is at least fifty-five (55) years old and has been employed by the borough for a minimum of thirty (30) years or is at least sixty (60) years old and has been employed by the borough for a minimum of twenty (20) years.

Upon receipt of a notice of retirement from any employee eligible for compensation for unused sick leave, the borough shall have the option of paying such compensation pursuant to either of the following schedules:

- A. A lump sum payment not later than March 1st of the calendar year following the year of retirement, or
- B. At the rate of fifty (50%) percent of such compensation not later than March 1st of the calendar year following the year of retirement and the remainder not later than March 1st of the second calendar year following the year of retirement.

Notwithstanding the foregoing, no provision of this section shall be construed to restrict the right of the borough to make payment of the full amount during the year of retirement if it so elects.

2. All provisions of "The Personnel Policy of the Borough of Oceanport, being amended 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 March 19, 1992.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE REGULATING THE STATUTORY AUTHORITY OF NEW JERSEY BELL TELEPHONE COMPANY, ITS SUCCESSORS AND ASSIGNS TO USE THE VARIOUS PUBLIC STREETS, ROADS, AVENUES, HIGHWAYS AND OTHER PUBLIC WAYS IN THE BOROUGH OF OCEANPORT, MONMOUTH COUNTY, NEW JERSEY, FOR ITS LOCAL AND THROUGH LINES AND OTHER COMMUNICATIONS FACILITIES AND PRESCRIBING THE CONDITIONS THEREOF.

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

SECTION 1: Pursuant to the provisions of N.J.S.A. 48:17-10, N.J.S.A. 48:17-11, and N.J.S.A. 48:17-12, permission and consent is hereby granted to New Jersey Bell Telephone Company (the "Company"), its successors and assigns, to install, operate, inspect, maintain, repair, replace and remove its communications facilities and other transmission or process equipment, including underground facilities, such as conduits, manholes, cables, wires, and all other facilities appurtenant thereto, and above-ground facilities, such as cables, wires, antennas, poles, posts, supports, guys, pedestals, cable termination and distribution cabinets and all other facilities appurtenant thereto, in, through, upon, along, over, under, and across all of the various public streets and ways, which include the roads, avenues, right-of-way, sidewalks, highways, bridges, waterways, and other public places, and parts thereof, throughout their entire length, and to effect the necessary street openings and lateral connections to curb poles, property lines and other facilities in the Borough of Oceanport (the "Borough") for said Company's local and through lines and other communications facilities in connection with the transaction of its business. In the event that any public street or way where the Company has facilities is vacated by the Borough, the Borough agrees to reserve unto said Company the rights granted the Company by the present Ordinance.

SECTION 2: All poles, posts, pedestals, cabinets, or other facilities shall be located and placed back of the curb lines where shown on the official map(s) of the Borough; the poles and posts, however, shall be located within eighteen (18) inches of the face of such curb line or as may otherwise be mutually agreed by both parties, or at the points or places now occupied by the poles, posts, pedestals, cabinets, or other facilities of the Company, its successors and assigns, and where there are no curb lines, at other convenient points or places in, upon, along, adjacent, or across the public streets and ways as may be mutually agreed upon between the parties.

SECTION 3: The Company may bury its local and through communications facilities such as cables, conduit, manholes and associated equipment, fixtures, process equipment and appurtenances within the right-of-way of the various public streets and ways and at such locations as shall be mutually agreed upon by the parties for said Company's local and through lines and communications facilities. Underground conduits and associated facilities, as aforementioned, shall be placed at least eighteen (18) inches below the surface of said public streets and ways and with the exception of lateral branches to curb poles and property lines and other facilities, the same shall generally not be constructed more than ten (10) feet from the curb line, unless obstructions make it necessary to deviate from such course or unless the parties mutually agree to another location. Manholes shall be located at such points along the line of underground conduits as may be necessary or convenient for placing, maintaining, and operating the facilities, as aforementioned, which the Company may from time to time use in connection with its underground conduit system and shall be so constructed as to conform to the cross-sectional and longitudinal grade of the surface so as not to interfere with the safety or convenience of persons or vehicles.

SECTION 4: Before proceeding with any new construction or relocation work in an area covered by this Ordinance, the Company shall give prior notice in writing thereof to the Borough, through its designated representative, of its intention to perform such work. The Company shall obtain such street opening or excavation permits as may be lawfully required by any applicable ordinances regulating such openings or excavations. Any such area affected by the Company in constructing its facilities shall be restored to as good condition as it was before the commencement of work thereon. No public streets or ways shall be encumbered for a period longer than shall be reasonable to execute the work.

SECTION 5: The Company agrees to indemnify and save harmless the Borough from and against all claims and liabilities resulting from any injury or damage to the person or property of any person, firm or corporation caused by or arising out of road conditions resulting from any negligent or faulty excavations, installation or maintenance connected with the work or equipment of said Company, and not attributable to the fault or negligence of the Borough, except that if such injury or damage shall be caused by the joint or concurring negligence or fault of the Company and the Borough, the same shall be borne by them to the extent of their respective fault or negligence.

SECTION 6: Whenever a curb line shall be established on streets where one does not now exist or where an established curb line shall be relocated in order to widen an existing street in conjunction with road construction being performed by the Borough, the Company shall change the location of its above-ground facilities covered by this Ordinance in accordance with applicable law, so that the same shall



be back of, and adjacent to, the new curb line so long as the Borough has acted in accordance with applicable law and with reasonable care in establishing the new curb line and providing notice thereof.

SECTION 7: Any company or corporation having legal authority to place its facilities in the public streets and ways of the Borough may jointly use the Company's poles, posts, pedestals or other structures for all lawful purposes, provided the Company consents to such use, on terms and conditions acceptable to the Company and not inconsistent with the provisions of the present Ordinance.

SECTION 8: The Company shall provide space, to the extent available, on its poles so long as said poles are occupied by the Company and space, to the extent available, in its main conduits existing on the date of passage of this Ordinance, but not exceeding one (1) duct of standard size, for the sole benefit of the Borough during the pendency of this Ordinance. Such space shall be provided for the exclusive use of the Borough which use shall be limited to accommodating the wires or electrical conductors required for one-way signal control in connection with municipal police patrol, fire alarm signal control and traffic signal control systems only; but for no other uses or purposes, either alone or in conjunction therewith; nor for circuits for the supply of electrical energy for traffic or other signals; nor for wires, conductors, cable or the equivalent which provide a means of transmitting any signal to a private, commercial or residential location, and which is normally provided by a nongovernmental supplier; provided, further, that no such use or attachment by the Borough shall interfere with the plant or facilities of or the use thereof by the Company. All costs or expenses incurred by the Company in connection therewith shall be paid by the Borough. It shall be the obligation of the Borough to attach its wires to the poles or place its electric conductors in the conduits or manholes of the Company, provided that before proceeding with said work, either by itself or by a person, firm or corporation engaged to perform such work, the Borough shall give the Company thirty (30) days prior notice in writing. All such work shall be performed under the supervision of said Company. The Borough will indemnify and save harmless the Company from and against all claims, liabilities or demands arising in any manner in connection with the Borough's wires or facilities or their installation, maintenance, operation or removal, or the Borough's use or enjoyment of the Company's plant or facilities provided under this Section 8.

SECTION 9: If any or all of the said streets or ways are later taken over by the County of Monmouth or the State of New Jersey, such County or State shall

have such rights and privileges and be subject to the same terms, conditions and limitations of use as apply herein to the Borough, provided, however, that satisfactory prior arrangements as may be necessary are made with the Borough and the Company for the full protection of the respective interest of each.

SECTION 10: The term "Borough" as used in this Ordinance shall be held to apply to and include any form of municipality or government into which the Borough or any part thereof may at any time hereafter be changed, annexed, or merged.

SECTION 11: The permission and consent hereby granted shall apply to and cover all communications facilities of the Company existing at any time, and related structures, process equipment, and appurtenances heretofore or hereafter erected, constructed, reconstructed, removed, located, relocated, replaced, maintained, repaired, or operated by the Company, its predecessors, successors, or assigns within the Borough. This Ordinance shall cancel and supersede all prior consent ordinances between the Borough and the Company regarding the subject matter hereof.

SECTION 12: This Ordinance shall continue in full force and effect for a period of fifty (50) years from the date it becomes effective subject to the right of the Company to seek such changes herein as may be deemed necessary and reasonable from time to time prior to the expiration of said period. The Company shall maintain its property within the Borough and shall comply with applicable law for the provision of safe, adequate and proper service within the Borough at just and reasonable rates. At and after expiration of the term of this Ordinance, the Company shall safeguard the public interest in continuous and uninterrupted service within the Borough.

SECTION 13: In the event that any provision herein shall for any reason be illegal or unenforceable under applicable law, such illegality or unenforceability shall not affect any other provisions of this Ordinance, and this Ordinance shall be construed as if such illegal or unenforceable provision(s) had never been contained herein.

SECTION 14: The Company shall pay the expenses incurred for advertising required in connection with the passage of this Ordinance, after the date of its first reading, within thirty (30) days after the Company has received a bill for said advertising from the publisher. Following final passage of this Ordinance, the Borough Clerk shall provide the Company with written notice thereof by certified mail. As provided by applicable law, this Ordinance shall not become effective until acceptance thereof by the Company and approval thereof by the Board of Regulatory Commissioners.

APPROVED:

  
THOMAS W. CAVANAGH, JR., MAYOR

DATE:

June 4, 1992

AN ORDINANCE TO AMEND AN ORDINANCE  
ENTITLED "GARBAGE, RUBBISH AND REFUSE"  
PASSED AND APPROVED ON MAY 20, 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:

1. That Section 38.2(I) of the Ordinance Entitled "Garbage, Rubbish and Refuse" passed and approved on May 20, 1976, be and the same is hereby amended as follows:

- I. No person shall throw, lay deposit or leave, or cause to be thrown, laid, deposited or left, in or upon any vacant lot or open space, street, avenue, alley, highway, sidewalk or parking space or lot, or into any waterway flowing within, through or adjacent to the borough, garbage, ashes, rubbish, waste, refuse, trimmings and clippings or substances of a like nature in any manner contrary to the provisions of this ordinance.

2. That Section 38.2(K) of the said Ordinance is hereby amended as follows:

K. No grass, leaves, brush, branches or yard rakings shall be placed loose or in piles in sidewalk, gutters or streets where the same may be dispersed by wind, forces of nature, passersby or traffic, except as set forth in Subsection F and G above. It shall be unlawful for any grass clippings or trimmings to be dispersed at any time into any public street, highway, thoroughfare or other right of way.

3. All provisions of the Ordinance being amended herein which are not modified by this Ordinance shall remain in full force and effect.

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

Passed and approved by Mayor and Council July 16, 1992.

PATRICIA L. VARCA  
BOROUGH CLERK

## ORDINANCE #624

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, 1992 unless otherwise stated, be and the same is hereby amended to read as follows:

A. ADMINISTRATIVE AND EXECUTIVE

|                          |           |
|--------------------------|-----------|
| Mayor                    | \$ 1,500. |
| Councilpersons, each (6) | 1,500.    |
| Borough Clerk            | 37,450.   |
| Secretary                | 18,350.   |

B. FINANCIAL ADMINISTRATION

|                             |         |
|-----------------------------|---------|
| Chief Financial Officer     | 11,330. |
| Supervisor Accounts Payable | 19,690. |

C. BOARD OF ASSESSORS

|                                 |         |
|---------------------------------|---------|
| Assessor                        | 18,820. |
| Deputy                          | 3,245.  |
| Deputy                          | 2,850.  |
| Assessment Clerk 1/1/92-4/10/92 | 2,360.  |

D. COLLECTION OF TAXES

|                                |         |
|--------------------------------|---------|
| Tax Collector 1/1/92-4/10/92   | 12,000. |
| Tax Collector Effective 7/6/92 | 23,000. |
| Tax Office Clerk               | 14,755. |

E. MUNICIPAL COURT

|                            |        |
|----------------------------|--------|
| Municipal Court Judge      | 9,735. |
| Court Administrator        | 8,490. |
| Deputy Court Administrator | 5,155. |
| Municipal Prosecutor       | 3,000. |

F. LEGAL SERVICES

|                  |        |
|------------------|--------|
| Borough Attorney | 3,500. |
|------------------|--------|

G. PLANNING BOARD

|           |        |
|-----------|--------|
| Secretary | 4,120. |
|-----------|--------|

## ORDINANCE #624 continued.....

## H. ZONING BOARD OF ADJUSTMENT

|           |        |
|-----------|--------|
| Secretary | 2,340. |
|-----------|--------|

## I. ENVIRONMENTAL COMMISSION

|           |      |
|-----------|------|
| Secretary | 400. |
|-----------|------|

## J. POLICE DEPARTMENT

|                 |         |
|-----------------|---------|
| Chief           | 51,184. |
| Captain         | 46,820. |
| Detective Sgt.  | 45,199. |
| Sergeants, each | 44,562. |
| Detective       | 42,826. |

|  |         |
|--|---------|
| Patrolman I [commencing fifth year of<br>service and each year thereafter] | 42,180. |
|--|---------|

|   |         |
|---|---------|
| Patrolman II [commencing fourth year<br>of service] | 38,193. |
|---|---------|

|   |         |
|---|---------|
| Patrolman III [commencing third year<br>of service] | 34,206. |
|---|---------|

|   |         |
|---|---------|
| Patrolman IV [commencing second year<br>of service] | 30,218. |
|---|---------|

|   |         |
|---|---------|
| Patrolman V [commencing first year<br>of service] | 24,937. |
|---|---------|

## Dispatchers:

|  |         |
|--|---------|
| Third year of employment<br>and each year thereafter | 22,680. |
|--|---------|

|                           |         |
|---------------------------|---------|
| Second year of employment | 21,546. |
|---------------------------|---------|

|                          |         |
|--------------------------|---------|
| First year of employment | 19,278. |
|--------------------------|---------|

|               |        |
|---------------|--------|
| Records Clerk | 2,147. |
|---------------|--------|

|                              |        |
|------------------------------|--------|
| School Crossing Guards, each | 5,408. |
|------------------------------|--------|

## K. PUBLIC WORKS &amp; RECYCLING DEPARTMENT

|   |         |
|---|---------|
| Public Works Superintendent<br>1/1/92 - 4/30/92 | 38,220. |
|---|---------|

|  |         |
|--|---------|
| Public Works Superintendent<br>Effective 6/15/92 | 30,500. |
|--|---------|

|            |           |   |         |
|------------|-----------|---|---------|
| Helper I   | \$20,800. | - | 21,840. |
| Helper II  | 19,165    | - | 20,125. |
| Helper III | 16,915    | - | 17,760. |

## L. RECREATION AND EDUCATION

|   |         |
|---|---------|
| Recreation Director                     | 4,080.  |
| Recreation Aides & Assistants, total    | 7,360.  |
| Basketball Director                     | 695.    |
| Building Custodian                      | 1,030.  |
| Community Center/Old Wharf Reservations | 670.    |
| Welfare Director                        | 3,000.  |
| Library Aide                            | 1,800.  |
| Construction Official                   | 12,125. |
| Building Inspector                      | 5,510.  |
| Building SubCode Official               | 2,200.  |
| Plumbing SubCode Official               | 4,400.  |
| Housing Inspector                       | 2,200.  |
| Fire Prevention SubCode Official        | 1,820.  |
| Fire Marshal                            | 1,820.  |
| Zoning Enforcement Officer              | 2,755.  |
| Casual Labor                            | 1,000.  |

## M. BOARD OF HEALTH

|   |      |
|---|------|
| Registrar                               | 775. |
| Deputy Registrar 1/1/92-4/10/92         | 315. |
| Secretary, Bd. of Health 1/1/92-4/10/92 | 775. |

## N. CASUAL LABOR \$6.00 - 7.50 per hour

## O. LONGEVITY will be allowed in accordance with the schedule as listed below by all full time employees. (40 hours per week, 52 weeks per year). This provision shall be retroactive to January 1, 1992.

|                                     |         |
|-------------------------------------|---------|
| 6 through 10 years of service-----  | \$ 600. |
| 11 through 15 years of service----- | 900.    |
| 16 through 20 years of service----- | 1,200.  |
| 21 through 25 years of service----- | 1,500.  |
| 25 years of service and above-----  | 1,800.  |

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 8/20/92

PATRICIA L. VARCA  
BOROUGH CLERK

**AN ORDINANCE TO AMEND AN ORDINANCE  
ENTITLED "THE SUBSTANCE ABUSE COMMITTEE  
ORDINANCE" OF THE BOROUGH OF OCEANPORT  
PASSED AND APPROVED ON OCTOBER 20, 1988.**

**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 the Ordinance entitled "The Substance Abuse Committee Ordinance" of the Borough of Oceanport passed and approved on October 20, 1988, be and the same is hereby amended as follows:

**Section 3: Composition.**

The Substance Abuse Committee of the Borough of Oceanport shall be composed of as many members without limitation as may be selected and appointed from time to time by the Mayor and Council. The Committee may include representatives from the Oceanport Police Department, Parent-Teachers Organization and other public and private agencies which deal with the community on a regular basis.

**Section 6: Qualifications of Members.**

Members of the Substance Abuse Committee shall be either residents of the Borough of Oceanport or employees of the Oceanport Board of Education and shall serve without compensation, except as may be hereinafter provided.

2. All provisions of the ordinance being amended herein which are not modified by this Ordinance shall remain in full force and effect.

3. This Ordinance shall take effect following final passage and publication as provided by law.

Passed and approved by Mayor and Council on September 3, 1992

PATRICIA L. VARCA  
BOROUGH CLERK

**AN ORDINANCE AUTHORIZING THE  
PARTICIPATION BY THE BOROUGH OF  
OCEANPORT IN THE MONMOUTH COUNTY  
MUTUAL AID AGREEMENT.**

BE IT ENACTED by the Mayor and Council of the Municipality of Oceanport, in the County of Monmouth and State of New Jersey an ordinance establishing the participation of said municipality in a county-wide compact which shall be known as "The Monmouth County Mutual Aid Agreement."

This ordinance is enacted pursuant to N.J.S.A. 40:48-1(6) and N.J.S.A. 40A:14-156.1 and is adopted as a reciprocal agreement with all municipalities participating in the county-wide mutual aid compact. Pursuant to this agreement, the municipality of Oceanport shall render assistance to any participating municipality by providing members of the Oceanport Police Department, upon request, to help preserve the public peace and order.

In the event that a member of the Oceanport Police Department is injured while rendering assistance to a participating municipality, the municipality providing assistance shall be primarily responsible for any costs as a result of the injury. However, nothing in this ordinance shall serve as a bar to the municipality providing assistance from seeking indemnification from the municipality receiving assistance.

This ordinance is separate and distinct from any mutual aid agreements previously entered into between the Borough of Oceanport and any other municipalities and shall remain in full force and effect until specifically repealed by an affirmative act of the governing body.

This ordinance shall take effect following final passage and publication as provided by law.

Passed and approved by Mayor and Council on December 3, 1992.

Patricia L. Varca  
Borough Clerk

## ORDINANCE #627

**AN ORDINANCE PURSUANT TO LOCAL CAP LAW CONCERNING  
THE 1993 MUNICIPAL BUDGET OF THE BOROUGH OF OCEANPORT  
IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

**WHEREAS**, the Local Government Cap Law, N.J.S.A. 40A:4-5.1 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 1993 has been certified by the Director of the Division of Local Government Services in the Department of Community Affairs as 1.5%, and

**WHEREAS**, the Borough Council of the Borough of Oceanport finds it advisable and necessary to increase its 1993 budget by more than 1.5% 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 3.5% increase in the budget for said year, amounting to \$89,788.12 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 Borough Council of the Borough of Oceanport, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the 1993 budget year, the final appropriations of the Borough of Oceanport shall, in accordance with this ordinance and L. 1986, C. 203, be increased by 3.5%, amounting to \$89,788.12, and that the 1993 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 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 18, 1993.

PATRICIA L. VARCA  
BOROUGH CLERK



## ORDINANCE #628

ORDINANCE AUTHORIZING INTERLOCAL  
SERVICES AGREEMENT WITH THE COUNTY  
OF MONMOUTH FOR PARTICIPATION IN THE  
COUNTY'S EMERGENCY TELECOMMUNICATIONS  
SYSTEM (ENHANCED 9-1-1 SERVICE)

BE IT ORDAINED by the Governing Body of the Borough of Oceanport, County of Monmouth, State of New Jersey:

1) The Borough of Oceanport chooses to be a participating local unit in Monmouth County's Emergency Telecommunications System for Enhanced 9-1-1 service for calendar year 1993.

2) The Mayor of the Borough of Oceanport, Thomas W. Cavanagh, Jr. is hereby authorized to execute the agreement with the County of Monmouth.

3) \$2,364.52, payable on May 1, 1993, is hereby appropriated for participation in the System for calendar year 1993.

4) The certification of the Chief Financial Officer is attached hereto setting forth that funds are available in the 1993 Municipal Budget under Police, Other Expenses, in the amount of \$2,400.00.

Passed and approved by the Governing Body March 18, 1993.

PATRICIA L. VARCA  
BOROUGH CLERK

ORDINANCE AUTHORIZING THE MAYOR  
AND CLERK TO EXECUTE A PROJECT AGREEMENT WITH MONMOUTH  
COUNTY FOR PERFORMANCE AND DELIVERY OF FY 1992  
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 \$3,170,000.00 for FY 1992 (Eighteenth 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 1992 which included a project hereinafter referred to as **Street and Drainage Improvements for Summerfield, Springfield and Fairfield Avenues and Woodbine Way** with a grant allocation of \$68,753.64. This project will be undertaken in the **Hillcrest Service Area** 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 approvable **"TIMETABLE FOR PROJECT COMPLETION AND EXPENDITURE GRANT FUNDS"**, which is included as Appendix I 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 Project Agreement.

Passed and approved by Mayor and Council March 18, 1993.

PATRICIA L. VARCA  
BOROUGH CLERK

ORDINANCE AUTHORIZING THE  
MAYOR TO SIGN A CERTIFICATION  
PROHIBITING THE USE OF EXCESSIVE FORCE AND  
THE CERTIFICATION PROHIBITING THE USE OF  
FEDERAL FUNDS FOR LOBBYING

WHEREAS, certain Federal funds are potentially available to Monmouth County through the Housing and Community Development Act of 1974, as amended; and

WHEREAS, the U.S. Department of H.U.D. has allocated funding to the County in the amount of \$3,170,000.00 for Fiscal Year 1992; and

WHEREAS, the County is making some of these funds available to certain participating municipalities and non-profit agencies; and

WHEREAS, it is required that the Borough of Oceanport execute a project agreement with Monmouth County to undertake a project known as Street and Drainage Improvements for Summerfield, Springfield and Fairfield Avenues and Woodbine Way; and

WHEREAS, the U.S. Department of H.U.D. is requiring that the Mayor or other Chief Executive Officer of the Borough of Oceanport sign additional certifications in order to receive these funds; and

WHEREAS, these additional certifications are

1. Prohibition against the use of Excessive Force; and
2. Prohibition of use of Federal Funds for Lobbying; and

WHEREAS, the Borough of Oceanport has adopted a policy prohibiting the use of excessive force by its law enforcement agency (police force) within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

WHEREAS, a copy of that policy is attached to and made a part of this ordinance; and

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Oceanport has met the conditions of receiving a FY 1992, CDBG allocation by adopting a policy prohibiting the use of excessive force and by not using Federal funds for lobbying or by disclosing that funds have been used for lobbying.

BE IT FURTHER RESOLVED, that the Mayor of the Borough of Oceanport is hereby authorized to sign the attached certifications which will become a part of the FY 1992 project agreement.

PASSED AND APPROVED BY MAYOR AND COUNCIL MARCH 18, 1993.

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, 1993 unless otherwise stated, be and the same is hereby amended to read as follows:

A. ADMINISTRATIVE AND EXECUTIVE

|                          |           |
|--------------------------|-----------|
| Mayor                    | \$ 1,500. |
| Councilpersons, each (6) | 1,500.    |
| Borough Clerk            | 39,900.   |
| Secretary                | 19,550.   |

B. FINANCIAL ADMINISTRATION

|                             |         |
|-----------------------------|---------|
| Chief Financial Officer     | 11,800. |
| Supervisor Accounts Payable | 22,175. |

C. BOARD OF ASSESSORS

|          |         |
|----------|---------|
| Assessor | 20,050. |
| Deputy   | 3,375.  |
| Deputy   | 2,975.  |

D. COLLECTION OF TAXES

|                  |         |
|------------------|---------|
| Tax Collector    | 27,000. |
| Tax Office Clerk | 15,725. |

E. MUNICIPAL COURT

|                            |         |
|----------------------------|---------|
| Municipal Court Judge      | 10,125. |
| Court Administrator        | 9,050.  |
| Deputy Court Administrator | 5,500.  |
| Municipal Prosecutor       | 3,000.  |

F. LEGAL SERVICES

|                  |        |
|------------------|--------|
| Borough Attorney | 3,500. |
|------------------|--------|

G. PLANNING BOARD

|           |        |
|-----------|--------|
| Secretary | 4,285. |
|-----------|--------|

## H. ZONING BOARD OF ADJUSTMENT

|           |        |
|-----------|--------|
| Secretary | 2,435. |
|-----------|--------|

## I. ENVIRONMENTAL COMMISSION

|           |      |
|-----------|------|
| Secretary | 420. |
|-----------|------|

## J. POLICE DEPARTMENT

|                 |         |
|-----------------|---------|
| Chief           | 54,525. |
| Captain         | 49,863. |
| Detective Sgt.  | 48,137. |
| Sergeants, each | 47,459. |
| Detective       | 45,610. |

|  |         |
|--|---------|
| Patrolman I [commencing fifth year of<br>service and each year thereafter] | 44,922. |
|--|---------|

|   |         |
|---|---------|
| Patrolman II [commencing fourth year<br>of service] | 40,676. |
|---|---------|

|   |         |
|---|---------|
| Patrolman III [commencing third year<br>of service] | 36,429. |
|---|---------|

|   |         |
|---|---------|
| Patrolman IV [commencing second year<br>of service] | 32,182. |
|---|---------|

|   |         |
|---|---------|
| Patrolman V [commencing first year<br>of service] | 26,558. |
|---|---------|

## Dispatchers:

|  |         |
|--|---------|
| Third year of employment<br>and each year thereafter | 24,155. |
|--|---------|

|                           |         |
|---------------------------|---------|
| Second year of employment | 22,290. |
|---------------------------|---------|

|                          |         |
|--------------------------|---------|
| First year of employment | 20,535. |
|--------------------------|---------|

|               |        |
|---------------|--------|
| Records Clerk | 2,300. |
|---------------|--------|

|                              |        |
|------------------------------|--------|
| School Crossing Guards, each | 5,625. |
|------------------------------|--------|

## K. PUBLIC WORKS &amp; RECYCLING DEPARTMENT

|                             |        |
|-----------------------------|--------|
| Public Works Superintendent | 32,500 |
|-----------------------------|--------|

|          |           |   |         |
|----------|-----------|---|---------|
| Helper I | \$21,840. | - | 23,275. |
|----------|-----------|---|---------|

|           |        |   |         |
|-----------|--------|---|---------|
| Helper II | 20,125 | - | 21,450. |
|-----------|--------|---|---------|

|            |        |   |         |
|------------|--------|---|---------|
| Helper III | 17,760 | - | 18,925. |
|------------|--------|---|---------|

## L. RECREATION AND EDUCATION

|   |         |
|---|---------|
| Recreation Director                     | 4,250.  |
| Recreation Aides & Assistants, total    | 7,655.  |
| Basketball Director                     | 725.    |
| Building Custodian                      | 1,075.  |
| Community Center/Old Wharf Reservations | 700.    |
| Welfare Director                        | 3,000.  |
| Library Aide                            | 1,875.  |
| Construction Official                   | 12,625. |
| Building Inspector                      | 5,750.  |
| Building SubCode Official               | 2,300.  |
| Plumbing SubCode Official               | 4,575.  |
| Housing Inspector                       | 2,300.  |
| Fire Prevention SubCode Official        | 1,900.  |
| Fire Marshal                            | 1,900.  |
| Zoning Enforcement Officer              | 2,875.  |
| Casual Labor                            | 1,000.  |

## M. BOARD OF HEALTH

|           |      |
|-----------|------|
| Registrar | 825. |
|-----------|------|

## N. EMERGENCY MANAGEMENT

|                                  |        |
|----------------------------------|--------|
| Emergency Management Coordinator | 1,820. |
|----------------------------------|--------|

## O. CASUAL LABOR \$6.00 - 7.50 per hour

P. LONGEVITY will be allowed in accordance with the schedule as listed below by all full time employees. (40 hours per week, 52 weeks per year). This provision shall be retroactive to January 1, 1993.

|                                     |         |
|-------------------------------------|---------|
| 6 through 10 years of service-----  | \$ 600. |
| 11 through 15 years of service----- | 900.    |
| 16 through 20 years of service----- | 1,200.  |
| 21 through 25 years of service----- | 1,500.  |
| 25 years of service and above-----  | 1,800.  |

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 4/1/93

PATRICIA L. VARCA  
BOROUGH CLERK

THE VEHICLE AND TRAFFIC ORDINANCE OF THE  
BOROUGH OF OCEANPORT, COUNTY OF  
MONMOUTH, 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:

ARTICLE I  
Definitions

64-1. Words and phrases defined

Words and phrases used in this ordinance shall have the meaning, respectively, ascribed to them in Subtitle 1 of Title 39 of the Revised Statutes of New Jersey and shall be deemed to apply to such words and phrases used herein.

ARTICLE II  
Prohibited Parking; Prohibited stopping or standing;  
Time Limit Parking

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 AM and 5:00 AM.

64-2. Regulations not inclusive

The provisions of this Article imposing a time limit on parking shall not relieve any person of the duty to observe other or more restrictive provisions prohibiting or limiting the stopping, standing or parking of vehicles as set forth in N.J.R.S..39:4-138, any other New Jersey Statute, or as hereinafter provided.

64-3. Parking prohibited at all times on certain streets

No person shall park a vehicle at any time upon any of the streets or parts thereof described in Schedule I attached to and made a part of this ordinance.

64-4. Parking prohibited during certain hours on certain streets

No person shall park a vehicle between the hours specified in Schedule II of any day upon any of the streets or parts of streets described in said Schedule II attached to and made part of this ordinance.

64-5. Stopping or standing prohibited during certain hours on certain streets

No person shall stop or stand a vehicle between the hours specified in Schedule III (except Sundays and public holidays) upon any of the streets or parts of streets described in said Schedule III attached to and made part of this ordinance.

64-6. Parking time limited on certain streets

No person shall park a vehicle for longer than the time limit shown on Schedule IV at any time between the hours listed on said schedule of any day specified upon any of the streets or parts of streets described in Schedule IV attached to and made part of this ordinance.

## ARTICLE III

Parking Prohibited Temporarily for Snow Plowing,  
Snow Removal and Other Emergencies

64-7. Parking prohibited during certain emergencies;  
duration of prohibition

A. Whenever snow has fallen and the accumulation is such that it covers the street or highway, no person shall be parked on the streets or parts of streets described in Schedule V attached to and made part of this ordinance.

B. The above parking prohibition shall remain in effect after the snow has ceased until the streets have been plowed sufficiently and to the extent that parking will not interfere with the normal flow of traffic.

64-8. Procedure and method of notification of such emergencies

A. Upon declaration of an emergency, there shall be no parking upon streets or sections of streets where temporary "EMERGENCY NO PARKING" signs are displayed. The Chief of Police or, in his absence, the ranking police officer, is authorized to declare an emergency and to direct the posting of said "EMERGENCY NO PARKING" signs when weather conditions, accidents, fires or public celebrations dictate or require the avoidance of hazards or other conditions which interfere with the free flow of traffic.

B. Notification that the "EMERGENCY NO PARKING" signs are being or will be posted shall be given to the operator or owner of any vehicle which has been parked prior to the posting of the signs.

64-9. Removal of unoccupied vehicles

Any unoccupied vehicle parked or standing in violation of this ordinance shall be deemed a nuisance and a menace to the safe and proper regulation of traffic, and any peace officer may provide for the removal of such vehicle. The owner shall pay the reasonable costs of the removal and storage which may result from such removal before regaining possession of the vehicle.

64-10. Effectiveness contingent on erection of signs

The effectiveness of this ordinance is contingent on signs being erected as required by law.

## ARTICLE IV

## Vehicles Excluded from Certain Streets

64-11. Trucks and buses over four tons excluded from certain streets. Trucks over four (4) tons gross weight are hereby excluded from the streets or parts of streets described in Schedule VI, except for the pickup or delivery of materials on such streets, said Schedule VI being attached to and made part of this ordinance.

## ARTICLE V

## One Way Streets

64-12. One way streets designated

The streets or parts of streets described in Schedule VII, attached to and made part of this ordinance, are hereby designated as one way streets in the direction indicated.



## ARTICLE VI

Through Streets, Stop Intersections and Yield  
Intersections

## 64-13. Through streets designated

Pursuant to the provisions R.S. 39:4-140, the streets or parts of streets described in Schedule VIII, attached to and made part of this ordinance, are hereby designated through streets. Stop signs shall be installed on the near right side of each street intersecting the through street except when "YIELD RIGHT-OF-WAY" signs are provided for in the designation.

## 64-14. Stop intersections designated

Pursuant to the provisions of R.S. 39:4-140, the intersections described in Schedule IX, attached to and made part of this ordinance, are hereby designated as stop intersections. "STOP" signs shall be installed as provided therein.

## 64-15. Yield intersections designated

Pursuant to the provisions of R.S. #0:4-140, the intersections described in Schedule X, attached to and made part of this ordinance, are hereby designated as yield intersections. "YIELD RIGHT-OF-WAY" signs shall be installed as provided therein.

## ARTICLE VII

## Loading Zones

## 64-16. Loading Zones designated

The locations described in Schedule XI, attached to and made part of this ordinance, are hereby designated as loading zones.

## ARTICLE VIII

## Taxi Stands

## 64-17. Taxi Stands designated

The locations described in Schedule XII, attached to and made part of this ordinance, are hereby designated as taxi stands.

## ARTICLE IX

## Bus Stops

## 64-18. Bus stops designated

The locations described in Schedule XIII, attached to and made part of this ordinance, are hereby designated as bus stops.

## ARTICLE X

## Turn Prohibitions

## 64-19. Left turn prohibition

No person shall make a left turn at any of the locations described in Schedule XIV, attached to and made part of this ordinance.

## 64-20. Right turn prohibition

No person shall make a right turn at any of the locations described in Schedule XV, attached to and made part of this ordinance.

## 64-21. Right turn-on-red prohibition

No person shall make a right turn-on-red at any of the locations described in Schedule XVI, attached to and made part of this ordinance.

## 64-22. U - turn prohibition

No person shall make a U-turn at any of the locations described in Schedule XVII, attached to and made part of this ordinance.

## 64-23. All-turns prohibited

No person shall make a turn at any of the locations described in Schedule XVIII, attached to and made part of this ordinance.

ARTICLE XI  
Speed Limits

64-24. Speed limits for certain streets designated.  
The speed limits for the streets or parts of streets described in Schedule XIX shall be given in the said schedule, attached to and made part of this ordinance. Signs shall be installed in accordance with the latter of authorization of the Commissioner of Transportation.

ARTICLE XII  
No Passing Zones

64-25. Pursuant to R.S. 39:4-197 and 39:4-201.1 the following streets and portions of streets described in Schedule XX, attached to and made part of this ordinance are hereby designated as passing or no passing zones.

ARTICLE XIII  
Pedestrian Crosswalks

64-26. Pursuant to the provisions of R.S. 30:4-37, the following locations on streets or parts of streets described in Schedule XXI, attached to and made part of this ordinance, are hereby designated as pedestrian/school crosswalks.

64-27. Schedule XXIII - Reserved

ARTICLE XIV  
Designated Handicap Parking Spaces

64-28. Pursuant to R.S. 39:4-197.6, 39:4-197 and 39:4-204 et.seq. the following locations are hereby designated as handicap parking spaces as described in Schedule XXIII, attached to and made part of this ordinance.

ARTICLE XV  
Penalties

64-29. Violations and penalties  
Unless another penalty is expressly provided by New Jersey Statute, every person convicted of a violation of a provision of this ordinance, or any supplement thereto, shall be liable to a penalty of not less than fifty dollars (\$50.00), nor more than two hundred dollars (\$200.00) or imprisonment for a term not exceeding fifteen (15) days, or both.

ARTICLE XVI  
Effect and Short Title of Ordinance

64-30. Severability  
If any part or parts of this ordinance are for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

64-31. Repeal of prior ordinances  
All former traffic ordinances of the Borough of Oceanport are hereby repealed, and all ordinances or parts of ordinances in conflict with or inconsistent with the provisions of this ordinance are hereby repealed, except that this repeal shall not affect or prevent prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this ordinance.

64-32. Title  
This ordinance may be known and cited as "The Traffic Ordinance".

ARTICLE XVII  
Schedules

## 64-33. Schedule I - No parking

In accordance with the provisions of 64-3, no person shall park, stop or stand a vehicle at any time upon any of the following described streets or parts of streets:

| <u>Name of Street</u>                    | <u>Side</u>  | <u>Location</u>  |
|--|--------------|--|
| Asbury Avenue                            | Both         | From the westerly curbline of Rossiter Place to Relwof Avenue.   |
| Branch Avenue                            | South        | Entire Length.   |
| Branchport Avenue                        | Both         | From the Borough of Oceanport-City of Long Branch corporate line to the southerly curbline of the south leg of Doreen Drive.   |
| Branchport Avenue                        | Both         | From northerly curbline of Centennial Place to the southerly curbline of Colonial Drive.   |
| Bridgewaters Drive                       | Both         | From Relwof Ave. to the Oceanport Creek Bridge, including both bridge approaches.  |
| Comanche Drive                           | Both         | From the easterly curbline of Port-au-Peck Avenue to the southerly curbline of Shrewsbury Avenue.  |
| Driveway                                 | Both         | Entire length.   |
| East Main Street                         | South & West | From the easterly curbline of Pemberton Avenue to a point 75 feet south of the southerly curbline of Bridgewaters Drive 75 feet south of the southerly curbline of Bridgewaters Drive. |
| East Main Street <sup>?</sup>            | North & East | From easterly curbline of Pemberton Avenue to a point 50 feet south of the southerly curbline of Bridgewaters Drive.   |
| Eatontown Boulevard<br>(County Rt# 537)  | Both         | From the Borough of Oceanport-Borough of West Long Branch corporate line to the southerly curbline of Monmouth Road (S.R. #71)   |
| Gooseneck Point Road                     | Both         | Entire Length.   |
| Leonard Avenue<br>(Horseneck Point Road) | Both         | From the New Jersey Transit (New York-Long Branch) Railroad Line to the easterly terminus at Oceanport Creek.  |
| Main Street                              | North        | From westerly curbline of Oceanport Avenue to the Borough of Oceanport-Borough of Eatontown Corporate line.  |
| Main Street                              | South        | From the easterly curbline of Eatontown Blvd. to the westerly curbline of the west leg of Hedge Drive.   |

| <u>Name of Street</u>                                  | <u>Side</u> | <u>Location</u>   |
|--|-------------|---|
| Main Street  | South       | From the easterly curbline of Arcana Avenue to the westerly curbline of Oceanport Avenue.   |
| Maple Place  | East        | From southerly curbline of Shrewsbury Avenue to the southerly terminus of Maple Place.  |
| Monmouth Boulevard                                     | Both        | From the easterly curbline of Myrtle Avenue to a point 75' east of the easterly curbline of Shrewsbury Avenue.                        |
| Monmouth Boulevard                                     |             | From the Borough of Oceanport-City of Long Branch corporate line to a point 100 feet west of the westerly curbline of Comanche Drive. |
| Myrtle Avenue<br>(Seven Bridge Road and Cty Route 29A) | Both        | From the Borough of Oceanport-Borough of Little Silver corporate line to northerly curbline of Port-Au-Peck Avenue.                   |
| Oceanport Avenue                                       | Both        | From the southerly curbline of Main Street/East Main Street to the Borough of Oceanport-Borough of Little Silver corporate line.      |
| Oceanport Avenue                                       | Both        | From the southerly curbline of Pemberton Avenue to the northerly curbline of Port-au-Peck Avenue.                                     |
| Oceanport Avenue                                       | Both        | From the southerly curbline of Port-au-Peck Avenue to the Borough of Oceanport-Borough of West Long Branch corporate line.            |
| Port-au-Peck Avenue                                    | Both        | From the easterly curbline of Wolfhill Avenue/Eatontown Boulevard to a point 600 feet east of the easterly curbline of Myrtle Avenue. |
| Port-au-Peck Avenue                                    | Both        | From the northerly curbline of Monmouth Boulevard to the southerly curbline of Cayuga Avenue.   |
| Port-au-Peck Avenue                                    | East        | From the northerly curbline of Fiore Court to the southerly curbline of Iroquois Avenue.  |
| Port-au-Peck Avenue                                    | West        | From northerly curbline of Fiore Court to northerly curbline of Comanche Drive.   |
| Relwof Avenue  | Both        | From southerly curbline of Asbury Avenue to Leeward Court.  |

| <u>Name of Street</u>   | <u>Side</u>     | <u>Location</u>   |
|---|-----------------|---|
| Shrewsbury Avenue   | North<br>& East | From Branchport Avenue to the southerly curbline of Monmouth Blvd.  |
| Shrewsbury Avenue   | South<br>& West | From the westerly curbline of Port-au-Peck Avenue to the southerly curbline of Monmouth Boulevard.  |
| Wardell Circle<br>(Access roadway<br>from Nicholson<br>Place) | Both            | From the southerly curbline of Nicholson Place to the northerly curbline of Wardell Circle (on the access roadway).   |
| Wolfhill Avenue   | East            | From the northerly curbline of Port-au-Peck Avenue to northerly curbline of Branch Avenue;<br>And from a point 475 feet south of the southerly curbline of Pemberton Avenue to the southerly curbline of Main Street. |
| Wolfhill Avenue   | West            | From the northerly curbline of Port-au-Peck Avenue to the southerly curbline of Main Street.  |

64-34. Schedule II - No stopping, standing or parking certain hours

A. In accordance with the provisions of 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 thereof:

| <u>Name of<br/>Street</u> | <u>Side</u> | <u>Hours</u>           | <u>Location</u>  |
|---------------------------|-------------|------------------------|--|
| Fairfield Avenue          | Both        | 11:00 AM to<br>8:00 PM | Entire Length  |
| Springfield Avenue        | Both        | 11:00 AM to<br>8:00 PM | Entire Length  |
| Summerfield Avenue        | Both        | 11:00 AM to<br>8:00 PM | Entire Length  |
| Woodbine Way              | Both        | 11:00 AM to<br>8:00 PM | Entire Length  |
| East Main Street          | West        | 11:00 AM to            | From 75 feet south of the southerly curbline of Bridgewaters Drive to Port-au-Peck Avenue. |
| East Main Street          | East        | 11:00 AM to<br>8:00 PM | From Lake Avenue to Port-au-Peck Avenue.   |

B. The above stopping, standing and parking prohibitions will be in effect during the official dates of the Monmouth Park Race Track 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 (approximately from January 1 to May 31 and September 1 to December 31); provided, however, that the hours of prohibition during any such period shall extend from 11:00 AM to 12:00 AM midnight. Signs will be removed when the legal requirement is no longer in effect.

C. No person shall park a vehicle on any street between the hours of 2:00 AM and 5:00 AM.

## 64-35. Schedule III - No stopping or standing

Reserved

## 64-36. Schedule IV - Time limit parking

In accordance with the provisions of 64-6, no person shall park a vehicle for longer than the time limit shown upon any of the following streets or parts of streets:

| Name of Street   | Sides | Time Limit | Hours              | Location   |
|------------------|-------|------------|--------------------|--|
| East Main Street | East  | 30 Minutes | 8:00 AM to 5:00 PM | From Lake Avenue to a point 50 feet south of the southerly curbline of Bridgewaters Dr.              |
| Main Street      | South | 2 Hours    | 8:00 AM to 6:00 PM | From the easterly curbline of the west leg of Hedge Drive to the westerly curbline of Arcana Avenue. |

## 64-37. Schedule V - No parking temporarily for snow plowing

In accordance with the provisions of 64-7, no person shall park a vehicle upon any of the following described streets or parts of streets when snow has fallen and the accumulation is such that it covers the street:

| Name of Street      | Location  |
|---------------------|---|
| Asbury Avenue       | Entire Length                                   |
| Bridgewaters Drive  | Entire Length                                   |
| Cayuga Avenue       | Entire Length                                   |
| Comanche Drive      | Entire Length                                   |
| East Main Street    | Entire Length                                   |
| Elizabeth Drive     | Entire Length                                   |
| Itaska Place        | Entire Length                                   |
| Main Street         | Entire Length                                   |
| Milton Avenue       | Entire Length                                   |
| Pemberton Avenue    | Entire Length                                   |
| Pocano Avenue       | Entire Length                                   |
| Port-au-Peck Avenue | Entire Length                                   |
| Relwof Avenue       | Entire Length                                   |
| Seneca Place        | Entire Length                                   |
| Shrewsbury Avenue   | From Branchport Avenue to the easterly terminus |
| So. Pemberton       | Entire Length                                   |
| Werah Place         | Entire Length                                   |
| Wolfhill Avenue     | Entire Length                                   |

## 64-38. Schedule VI - Trucks over four tons excluded

In accordance with the provisions of 64-11, trucks and buses over four tons registered weight are hereby excluded from the following streets or parts of streets, except for the pick-up and delivery of materials or passengers on such streets:

| <u>Name of Street</u>                | <u>Location</u>   |
|--------------------------------------|---|
| Bridgewaters Drive-<br>Relwof Avenue | Between East Main Street-<br>Asbury Avenue and Myrtle Avenue.                                   |
| Comanche Drive                       | Between Monmouth Boulevard<br>(County Road 33) and Port-au-Peck<br>Avenue.                      |
| East Main Street                     | Between Oceanport Avenue and<br>Bridgewaters Drive.   |
| Evergreen Lane-<br>Burnt Mill Circle | Between Monmouth Road (New Jersey<br>Route #71) and Eatontown Boulevard<br>(County Route #537). |
| Port-au-Peck Avenue                  | Between Monmouth Boulevard<br>(County Road #33) and Branchport<br>Avenue (County Road #29).     |
| Wolfhill Avenue                      | Between Eatontown Boulevard (County<br>Road #537) and Main Street.                              |

## 64-39. Schedule VII - One way streets

In accordance with the provisions of 64-12, the following described streets or parts of streets are hereby designated as one-way streets in the direction indicated:

| <u>Name of Street</u> | <u>Direction</u> | <u>Limits</u> |
|-----------------------|------------------|---------------|
|                       | (Reserved)       |               |

## 64-40. Schedule VIII - Through streets

In accordance with the provisions of 64-13, the following streets or parts of streets are hereby designated as through streets. Stop signs shall be installed on the near right side of each street intersecting the through street except where yield right-of-way signs are provided in the designation:

| <u>Name of Street</u> | <u>Location</u>  |
|-----------------------|--|
| ASBURY AVENUE         | Between Myrtle Avenue and Relwof Avenue.   |
| BRIDGEWATERS DRIVE    | Between East Main Street and Relwof Avenue;  |
| COMANCHE DRIVE        | Between Port-au-Peck Avenue and Monmouth Boulevard;<br>Between Monmouth Boulevard and Pocano Avenue. |
| EAST MAIN STREET      | Between Oceanport Avenue and Port-au-Peck Avenue.  |
| MAIN STREET           | Between Oceanport Avenue and the Borough of Oceanport-Borough of<br>Eatontown corporate line.        |
| MILTON AVENUE         | Between Monmouth Boulevard and Asbury Avenue;<br>Between Asbury Avenue and Sea Girt Avenue.          |
| MONMOUTH BOULEVARD    | Between Myrtle Avenue and its' western terminus.   |
| PEMBERTON AVENUE      | Between Oceanport Avenue and Wolfhill Avenue.  |

| <u>Name of Street</u>   | <u>Location</u> |
|---|-----------------|
| PORT-AU-PECK AVENUE   |                 |
| Between Eatontown Boulevard/Wolfhill Avenue and Oceanport Avenue; |                 |
| Between Oceanport Avenue and East Main Street;                    |                 |
| Between East Main Street and Branchport Avenue;                   |                 |
| Between Branchport Avenue and Monmouth Boulevard;                 |                 |
| Between Monmouth Boulevard and Pocano Avenue.                     |                 |

WOLFHILL AVENUE  
Between Eatontown Boulevard/Port-au-Peck Avenue and Main Street.

64-41. Schedule IX - Stop intersections

In accordance with the provisions of 64-14, the following described intersections are hereby designated as stop intersections:

ALGONQUIN AVENUE and Bayview Place/Mohawk Avenue  
Stop signs shall be installed on Algonquin Avenue.

AVON AVENUE and Sea Girt Avenue  
A Stop sign shall be installed on Avon Avenue.

BELMAR AVENUE and Sea Girt Avenue  
A Stop sign shall be installed on Belmar Avenue.

BLACKBERRY BAY DRIVE and Gooseneck Point Road  
A Stop sign shall be installed on Blackberry Bay Drive.

BRIDGEWATERS DRIVE and Relwof Avenue  
A Stop sign shall be installed on Bridgewaters Drive on northern corner of the Bridgewaters Drive/Relwof Avenue center roadway divider at that point which traffic will enter upon/cross Relwof Avenue in a northwesterly direction.

BUNGALOW PLACE and Bridgewaters Drive  
A Stop sign shall be installed on Bungalow Place.

CENTER STREET and Pleasant Place  
A Stop sign shall be installed on Center Street.

COMANCHE DRIVE and Pocano Avenue  
A Stop sign shall be installed on Comanche Drive.

DRIVEWAY (from Charles Park) and Driveway  
A Stop sign shall be installed on Driveway (from Charles Park) in a eastbound direction where it joins Driveway that runs north/south.

DWYANE STREET and Monmouth Park Place  
A Stop sign shall be installed on Dwyane Street.

ELINORE COURT and Winhar Place  
A Stop sign shall be installed on Elinore Court.

ELINORE COURT and Herbert Place  
A Stop sign shall be installed on Elinore Court.

EVERGREEN LANE and Burnt Mill Circle  
A Stop sign shall be installed on Evergreen Lane.

HERBERT PLACE and Werah Place  
A Stop sign shall be installed on Herbert Place.

HIAWATHA AVENUE and Bayview Place  
Stop signs shall be installed on Hiawatha Avenue.

ITASKA PLACE and Tohican Avenue  
A Stop sign shall be installed on Itaska Place.



ITASKA PLACE and Seneca Place

Stop signs shall be installed on Itaska Place.

IROQUOIS AVENUE and Tohican Avenue

A Stop sign shall be installed on Iroquois Avenue.

LEEWARD COURT and Relwof Avenue

A Stop sign shall be installed on Leeward Court at that point which traffic will enter upon Relwof Avenue/Bridgewaters Drive.

MAPLE PLACE and Shrewsbury Avenue

A Stop sign shall be installed on Maple Place.

MAPLE COURT and Massaro Street/Maple Avenue

A Stop sign shall be installed on Maple Court.

MAPLE AVENUE and Massaro Street/Maple Court

A Stop sign shall be installed on Maple Avenue, on the southeast intersecting corner.

MANITTO PLACE and Winhar Place

A Stop sign shall be installed on Manitto Place.

MANITTO PLACE and Ausable Avenue

A Stop sign shall be installed on Manitto Place.

MANITTO PLACE and Itaska Place

Stop signs shall be installed on Manitto Place.

MONMOUTH PARK PLACE and South Pemberton Avenue

A Stop sign shall be installed on Monmouth Park Place.

MORRIS PLACE and River Street

A Stop sign shall be installed on Morris Place.

NICHOLSON PLACE and northerly end of access roadway to Wardell Circle

A Stop sign shall be installed on Nicholson Place.

PINETREE LANE and Brunt Mill Circle

A Stop sign shall be installed on Pinetree Lane.

PINETREE LANE and Wittenburg Court

A Stop sign shall be installed on Pinetree Lane.

PORT-AU-PECK AVENUE and Pocano Avenue

A Stop sign shall be installed on Port-au-Peck Avenue.

RELWOF AVENUE and Bridgewaters Drive

A Stop sign shall be installed on Relwof Avenue for traffic flowing southerly on the southern corner of the Bridgewaters Drive/Relwof Avenue center roadway divider at that point which traffic will enter or cross the through traffic from Bridgewaters Drive/Asbury Avenue.

REVERE DRIVE and Colonial Drive

A Stop sign shall be installed on Revere Drive.

RIVER STREET and Shrewsbury River

A Stop sign shall be installed on River Street one hundred feet southeast of the intersection with Morris Place on the southwest corner.

RIVERVIEW ROAD and Lake Drive

A Stop sign shall be installed on Riverview Road.

SEA GIRT AVENUE and Bradley Avenue

A Stop sign shall be installed on Sea Girt Avenue.

SEAWANEKA AVENUE and Genesse Avenue

A Stop sign shall be installed on Seawaneka Avenue.

SEAWANEKA AVENUE and Oneida Avenue

A Stop sign shall be installed on Seawaneka Avenue.

SEAWANEKA AVENUE and Pocano Avenue

Stop signs shall be installed on Seawaneka Avenue.

SENECA PLACE and Ausable Avenue

A Stop sign shall be installed on Seneca Place.

SHORE ROAD and Gooseneck Point Road

Stop signs shall be installed on all Shore Road entrances to Gooseneck Point Road.

SHREWSBURY AVENUE and Werah Place

A Stop sign shall be installed on Shrewsbury Avenue.

SOUTH PEMBERTON AVENUE and Elizabeth Drive

A Stop sign shall be installed on South Pemberton Avenue.

TOHICAN PLACE and Sagamore Avenue

A Stop sign shall be installed on Tohican.

TRINITY PLACE and Arcana Avenue

A Stop sign shall be installed on Trinity Place.

VREELAND PLACE and Morris Place

A Stop sign shall be installed on Vreeland Place.

WERAH PLACE and Shrewsbury Avenue

Stop signs shall be installed on Werah Place.

WERAH PLACE and Itaska Place

Stop signs shall be installed on Werah Place.

WERAH PLACE and Smith Street

Stop signs shall be installed on Werah Place.

Willow Court and Arcana Avenue

A stop sign shall be installed on Willow Court.

WINHAR PLACE and Werah Place

Stop signs shall be installed on Winhar Place.

WINHAR PLACE and Smith Street

Stop signs shall be installed on Winhar Place.

WINDWARD COURT and Leeward Court

A Stop sign shall be installed on Windward Court.

WOODBINE WAY and Springfield Avenue

Stop signs shall be installed on Woodbine Way.

WOODBINE WAY and Fairfield Avenue

Stop signs shall be installed on Woodbine Way.

WOODBINE WAY and Summerfield Avenue

Stop signs shall be installed on Woodbine Way.

#### 64-42. Schedule X - Yield intersections

In accordance with the provisions of 64-15, the following described intersections are hereby designated as yield intersections:

BRIDGEWATERS DRIVE/RELWOF AVENUE

Bridgewaters Drive/Relwof Avenue and Bungalow Place.

A Yield sign shall be installed on Bridgewaters Drive at that point which traffic will cross Relwof Avenue to enter upon Bungalow Place in an easterly direction.

BRIDGEWATERS DRIVE and Leeward Court and Relwof Avenue

A Yield sign shall be installed on Bridgewaters Drive at that location which traffic will cross or enter upon Leeward Court/Relwof Avenue in a westerly direction.

BRIDGEWATERS DRIVE and Bridgewaters Drive

A Yield sign shall be installed on Bridgewaters Drive at the most westerly side of the intersection, at that point where traffic from Bridgewaters Drive/Leeward Court/Relwof Avenue flowing southerly, will enter upon and merge with through traffic from Asbury/Relwof Avenue on Bridgewaters Drive.

BURNT MILL CIRCLE and Burnt Mill Circle

A Yield sign shall be installed on Burnt Mill Circle on the southwest corner at the north end of circle, from the west side making an easterly approach into itself.

TURF DRIVE and Turf Drive

A Yield sign shall be installed on Turf Drive on the southwest corner at the north end of circle, from the west side making a northeasterly approach into itself.

WARDELL CIRCLE and northern end access roadway from Nicholson Place

A Yield sign shall be installed on the access roadway on the southern end of said access roadway from Nicholson Place at that point where the northern access roadway enters onto Wardell Circle.

WARDELL CIRCLE and southern end divided median access roadway from Monmouth Boulevard

A Yield sign shall be installed on Wardell Circle at that point of the northerly end of the east side of the divider median on the east side of the roadway where said divided median access roadway enters Wardell Circle in a northerly direction.

WARDELL CIRCLE and southern end divided median access roadway from Monmouth Boulevard

A Yield sign shall be installed on Wardell Circle at that point which the west side of Wardell Circle enters upon the west side of the median divider, from the west side of the Circle in southeasterly direction.

WARDELL CIRCLE and Wardell Circle

A Yield sign shall be installed on Wardell Circle on the southwest corner at the north end of circle, from the west side making an easterly approach into itself.

#### 64-43. Schedule XI - Loading zones

In accordance with the provisions of 64-16, the following described locations are hereby designated loading zones:

Reserved

#### 64-44. Schedule XII - Taxi stands

In accordance with the provisions of 64-17, the following described locations are hereby designated as taxi stands:

Reserved

#### 64-45. Schedule XIII - Bus Stops

In accordance with the provisions of 64-18, the following described locations are hereby designated as bus stops:

Reserved

#### 64-46. Schedule XIV - Left turn prohibition

In accordance with the provisions of 64-19, no person shall make a left turn at any of the following locations:

CRESCENT PLACE and Oceanport Avenue:

From Crescent Place onto Oceanport Avenue from May 1 through September 30, between the hours of 11:30 AM and 8:00 PM.

## 64-47. Schedule XV - Right turn prohibition

In accordance with the provisions of 64-20, no person shall make a right turn at any of the following locations:

Reserved

## 64-48. Schedule XVI - Right turn-on-red prohibition

In accordance with the provisions of 64-21, no person shall make a right turn-on-red at any of the following locations:

Reserved

## 64-49. Schedule XVII - U-turn prohibition

In accordance with the provisions of 64-22, no person shall make U-left turn at any of the following locations;

Reserved

## 64-50. Schedule XVIII - All-turns prohibitions

In accordance with the provisions of 64-23, no person shall make a turn at any of the following intersections:

Reserved

## 64-51. Schedule XIX - Speed limits

In accordance with the provisions of 64-24, the following speed limits for both directions of travel along the following streets are hereby designated:

EAST MAIN STREET [Added 10-5-89 by Ord..No. 592]

30 MPH entire length from the intersection of Main Street and Oceanport Avenue to Port-au-Peck Avenue.

MAIN STREET

35 MPH Entire length. [Amended 3-20-75 by Ord. No. 368]

PORT-AU-PECK AVENUE [Added by Ord. No. 551, 8-20-87]

40 MPH from Wolfhill Avenue to Branchport Avenue  
from October 1 through April 30.

30 MPH from Wolfhill Avenue to Branchport Avenue  
from May 1 through September 30.

25 MPH from Branchport Avenue to Pocano Avenue.

## 64-52. Schedule XX - No passing zones

In accordance with the provisions of 64-25, no person shall pass in a no passing zone on any of the following streets and described locations, and marked in accordance with the respective letters of authorization:

| <u>Name of Street</u> | <u>Direction</u> | <u>Location</u>                |
|-----------------------|------------------|--------------------------------|
| Bridgewaters Drive)   | Both             | From East Main Street to       |
| Relwof Avenue- )      | Both             | Myrtle Avenue, a distance of   |
| Asbury Avenue - )     | Both             | 3,830 feet, the entire length. |
| Comanche Drive        | Both             | From Port-au-Peck Avenue       |
|                       |                  | to Pocano Avenue, a distance   |
|                       |                  | of 5,890 feet, the entire      |
|                       |                  | length.                        |

| <u>Name of Street</u> | <u>Direction</u> | <u>Location</u>  |
|-----------------------|------------------|--|
| East Main Street      | Both             | From Oceanport Avenue to Port-au-Peck Avenue, a distance of 2,960 feet, the entire length. |
| Main Street           | Both             | From Oceanport Avenue to Route 71, a distance of 4,450 feet, the entire length.            |
| Port-au-Peck Avenue   | Both             | From Wolfhill Avenue to Pocano Avenue, a distance of 13,370 feet, the entire length.       |
| Wolfhill Avenue       | Both             | From Main Street to Port-au-Peck Avenue, a distance of 1,960 feet, the entire length.      |

64-53. Schedule XXI - Pedestrian Crosswalks

In accordance with the provisions of 64-26, the following locations are designated as pedestrian/school crosswalks:

East Main Street and Oceanport Gardens

A pedestrian crosswalk mid block, from the south-westerly side of East Main Street to the north-easterly side of East Main Street. Said location is on East Main Street to a point 225 feet south of the southerly curblineline of Bridgewater Drive, to a point 6 feet southerly thereof.

64-54. Schedule XXII - Reserved

64-55. Schedule XXIII - Handicap parking spaces

In accordance with the provisions of 64-28, the following locations are designated as handicap parking spaces:

Reserved

ARTICLE XV

Installation of Signs, Effective Date and Enforcement

64-56. Signs to be installed

Regulatory and warning signs shall be installed as specified in the letters of authorization.

64-57. When effective; enforcement agency

This ordinance shall take effect as provided by law and shall be enforced by the Police Department.

Passed and approved by Mayor and Council April 1, 1993.

PATRICIA L. VARCA  
BOROUGH CLERK

BOND ORDINANCE APPROPRIATING \$ 134,500.  
AND AUTHORIZING THE ISSUANCE OF \$ 127,775.  
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 \$134,500. Including the aggregate sum of \$6,725. 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 \$134,500. 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 \$127,775. 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 \$127,775. 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 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<br/>Estimated Cost</u> | <u>Estimated Maximum<br/>Amount of Bonds<br/>Or Notes</u> |
|---|--|---|
| (1) Acquisition of Ambulance                        | \$ 80,000.                                   | \$ 76,000.  |
| (2) Acquisition and installation of computer system | 27,500.                                      | 26,125.   |
| (3) Installation of gasoline monitoring system      | 20,000.                                      | 19,000.   |
| (4) Acquisition of Public Works loader              | 7,000.                                       | 6,650.  |
|   | <hr/> 134,500.                               | <hr/> 127,775.  |

The excess of the appropriation made for 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. 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 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 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 hereof 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 \$24,700. and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said law.

(d) Amounts not exceeding \$33,625. 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. 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 after final adoption as provided by said Local Bond Law.

Passed and approved by Mayor and Council April 15, 1993.

PATRICIA L. VARCA  
BOROUGH CLERK



**AN ORDINANCE PROHIBITING SMOKING  
IN PUBLIC BUILDINGS AND PROVIDING  
PENALTIES FOR THE VIOLATION THEREOF.**

**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.** As used in this Ordinance, the following terms shall have the meanings indicated:

**SMOKING** - The burning of a lighted cigar, cigarette, pipe or any other matter or substance which contains tobacco.

**Section 2. Prohibited Acts.**

A. Smoking is prohibited at all times from all areas of the Municipal Building, including, without limitation, hallways, corridors, public meeting rooms and chambers, bathrooms, public library and private offices.

**Section 3. Violations.** Any person convicted of violating this Ordinance shall be subject to a fine not exceeding twenty five dollars (\$25.), in compliance with P. L. 1985, c. 381. Each violation shall constitute a separate offense.

**Section 4. When effective.** This Ordinance shall take effect following adoption and publication as required by law.

Passed and approved by Mayor and Council June 3, 1993.

PATRICIA L. VARCA  
BOROUGH CLERK

**AN ORDINANCE TO AMEND 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 and State of New Jersey, as follows:

1. That the Ordinance entitled "The Soil Removal Ordinance" of the Borough of Oceanport passed and approved on April 15, 1982, be and the same is hereby amended as follows:

A. Section 50-2(B) is amended to read as follows:

B. The moving of less than one hundred (100) cubic yards of soil upon any lot on which there is an existing or proposed one or two-family dwelling.

B. Section 50-3(C) is amended to read as follows:

B. The Construction Official shall refer the application(s) to the Borough Engineer if one hundred (100) 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.

C. Section 50-3(C) is amended to read as follows:

C. If required by the Borough Engineer, and in all cases where more than one hundred (100) 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.

D. Section 50-4(A) is amended to read as follows:

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 100  
Above 100

\$ 50.00  
100.00, plus a sum computed  
at \$0.10 per cubic yard  
multiplied by the number of  
yards in excess of 500

2. All provisions of the Ordinance being amended herein which are not modified by this Ordinance shall remain in full force and effect.

3. This Ordinance shall take effect following final passage and publication as provided by law.

Passed and approved by Mayor and Council June 17, 1993.

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 the 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. 40:8B-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 Council July 15, 1993.

PATRICIA L. VARCA  
BOROUGH CLERK

**AN ORDINANCE REGULATING THE  
PLACEMENT OF POLITICAL SIGNS  
AND PROVIDING PENALTIES FOR  
THE VIOLATION THEREOF**

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.**

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

**POLITICAL SIGN** - A sign which directs attention to an issue, issues, candidate or candidates for public consideration in an election, including the name of a political party.

**Section 2. Posting on Public Property and Utility Structures Prohibited.**

No political sign shall be erected, posted, placed on or attached to any public property, utility pole, traffic sign, street sign, fire hydrant, public telephone booth or similar public fixture.

**Section 3. Posting on Private Property Restricted.**

A. No political sign shall be erected, posted or placed on private property without the express consent of the owner, who shall then be responsible for compliance with this ordinance.

B. No sign in excess of eight (8) square feet shall be permitted to be placed on grounds or yards, front, rear or side, facing any public street. All such signs must be at least eight (8) feet from the inner sidewalk line, and if there is no sidewalk, twenty (20) feet from the street line.

C. Only one (1) non-illuminated political sign may be erected or placed on any building lot or parcel at any time.

D. Any political sign erected or placed pursuant to this ordinance shall be constructed of such material that it will not readily tear, and it shall be affixed so that it will not readily become detached.

**Section 4. Time of Posting; Removal.**

No political signs shall be displayed sooner than forty-five (45) days prior to the date of the election or decision of the issue is scheduled, and all such signs shall be removed within five (5) days following said election or date of decision.

**Section 5. Removal By Municipal Official.**

Any sign which does not comply with this ordinance shall be removed forthwith by any official of the Borough of Oceanport.

**SECTION 6. Each Sign to be Separate Offense.**

The erection, posting and placing of each individual sign shall constitute a separate offense.

**Section 7. Violations and Penalties.**

Any person who shall violate any provision of this ordinance by permitting signs on his or her property contrary to the above provisions shall be subject to a fine not exceeding One Hundred (\$100.00) Dollars.

**Section 8. Repealer.**

Section 68-24 A(7) "Political Signs" of the Borough of Oceanport" is hereby repealed.

**Section 9. When Effective.**

This ordinance shall take effect immediately upon final passage and publication as required by law.

Passed and approved by Mayor and Council July 15, 1993.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE  
ENTITLED "AN ORDINANCE ESTABLISHING A MANDATORY  
PROGRAM FOR RECYCLABLE MATERIALS; CREATING THE  
POSITION OF RECYCLING COORDINATOR; PROMULGATING  
RULES AND REGULATIONS FOR THE SEPARATION, RECOVERY,  
COLLECTION, STORAGE AND MARKETING OF SAID MATERIAL AND  
PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF"  
PASSED AND APPROVED ON JUNE 18, 1987

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 the ordinance entitled "An Ordinance Establishing a Mandatory  
Program for Recyclable Materials; Creating the Position of Recycling Coordinator;  
Promulgating Rules and Regulations for the Separation, Recovery, Collection,  
Storage and Marketing of Said Material and Prescribing Penalties for the Violation  
Thereof" passed and approved on June 18, 1987 be and the same is hereby amended  
and supplemented by the addition to Section 1 - Purpose as follows:

SECTION 1. PURPOSE:

- G. On and after May 1, 1993, it shall be mandatory to separate grass  
clippings from household waste and managed by grasscycling, home  
composting or delivery to an authorized compost site.
- H. On and after July, 1993 it shall be mandatory to separate all  
automotive and "wet cell" batteries, household and "dry cell"  
batteries for recycling.
- I. On and after July, 1993 it shall be mandatory to separate all "white  
goods" (large metal appliances).
- J. On and after September, 1993 it shall be mandatory for all commercial  
and residential construction sites to separate asphalt shingles for  
recycling.

2. All provisions of the ordinance 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 August 16, 1993.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE AUTHORIZING REPAIR OF  
TENNIS COURT LIGHTS AT BLACKBERRY  
BAY PARK FOR THE SUM OF \$3,500.,  
AND THE REPAIR OF BOCCE COURTS AT  
OLD WHARF PARK FOR THE SUM OF  
\$3000.

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 several improvements described in Section 1 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 several  
improvements or purposes stated in said Section 1, there are hereby appropriated  
the respective sums of money therein stated as the appropriations made for said  
improvements or purposes, said sums amounting in the aggregate to \$6,500.00.

Section 2. The improvements and purposes for the financing hereby  
authorized is as follows:

| <u>Improvement or Purpose</u>                                 | <u>Appropriations and<br/>Estimated Cost</u> |
|---|--|
| 1. Repair of tennis court<br>lights at Blackberry Bay<br>Park | \$ 3,500.00                                  |
| 2. Repair of bocce courts<br>at Old Wharf Park                | <u>3,000.00</u>                              |
|   | \$ 6,500.00                                  |

Section 3. This ordinance shall take effect upon final adoption and  
publication as required by law.

PASSED AND APPROVED BY MAYOR AND COUNCIL SEPTEMBER 2, 1993.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE TO AMEND AND SUPPLEMENT  
AN ORDINANCE ENTITLED "THE LOT MAIN-  
TENANCE ORDINANCE OF THE BOROUGH OF  
OCEANPORT" PASSED AND APPROVED ON  
AUGUST 7, 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:

1. That the ordinance entitled "The Lot Maintenance Ordinance of the Borough of Oceanport" passed and approved on August 7, 1969, be and the same is hereby amended and supplemented as follows:

**Section 1. Lot Maintenance Required.** From and after the passage of this Ordinance, it shall be unlawful for the owner or tenant of any lands in the Borough of Oceanport to cause or allow brush, weeds, dead and decaying trees, stumps, roots, obnoxious growths, filth, garbage, trash and debris to accumulate upon said lands. It shall also be unlawful for the owner or tenant of any lands within the Borough to cause or allow brush, hedges and other plant life growing within ten (10) feet of any roadway or within twenty-five (25) feet of the intersection of two roadways, to exceed a height of not more than two and one-half ( $2\frac{1}{2}$ ) feet where it shall be necessary and expedient for the perservation of the public safety.

**Section 2. Removal Required Upon Notification:** Whenever any owner or tenant of any lands is notified that his lands contain brush, weeds, dead and decaying trees, stumps, roots, obnoxious growths, filth, garbage, trash and debris, or brush, hedges and other plant life within ten (10) feet any roadway and within twenty-five (25) feet of the intersection of two roadways to a height in excess of two and one-half ( $2\frac{1}{2}$ ) feet, the same shall be removed within ten (10) days after notice is served upon the owner to correct the condition.

**Section 3. Content of Notice and Method of Notification.** The notice required shall contain a description of the property affected sufficiently definite in terms to identify the same, as well as a description of the manner in which such removal or destruction is to be carried out, and said notice shall further contain a statement that unless such removal or destruction is completed within ten (10) days after service of such notice, the Borough of Oceanport will proceed with such removal or destruction or cause the same to be proceeded with as permitted by law, and will charge the cost and expenses thereof against said property. Such notice may be served upon the owner or owners or tenants resident in the Borough of Oceanport, in person or by leaving the same at their usual place of residence with a member of their family above the age of fourteen (14) years. In case any such owner or tenant shall not reside in the Borough of Oceanport, notice may be served upon him or her personally or mailed by the Zoning Office of the Borough of Oceanport by certified letter to the last known post office address appearing on the tax duplicate, or it may be served upon the occupant of the property or upon the agent of the owner or tenant in charge thereof. In case the owner or tenant of such property is unknown or service cannot for any reason be made as above directed, notice thereof shall be posted in a conspicuous place on the property affected and shall be published at least once, not less than ten (10) days before the proposed removal or destruction, in a newspaper circulating within the Borough. There may be inserted in said advertisement notice to the owner or owners of several different parcels of land. Notice to infant owners or tenants or owner or owners or tenants of unsound mind shall be served upon their guardians. Where lands are held in trust, service shall be made upon the trustee. Where lands are held by two (2) or more joint tenants, tenants in common or tenants by the entirety, service upon one (1) of such owners or tenants shall be sufficient and shall be deemed and taken as notice to all.



**Section 5. Collection of Costs.** In any case where it becomes necessary for the Borough of Oceanport to correct the condition, then and in the event the costs thereof shall be certified to the Mayor and Council by the Road Supervisor, and if the amount so certified is, by resolution of the Council, determined to be correct and reasonable, the Borough Clerk shall forthwith deliver a certified copy of the resolution to the Tax Collector. The amount so charged shall forthwith become a lien upon said lands, from which the said brush, weeds, dead and decaying trees, stumps, roots, abnoxious growths, filth, garbage, trash and debris were cut or removed or from which such brush, hedges or other plant life was cut and shall be added to and become and form a part of the taxes next to be assessed and levied upon such lands, the same to bear interest at the same rate as other taxes, and shall be collected and enforced by the Tax Collector in the same manner as taxes as authorized by Sections 40:48-2.13, 40:48-2.14 and 40:48-2.27 of the Revised Statutes of New Jersey.

**Section 5A. Authorization of the County of Monmouth.** The County of Monmouth is hereby authorized and empowered to carry out the provisions of this Ordinance with respect to all lands either abutting county roads or located at intersections of municipal roads with county roads. Such county official as may be designated by the County of Monmouth shall be considered an officer of the Borough with authority to carry out any provision of this Ordinance.

**Section 6. Violations and Penalties.** Any person who shall refuse or neglect, after written notice as above set forth, to comply with the demands therein made within the period of time above set forth, shall upon conviction thereof, be liable to a penalty not to exceed a five hundred dollar (\$500.00) fine, and each and every day in which said owner or tenant shall refuse or neglect so to cut or remove said matter shall be and constitute a separate offense. The imposition and collection of any fine or penalty prescribed by this section shall not bar the right of the Borough to collect the cost of the cutting or removal of the matter as hereinabove specified; and the said remedies shall be accumulative.

2. All provisions of the ordinance 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 following final passage and publication as provided by law.

Passed and approved by Mayor and Council October 7, 1993.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE AUTHORIZING THE DISBURSEMENT  
OF \$2,500. FROM THE BOROUGH OF OCEANPORT  
CAPITAL SURPLUS ACCOUNT FOR THE PURCHASE  
OF AN AMBULANCE

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF OCEANPORT, IN  
THE COUNTY OF MONMOUTH, NEW JERSEY as follows:

1. The sum of \$2,500.00 is hereby authorized to be disbursed from the  
Borough of Oceanport Capital Surplus Account in the Capital Fund to provide  
funding for the purchase of an ambulance.
2. This Ordinance shall take effect upon final passage and publication  
as required by law.

Passed and approved by Mayor and Council November 18, 1993.

PATRICIA L. VARCA  
BOROUGH CLERK

ORDINANCE AUTHORIZING INTERLOCAL  
SERVICE AGREEMENT WITH THE COUNTY  
OF MONMOUTH FOR PARTICIPATION IN THE  
COUNTY'S EMERGENCY TELECOMMUNICATIONS SYSTEM  
(ENHANCED 9-1-1 SERVICE)

**BE IT ORDAINED** by the Governing Body of the Borough of Oceanport, County of Monmouth, State of New Jersey.

1. The Borough of Oceanport chooses to be a participating local unit in Monmouth County's Emergency Telecommunications System for Enhanced 9-1-1 Service for calendar year 1994 through calendar year 2000.

2. The Agreement will be for seven years with the stipulation that any participating municipality may withdraw from the Agreement at the end of any calendar year providing it gives 30 days notice in writing.

3. The cost for the participation in this agreement will be determined for each calendar year during the first week of November of the preceding year and will be distributed to the participating municipalities by November 15th. The cost will be in accordance with the County's 9-1-1 Shared Cost Proposal for each year.

4. \$2,543.67, payable July 1, 1994, is hereby appropriated for participation in the system for calendar year 1994.

5. The Certification of the Chief Financial Officer is attached hereto setting forth that funds are available in the 1994 Budget under Police Other, Account Code 3-001-219-262 in the amount of \$2,543.67.

6. The Mayor of the Borough of Oceanport is hereby authorized to execute the agreement with the County of Monmouth.

Passed and approved by the Governing Body February 4, 1994.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE SUPPLEMENTING THE SUBDIVISION  
AND ZONING ORDINANCES OF THE BOROUGH OF  
OCEANPORT, IN THE COUNTY OF MONMOUTH AND  
THE STATE OF NEW JERSEY, ESTABLISHING  
FACILITIES FOR THE COLLECTION OR STORAGE  
OF SOURCE SEPARATED RECYCLABLE MATERIALS  
IN NEW MULTIFAMILY HOUSING DEVELOPMENTS

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

1. As used in this ordinance:

"Multifamily housing development" means a building containing three or more dwelling units occupied or intended to be occupied by persons living independently of each other, or a group of such buildings;

"Recycling area" means space allocated for collection and storage of source separated recyclable materials.

2. There shall be included in any new multifamily housing development that requires subdivision or site plan approval an indoor or outdoor recycling area for the collection and storage of residentially-generated recyclable materials. The dimensions of the recycling area shall be sufficient to accommodate recycling bins or containers which are of adequate size and number, and which are consistent with anticipated usage and with current methods of collection in the area in which the project is located. The dimensions of the recycling area and the bins or containers shall be determined in consultation with the municipal recycling coordinator, and shall be consistent with the district recycling plan adopted pursuant to section 3 of P.L. 1987, c.102 (N.J.S.A.13:1E-99.13) and any applicable requirements of the municipal master plan, adopted pursuant to section 26 of P.L. 1987, c.102.

3. The recycling area shall be conveniently located for the residential disposition of source separated recyclable materials, preferably near, but clearly separated from, a refuse dumpster.

4. The recycling area shall be well lit, and shall be safely and easily accessible by recycling personnel and vehicles. Collection vehicles shall be able to access the recycling area without interference from parked cars or other obstacles. Reasonable measure shall be taken to protect the recycling area, and the bins or containers placed therein, against theft of recyclable materials, bins or containers.

5. The recycling area or the bins or containers placed therein shall be designed so as to provide protection against adverse environmental conditions which might render the collected materials unmarketable. Any bins or containers which are used for the collection of recyclable paper or cardboard, and which are located in an outdoor recycling area, shall be equipped with a lid, or otherwise covered, so as to keep the paper or cardboard dry.

6. Signs clearly identifying the recycling area and the materials accepted therein shall be posted adjacent to all points of access to the recycling area. Individual bins or containers shall be equipped with signs indicating the materials to be placed therein.

7. Landscaping and/or fencing shall be provided around any outdoor recycling area and shall be developed in an aesthetically pleasing manner.

8. All provisions of this Ordinance are severable. If, for any reason, any provision of this Ordinance is held to be invalid, the validity of the remainder of the ordinance shall not be affected.

9. This Ordinance shall be effective upon final passage and publication according to law.

Passed and approved by Mayor and Council February 17, 1994.

PATRICIA L. VARCA, BOROUGH CLERK

AN ORDINANCE TO AMEND AN ORDINANCE  
ENTITLED "THE TRAFFIC ORDINANCE" OF  
THE BOROUGH OF OCEANPORT PASSED AND  
APPROVED ON APRIL 1, 1993.

**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 64-29 of the Ordinance entitled "The Traffic Ordinance" of the Borough of Oceanport passed and approved on April 1, 1993, be and the same is hereby amended as follows:

**Section 64-29. Violations and penalties.**

Unless another penalty is expressly provided by New Jersey Statute, every person convicted of a violation of a provision of this ordinance, or any supplement thereto, shall be liable to a penalty of not more than two hundred dollars (\$200.) or imprisonment for a term not exceeding fifteen (15) days, or both.

2. All provisions of the Ordinance being amended herein which are not modified by this Ordinance shall remain in full force and effect.

3. This Ordinance shall take effect following final passage and publication as provided by law.

Passed and approved by Mayor and Council March 17, 1994.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE TO AMEND AND SUPPLEMENT  
AN ORDINANCE ENTITLED "THE FEES  
ORDINANCE" OF THE BOROUGH OF OCEANPORT  
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 the Ordinance entitled "The Fees Ordinance" of the Borough of Oceanport passed and approved on April 16, 1981, be and the same is hereby amended and supplemented by the addition of Article IV as follows:

ARTICLE IV

Exemption from Fees

Section 35A-7. Definitions.

The following definitions shall apply to the provisions of Article IV:

A. Volunteer Organization - The Fire Department and First Aid Squad of the Borough of Oceanport.

B. Active Member - Individuals residing in the Borough of Oceanport in any volunteer organization who meet the definition of either active member or active life member as established by the by-laws of the voluntary organization as are in effect on the effective date of this Ordinance. Probationary members are specifically excluded from this definition.

C. Family - An active member, their spouse, and all natural or adopted children under 21 years of age who are unmarried and permanently occupying the same residence in the Borough of Oceanport as the active member.

D. Fees - Those charges established by the Governing Body of the Borough of Oceanport which are fully retained by the Borough of Oceanport as revenue. Specifically excluded is any portion of the fee which is collected by the Borough on behalf of another entity, including but not limited to the State of New Jersey, the County of Monmouth, or an outside vendor.

Section 35A-8. Incentives.

All active members of a volunteer organization and their families shall be entitled to the following benefits:

A. Exemption from fees for recreational programs, with the exception of enrollment fees for the Summer Action Camp program.

B. Exemption from the Municipal portion of the Uniform Construction Code fees for the issuance of a building permit required in connection with either the construction of an addition or completion of repairs to an existing single-family dwelling.

C. Partial exemption from the municipal portion of the Uniform Construction Code fees not to exceed a maximum of Five Hundred Dollars (\$500.) for issuance of a building permit required in connection with the construction of a new single-family dwelling to be occupied by the active member.

D. Exemption from rental fees for indoor facilities, provided that

such rental is for the actual use of the active member or the member's family.

E. Exemption from miscellaneous fees, licenses and permits, including but not limited to cat licenses, marriage licenses, certificate of continued occupancy for any dwelling personally occupied by the active member, and Board of adjustment fees required in connection with applications for either use or bulk variances.

Section 35A-9. Administration

A. On or about January 1st of each calendar year a volunteer organization shall submit to the Borough Clerk a list of all individuals who meet the definition for active member status. Such list shall be updated on a periodic basis by the volunteer organization to add those individuals who have completed their probationary status or to delete individuals who have been dropped from their membership or who no longer meet the criteria for active member status.

B. On a form provided by the Borough Clerk, each active member shall provide information related to family status to assist the various municipal officials in the administration of this Ordinance in order to be eligible for the benefits provided in this Article IV.

C. All active members and their family must comply with all registration procedures and complete all application forms established by the Borough of Oceanport.

Section 35A-10. Exclusions.

No exemption shall be allowed for the following fees:

A. Fees, licenses and permits associated with any for profit activity.

B. Inclusion in programs when the registration is received after maximum registration has been reached.

C. Fees and escrows required by either the Planning Board or Board of adjustment in connection with any site plan or subdivision application.

D. Escrows associated with engineering inspections.

E. Dog license fees.

F. Posting of performance guarantees where required or permitted by law.

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

3. This Ordinance shall take effect immediately following final passage and publication as provided by law.

Passed and approved by Mayor and Council April 7, 1994.

PATRICIA L. VARCA, BOROUGH CLERK

AN ORDINANCE TO AMEND AND SUPPLEMENT  
AN ORDINANCE ENTITLED THE "BOND ORD-  
INANCE APPROPRIATING \$335,000. AND  
AUTHORIZING THE ISSUANCE OF \$318,250.  
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 19, 1989.

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:

1. That Section 3 of the ordinance entitled the "Bond Ordinance Appropriating \$335,000. and Authorizing the issuance of \$318,250. 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 19, 1989, be, and the same is hereby, amended and supplemented as follows:

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<br/>Estimated Cost</u> | <u>Estimated Maximum<br/>Amount of Bonds<br/>or Notes</u> |
|---|--|---|
| Acquisition of (1) 1250<br>GPM Fire Pumper and re-<br>lated equipment and ren-<br>ovation of a 1977<br>American LaFrance Fire<br>Pumper | \$300,000.                                   | \$295,000.  |
| (1) Ford F800 Cab<br>and chassis, 154"<br>W.B. dumptruck  | 30,000.                                      | 28,500.   |
| (1) ten foot<br>Goodroads snow plow   | 5,000.                                       | 4,750.  |
|   | <u>\$335,000.</u>                            | <u>\$318,250.</u>   |

the excess of the appropriations made for 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. All funds to be received from the Program shall be used to satisfy the obligations incurred pursuant to the of this Ordinance.

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

Passed and approved by Mayor and Council April 7, 1994.

PATRICIA L. VARCA  
BOROUGH CLERK



**AN ORDINANCE TO EXCEED THE 1994 INDEX RATE  
IN THE BOROUGH OF OCEANPORT,  
COUNTY OF MONMOUTH**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A:-45.1 et seq., provides 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**, P.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 1994 has been certified by the Director of the Division of Local Government Services in the Department of Community Affairs as 2.5%; and

**WHEREAS**, the Mayor and Council of the Borough of Oceanport, in the County of Monmouth, finds it advisable and necessary to increase its 1994 budget by more than 2.5% 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 of the Borough of Oceanport hereby determines that a 2.5% increase in the budget for said year, amounting to \$67,167.77 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, in the County of Monmouth, a majority of the full authorized membership of this Governing Body affirmatively concurring, that, in the 1994 budget year, this ordinance and P.L. 1993 C.203, be increased by 2.5%, amounting to \$67,167.77, and that the 1994 municipal budget for the Borough of Oceanport be approved and adopted in accordance with this ordinance; 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 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 April 7, 1994.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE REQUIRING DISCLOSURE OF INFORMATION  
REGARDING APPLICANTS FOR MEMBERSHIP IN A  
VOLUNTEER FIRE COMPANY OR FIRST AID SQUAD  
WITHIN THE BOROUGH OF OCEANPORT, COUNTY OF  
MONMOUTH AND STATE OF NEW JERSEY

WHEREAS, the volunteer fire companies and First Aid Squad within the Borough of Oceanport, Monmouth County, New Jersey accept for membership those persons meeting certain criteria; and

WHEREAS, pursuant to N.J.S.A. 15:8-1.1, persons convicted of certain offenses are not eligible for membership in a volunteer fire company; and

WHEREAS, persons convicted of certain offenses should not be eligible for membership in the First Aid Squad; and

WHEREAS, in the ordinary course of duty, volunteer fire fighters and First Aid Squad members have access to homes and businesses; and

WHEREAS, it is desirable that volunteer fire companies and the First Aid Squad of the Borough have access to criminal history records from the Division of State Police/State Bureau of Identification in order to implement and administer the above;

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

1. This Ordinance is enacted pursuant to N.J.S.A. 40:42-1 et. seq. for the health, welfare, and safety of its citizens and to implement N.J.S. 15:8-1.1.

2. Membership in a volunteer fire company means membership in a volunteer fire company organized pursuant to Title 15 of the Revised Statutes or Title 15A of the New Jersey Statutes, membership in a volunteer fire company or similar organization constituted in a fire district pursuant to N.J.S.A. 40A:14-70.1; membership in a junior fire fighter's auxiliary established pursuant to N.J.S.A. 40A:14-95; or nonpaid membership in a part-paid fire department or force established pursuant to Chapter 14 of Title 40A of the New Jersey Statutes.

3. Membership in the First Aid Squad means membership in that organization as would be approved in accordance with its bylaws, rules and regulations.

4. Any person desiring membership in either a volunteer fire company or the First Aid Squad shall complete and file in duplicate an application as may be presented by the particular volunteer organization, but which shall contain the following information concerning the applicant:

- A. Name
- B. Home Address
- C. Birth Date
- D. Social Security Number
- E. Driver's License Number
- F. Any conviction for the violation of N.J.S.A. 2C:17-1:
  - a. Aggravated Arson, or
  - b. Arson, or
  - c. Failure to control or report dangerous fires, or
  - d. Directly or indirectly pays or accepts any form of consideration for the purpose of starting a fire or explosion.
- G. Any conviction for the violation of N.J.S.A. 2C:33-3 False Public Alarms.

- H. Any conviction of a crime or a disorderly persons offense which would indicate that the applicant may be a threat to the health, safety or welfare of the Borough.
- I. Such other information as the volunteer fire company or First Aid Squad deem relevant to the application, provided none of such information is prohibited by law.

5. Following the filing of such application, the volunteer organization shall transmit one copy of the applications to the Chief of Police of the Borough of Oceanport who shall conduct an investigation to ascertain the truth of the statements made by the applicant upon his/her application and any such other investigation of the applicant's background as may be deemed necessary for the protection of the public good. If as the result of such investigation the applicant is found to have been convicted of a violation of N.J.S.A. 2C:17-1, a, b, c, and/or d or N.J.S.A. 2C:33-3 or any other crime or disorderly persons offense which would indicate that the applicant may be a threat to the health, safety or welfare of the Borough or any information which would indicate the applicant's unsuitability for membership, the Chief of Police shall report such information and the particulars thereof to the appropriate volunteer organization.

6. In connection with said investigation, the applicant shall submit to fingerprinting, and the Chief of Police is authorized to submit applicant's fingerprint card and receive state criminal history record information from the Division of State Police/State Bureau of Identification for use in considering the suitability of all applicants covered by this Ordinance.

7. This Ordinance is intended to make the volunteer fire company an Authorized Agency as defined by N.J.A.C. 13:59-1.1.

8. The investigation by the Chief of Police authorized by this Ordinance shall be completed within 30 days of receipt of the application and the fingerprinting of applicant.

9. Any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed.

10. If any provision of this Ordinance or the application of such provision to any person or circumstances is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

11. This Ordinance shall take effect upon its passage and publication as provided by law.

Passed and approved by Mayor and Council April 24, 1994.

Patricia L. Varca  
Borough Clerk

AN ORDINANCE AUTHORIZING REPAIR OF  
TENNIS COURT LIGHTS AT BLACKBERRY  
BAY PARK FOR THE SUM OF \$8,200.00  
AND APPROPRIATING THE SUM OF  
\$8,200.00 FROM RESERVES IN THE  
CAPITAL FUND.

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 improvements described in Section 2 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 2, there are hereby appropriated from reserves in the Capital Fund sums of money therein stated as the appropriations made for said improvements or purposes, said sums amounting in the aggregate to \$8,200.00.

Section 2. The improvements and purposes for the financing hereby authorized is as follows:

| <u>Improvement or Purpose</u>                              | <u>Appropriations and<br/>Estimated Cost</u> |
|--|--|
| 1. Repair of tennis court<br>lights at Blackberry Bay Park | \$8,200.00                                   |

Section 3. This ordinance shall take effect upon final adoption and publication as required by law.

Passed and approved by Mayor and Council April 21, 1994.

Patricia L. Varca  
Borough Clerk

**AN ORDINANCE AUTHORIZING THE BOROUGH OF  
OCEANPORT TO JOIN THE  
STATEWIDE WORKER'S COMPENSATION FUND**

**WHEREAS**, the Borough of Oceanport (hereinafter known as the "LOCAL UNIT"), wishes to become a member of the Statewide Worker's Compensation Fund (hereinafter known as the "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 et seq; and

**WHEREAS**, the Statutes and regulations regulating the creation and establishment of a joint insurance fund contain elaborate restrictions and safeguards concerning the safe and efficient administration of such a Fund; and

**WHEREAS**, the FUND is by its Bylaws authorized to take on the risks of self insurance; and

**WHEREAS**, the LOCAL UNIT has determined that membership in the FUND is in the best interest of the LOCAL UNIT;

**NOW, THEREFORE, 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. The Borough of Oceanport hereby agrees to become a member of the FUND for a period commencing upon (a) the approval of the admission of the LOCAL UNIT by the FUND's Commissioners or Executive Committee, as appropriate and (b) the approval of the admission of the LOCAL UNIT into the FUND by the Commissioner of Insurance.

Section 2. The LOCAL UNIT agrees to become a member of the FUND until December 31, 1996.

Section 3. The LOCAL UNIT's participation in the FUND shall be for the purpose of providing primary insurance coverage for worker's compensation on a self-insured basis, in accordance with the FUND's Risk Management Plan and Bylaws.

Section 4. The Bylaws of the FUND are hereby adopted and approved by the LOCAL UNIT as same have been approved by the Department of Insurance.

Section 5. The Mayor and Clerk of the LOCAL UNIT or such other appropriate administrative officials are hereby authorized and directed to execute a written agreement signifying application for membership in the FUND and to execute such other agreements, including but not limited to, an Indemnity and Trust Agreement in order to implement membership by the LOCAL UNIT in the FUND.

Passed and approved by Mayor and Council May 5, 1994.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE TO AMEND AN ORDINANCE  
ENTITLED "THE SMOKING ORDINANCE"  
OF THE BOROUGH OF OCEANPORT PASSED  
AND APPROVED ON JUNE 3, 1993.

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 49B-2 of the Ordinance entitled "The Smoking Ordinance" of the Borough of Oceanport passed and approved on June 3, 1993, be and the same is hereby amended as follows:

Smoking is prohibited at all time from all areas of the Old Wharf House and all areas of the Municipal Building, including, without limitation, hallways, corridors, public meeting rooms and chambers, bathrooms, public library and private offices.

2. All provisions of the Ordinance being amended herein which are not modified by this Ordinance shall remain in full force and effect.

3. This Ordinance shall take effect following final passage and publication as provided by law.

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 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, 1994 unless otherwise stated, be and the same is hereby amended to read as follows:

**A. ADMINISTRATIVE AND EXECUTIVE**

|                          |           |
|--------------------------|-----------|
| Mayor                    | \$ 1,500. |
| Councilpersons, each (6) | \$ 1,500. |
| Borough Clerk            | \$42,500. |
| Secretary                | \$20,825. |

**B. FINANCIAL ADMINISTRATION**

|                         |           |
|-------------------------|-----------|
| Chief Financial Officer | \$12,325. |
| Assistant Treasurer     | \$27,625. |

**C. BOARD OF ASSESSORS**

|          |           |
|----------|-----------|
| Assessor | \$21,350. |
| Deputy   | \$ 3,525. |
| Deputy   | \$ 3,110. |

**D. COLLECTION OF TAXES**

|                  |           |
|------------------|-----------|
| Tax Collector    | \$27,000. |
| Tax Office Clerk | \$16,750. |

**E. MUNICIPAL COURT**

|                            |           |
|----------------------------|-----------|
| Municipal Court Judge      | \$10,575. |
| Court Administrator        | \$ 9,650. |
| Deputy Court Administrator | \$ 5,850. |
| Municipal Prosecutor       | \$ 3,000. |

**F. LEGAL SERVICES**

|                  |           |
|------------------|-----------|
| Borough Attorney | \$ 3,500. |
|------------------|-----------|

**G. PLANNING BOARD**

|           |           |
|-----------|-----------|
| Secretary | \$ 4,475. |
|-----------|-----------|

**H. ZONING BOARD OF ADJUSTMENT**

|           |           |
|-----------|-----------|
| Secretary | \$ 2,550. |
|-----------|-----------|

**I. ENVIRONMENTAL COMMISSION**

|           |         |
|-----------|---------|
| Secretary | \$ 440. |
|-----------|---------|

**J. POLICE DEPARTMENT**

|  |           |
|--|-----------|
| Chief  | \$58,070. |
| Captain  | \$53,104. |
| Detective Sergeant   | \$51,266. |
| Sergeants, each  | \$50,544. |
| Detective  | \$48,575. |
| Patrolman I (commencing fifth year of service<br>and each year thereafter) | \$47,842. |
| Patrolman II (commencing fourth year of service)                           | \$43,320. |
| Patrolman III (commencing third year of service)                           | \$38,797. |
| Patrolman IV (commencing second year of service)                           | \$34,274. |
| Patrolman V (commencing first year of service)                             | \$28,284. |
| Dispatchers:   |           |
| Third year of employment and<br>each year thereafter                       | \$25,725. |
| Second year of employment  | \$23,740. |
| First year of employment   | \$21,875. |
| Records Clerk  | \$ 2,450. |
| School Crossing Guards, each   | \$ 5,875. |

**K. PUBLIC WORKS & RECYCLING DEPARTMENT**

|                             |             |           |
|-----------------------------|-------------|-----------|
| Public Works Superintendent |             | \$34,625. |
| Helper I                    | \$23,275 -  | \$24,800. |
| Helper II                   | \$21,450. - | \$23,350. |
| Helper III                  | \$18,925 -  | \$20,155. |

**L. RECREATION AND EDUCATION**

|   |           |
|---|-----------|
| Recreation Director                           | \$ 4,450. |
| Recreation Aides & Assistants, total          | \$ 7,655. |
| Basketball Director                           | \$ 750.   |
| Building Custodian                            | \$ 1,200. |
| Community Center/Old Wharf House reservations | \$ 730.   |
| Welfare Director                              | \$ 3,000. |
| Library Aide                                  | \$ 1,950. |
| Construction Official                         | \$13,200. |
| Building Inspector                            | \$6,000.  |
| Plumbing SubCode Official                     | \$ 4,780. |
| Housing Inspector                             | \$ 2,400. |
| Fire SubCode Official                         | \$ 1,985. |
| Fire Marshal                                  | \$ 1,985. |



|                            |           |
|----------------------------|-----------|
| Building SubCode Official  | \$ 2,400. |
| Zoning Enforcement Officer | \$ 3,000. |
| Casual Labor               | \$ 1,000. |

**M. BOARD OF HEALTH**

|           |         |
|-----------|---------|
| Registrar | \$ 880. |
|-----------|---------|

**N. EMERGENCY MANAGEMENT**

|                                  |           |
|----------------------------------|-----------|
| Emergency Management Coordinator | \$ 1,900. |
|----------------------------------|-----------|

**O. CASUAL LABOR**                      \$6.00    -    \$7.50 per hour

**P. LONGEVITY** will be allowed in accordance with the schedule as listed below to all full time employees. (40 hours per week, 52 weeks per year) This provision shall be retroactive to January 1, 1994.

|                                     |          |
|-------------------------------------|----------|
| 6 through 10 years of service-----  | \$ 600.  |
| 11 through 15 years of service----- | \$ 900.  |
| 16 through 20 years of service----- | \$1,200. |
| 21 through 25 years of service----- | \$1,500. |
| 25 years of service and above-----  | \$1,800. |

**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 May 23, 1994.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE TO AMEND AN ORDINANCE  
ENTITLED "THE BOROUGH OF OCEANPORT  
ZONING ORDINANCE" PASSED AND  
APPROVED ON 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:

1. That Section 68-36 of the Ordinance entitled "The Borough of Oceanport Zoning Ordinance: passed and approved on July 3, 1969, be and the same is hereby amended as follows:

68-36. Membership.

A. There shall be a Zoning Board of Adjustment consisting of seven (7) members, hereinafter referred to as the "Board", pursuant to the provisions of the Revised Statutes of New Jersey 40:55-36 to 46 inclusive, as amended and supplemented. Their successors shall be provided by the governing body. The members of the Board shall serve without pay.

B. In addition to the above there shall be two (2) alternate members appointed to the Board of Adjustment as authorized by N.J.R.S. 40:55-36.

2. That Section 68-37 of the said Ordinance be and the same is hereby amended as follows:

68-37. Meetings.

A quorum shall consist of four (4) members, and in order to reverse a decision of the Building Inspector or to authorize a variance from the terms of this ordinance, an affirmative vote of at least four (4) members shall be required. The meeting of the Zoning Board of Adjustment shall be held at the call of the Chairman and at such other times as the Board may determine. The Board shall keep minutes of its proceedings showing the vote of each member upon each question, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record.

3. All provisions of the Ordinance being amended herein which are not modified by this Ordinance shall remain in full force and effect.

4. This Ordinance shall take effect following final passage and publication as provided by law.

Passed and approved by Mayor and Council June 16, 1994.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE ABANDONING, VACATING, RELEASING AND EXTINGUISHING ANY AND ALL PUBLIC RIGHTS IN AND TO AN UN-NAMED STREET RUNNING OFF OF RIVERSIDE AVENUE IN BLOCK 105, IN THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY.

WHEREAS, the Borough Council of the Borough of Oceanport in the County of Monmouth is of the opinion that the public interest will best be served by abandoning, vacating, releasing and extinguishing any and all public rights which the said Borough may have in and to the following described unnamed street running off of Riverside Avenue in Block 105;

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

1. The public rights and interests in and to an unnamed street running off of Riverside Avenue in Block 105, more particularly described as follows, are hereby vacated, abandoned and released:

BEGINNING at a point in the southerly line of Lot 3, Block 105, Oceanport Tax Map, where the same is intersected by the easterly line of Lot 5, Block 105, Oceanport Tax Map and running from said beginning point:

(1) North 86 degrees 36 minutes 00 seconds East, along the southerly line of Lot 3, also being along the northerly line of an unnamed Street, 50.00 feet to the northwesterly corner of Lot 4, Block 105; thence

(2) South 03 degrees 24 minutes 00 seconds East, along the westerly line of Lot 4, 160 feet more or less, to the northwesterly high water line of the Oceanport Creek; thence

(3) Southwestwardly, along the northwesterly high water line of the Oceanport Creek, 83 feet, more or less, to its intersection with the northerly line of Riverside Avenue extended eastwardly; thence

(4) North 86 degrees 45 minutes 00 seconds West, along the eastwardly extension of the northerly line of Riverside Avenue, 35 feet, more or less, to a point of curvature being a corner of Lot 6, Block 105; thence

(5) Eastwardly, northeastwardly, and northwardly along the arc of a curve having a radius of 44.30 feet, and bearing to the left an arc distance of 74.75 feet to the end of said curve in the easterly line of Lot 6; thence

(6) North 03 degrees 24 minutes 00 seconds West, along the easterly line of Lot 6 and along the easterly line of Lot 5, 176.53 feet, more or less, to the point or place of BEGINNING.

2. The rights of public utilities and CATV companies as defined by N.J.S.A. 40:67-1 are hereby expressly reserved and excepted from this vacation.

3. This Ordinance shall become effective twenty (20) days after final passage and publication according to law.

Passed and approved by Mayor and Council June 30, 1994.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE REGULATING THE TRANSPORTATION ACROSS AND LAUNCHING FROM CERTAIN PUBLIC LANDS AND RIGHTS OF WAY WITHIN THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, OF PERSONAL WATERCRAFT, AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, AS FOLLOWS:

**Section 1. Definitions.** Unless the context otherwise indicates, the following definitions shall be used in the interpretation and construction of this ordinance:

A. PERSONAL WATERCRAFT - A power vessel as defined in N.J.S.A. 12:7-62.

B. RIGHT OF WAY - Any street or road, whether improved or unimproved, depicted as a public thoroughfare on the Official Tax Map of the Borough.

C. PUBLIC LANDS - All parcels or lots owned by the Borough other than public rights of way.

**Section 2. Restricted and prohibited activities.**

A. It shall be unlawful for any person to launch personal watercraft from any public land or right of way providing direct access to any river or waterway within the confines of the Borough of Oceanport, or to transport personal watercraft over and across any public land or within fifty (50) feet of the waterline of any right of way.

B. The restrictions contained in this section shall not apply to any public boat launching facility, where it shall be lawful to transport and launch personal watercraft consistent with the provisions of N.J.S.A. 12:7-62 et seq.

**Section 3. Violations and penalties.**

A. Any person violating the terms of this Ordinance or refusing or neglecting to comply with any of the provisions hereof shall, upon conviction therefor, be subject to a fine of not more than fifty dollars (\$50.00) for the first offense and two hundred dollars (\$200.00) for each subsequent offense.

B. Each day's persistence in the things or acts prohibited by this Ordinance shall be and constitute a separate and distinct offense subject to any and all penalties prescribed in this Ordinance.

**Section 4. Effective date.** This Ordinance shall take effect following final passage and publication as provided by law.

Passed and approved by Mayor and Council July 21, 1994.

PATRICIA L. VARCA  
BOROUGH CLERK

BOND ORDINANCE APPROPRIATING \$140,000  
AND AUTHORIZING THE ISSUANCE OF \$133,000:  
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, 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 heretofor, and amounting in the aggregate to \$140,000. including the aggregate sum of \$7,000. 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 \$140,000. 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 \$133,000. 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 a principal amount not exceeding \$133,000. 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 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<br/>Estimated Cost</u> | <u>Estimated Maximum<br/>Amount of Bonds<br/>or Notes</u> |
|---|--|---|
| (1) Reconstruction of some<br>or all of the following<br>streets: |  |   |
| Hiawatha Avenue   |  |   |
| Allenhurst Avenue   |  |   |
| Bayview Place   |  |   |
| Deal Avenue   |  |   |
| Long Branch Avenue  |  |   |
| Belmar Avenue   |  |   |
| Bradley Avenue  |  |   |
| Bungalow Place  |  |   |
|   | 140,000.                                     | 133,000.  |

the excess of the appropriation made for 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. 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 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 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 hereof 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 \$24,700. and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said law.

(d) Amounts not exceeding \$35,000. 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. 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 after final adoption as provided by said Local Bond Law.

Passed and approved by Mayor and Council August 18, 1994.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE TO AMEND AND SUPPLEMENT  
AN ORDINANCE ENTITLED "THE FEES  
ORDINANCE OF THE BOROUGH OF  
OCEANPORT" 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 Section 35A-2 of the ordinance entitled "The Fees Ordinance of the Borough of Oceanport" passed and approved on April 16, 1981, be and the same is hereby amended and supplemented by the addition of Subsection C as follows:

C. Notwithstanding the fee schedule hereinabove set forth in Subsection A, the fee for any hardship/bulk variance involving a single or two-family property regardless of the district in which such property may be located shall be calculated in the same manner as if such property were located in the R-1 to R-5 districts.

2. All provisions of the ordinance 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 following final passage and publication as provided by law.

Passed and approved by Mayor and Council September 1, 1994.

PATRICIA L. VARCA  
BOROUGH CLERK



**AN ORDINANCE AUTHORIZING REPAIR OF  
BASKETBALL COURT AT COMMUNITY CENTER  
FOR THE SUM OF \$3,500., AND PURCHASE OF  
SHRUBBERY FOR OLD WHARF PARK  
FOR THE SUM OF \$3,000.**

**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 several improvements described in Section 1 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 several improvements or purposes stated in said Section 1, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums amounting in the aggregate to \$6,500.00..

Section 2. The improvements and purposes for the financing hereby authorized is as follows:

| <u>Improvement or Purpose</u>                              | <u>Appropriations and<br/>Estimated Cost</u> |
|--|--|
| 1. Repair of basketball court at<br>Community Center       | \$3,500.00                                   |
| 2. Purchase of shrubbery for<br>planting at Old Wharf Park | <u>\$3,000.00</u><br><u>\$6,500.00</u>       |

Section 3. This ordinance shall take effect upon final adoption and publication as required by law.

Passed and approved by Mayor and Council September 1, 1994.

PATRICIA L. VARCA  
BOROUGH CLERK

B

BOND ORDINANCE APPROPRIATING \$15,000  
AND AUTHORIZING THE ISSUANCE OF \$14,250.  
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 improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor, and amounting in the aggregate to \$15,000. including the aggregate sum of \$750. 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 \$15,000. 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 \$14,250. 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 \$14,250. 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 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 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<br/>Estimated Cost</u> | <u>Estimated Maximum<br/>Amount of Bonds<br/>or Notes</u> |
|--|--|---|
| (1) Acquisition of<br>one (1) vacuum<br>leaf loader with<br>curb nozzle pickup | 15,000.                                      | 14,250.   |

the excess of the appropriation made for 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. 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 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 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 bond 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 hereof 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 \$14,250. and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said law.

(d) Amounts not exceeding \$3,750. 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 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 after final adoption as provided by said Local Bond Law.

## ORDINANCE # 660

AN ORDINANCE ABANDONING, VACATING RELEASING  
AND EXTINGUISHING ANY AND ALL PUBLIC RIGHTS  
IN AND TO AN UNIMPROVED STREET APPEARING ON  
THE OFFICIAL TAX MAP AS MALDEN WAY, IN THE  
BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND  
STATE OF NEW JERSEY

WHEREAS, the Borough Council of the Borough of Oceanport in the County of Monmouth is of the opinion that the public interest will best be served by abandoning, vacating, releasing and extinguishing any and all public rights which the said Borough may have in and to the following described unimproved street appearing on the Official Tax Map as Malden Way.

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

1. The public rights and interests in and to an unimproved street appearing on the Official Tax Map as Malden Way, more particularly describes as follows, are hereby vacated, abandoned and released:

**BEGINNING** at the point of intersection of the Northwesterly line of Springfield Avenue, 40.00 feet wide, with the Northeasterly line of Lot 10, Block 127, Borough of Oceanport Tax Map and running from said **BEGINNING** point

(1) Northwestwardly along the Northeasterly line of Lot 10, Block 127, 104.23 feet to the Southeasterly line of Lot 3, Block 127; thence

(2) Northeastwardly along said Southeasterly line 41.70 feet, more or less, to its intersection with the Southwesterly line of Lot 7, Block 127; thence

(3) Southeastwardly along the Southwesterly line of Lot 7, 104.22 feet to the aforesaid Northwesterly line of Springfield Avenue; thence

(4) Southwestwardly along the Northwesterly line of Springfield Avenue, extended Southwestwardly 41.70 feet, more or less to the point or place of **BEGINNING**.

2. The rights of public utilities and CATV companies as defined by N.J.S.A. 40:67-1 are hereby reserved and excepted from this vacation.

3. This Ordinance shall become effective twenty (20) days after final passage and publication according to law.

**AN ORDINANCE TO EXCEED THE CAP INDEX RATE IN  
THE 1995 MUNICIPAL BUDGET OF THE BOROUGH OF  
OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NJ**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A:4-45 et seq., provides 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**, P.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 1995 has been certified by the Director of the Division of Local Government Services in the Department of Community Affairs as 2.5%; and

**WHEREAS**, the Oceanport Mayor and Council of the Borough of Oceanport, in the County of Monmouth, finds it advisable and necessary to increase its 1995 budget by more than 2.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

**WHEREAS**, the Oceanport Mayor and Council hereby determines that a 2- $\frac{1}{2}$ % increase in the budget for said year, amounting to \$70,020.14 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 in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the 1995 budget year, the final appropriations of the Borough of Oceanport shall, in accordance with this ordinance and P.L. 1986, C. 203, be increased by 2- $\frac{1}{2}$ %, amounting to \$70,020.14, and that in the 1995 municipal budget for the Borough of Oceanport be approved and adopted in accordance with this ordinance; 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 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 February 16, 1995.

PATRICIA L. VARCA  
BOROUGH CLERK

**AN ORDINANCE CREATING THE WATER WATCH  
COMMITTEE OF THE BOROUGH OF OCEANPORT,  
ESTABLISHING THE QUALIFICATIONS AND  
TERM OF OFFICE FOR THE MEMBERS THERE-  
OF, AND DEFINING ITS PURPOSES, 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 **"WATER WATCH COMMITTEE ORDINANCE** of the Borough of Oceanport, New Jersey".

**Section 2. Establishment.**

There is hereby established and created a committee to be known as the "Water Watch Committee of the Borough of Oceanport."

**Section 3. Composition.**

The Water Watch Committee of the Borough of Oceanport shall be composed of not less than fifteen (15) members to be selected and appointed by the Mayor and Council at their next regular meeting after this ordinance shall go into effect.

**Section 4. Appointments; term of office.**

The members of the said Water Watch 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 31 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 their respective terms until their successors are appointed and qualified.

**Section 5. Removal from office.**

Any member of the Water Watch 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 Water Watch Committee may consist of both residents and non-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.**

Eight or more members shall constitute a quorum of the Committee.

**Section 10. Purpose; powers and duties.**

A. The purpose of this chapter shall be to create a Water Watch Committee in the Borough of Oceanport to provide for the monitoring of water quality of the rivers, bays, streams and other waterways in and surrounding the Borough of Oceanport, to detect sources of water pollution, and to recommend to the Mayor and Council policies or action to be taken or adopted by the Borough to eliminate or reduce such pollution.

B. To effectuate its purposes, the Committee shall have the power to:

- (1) Obtain equipment and supplies necessary for the monitoring and testing of water quality and the detection of pollution.
- (2) Conduct periodic testing and sampling of the rivers, bays, streams and other waterways in and surrounding the Borough to determine the quality of such water and to detect and identify the presence, nature and source of any water pollution.
- (3) Establish liaison with other governmental organizations and agencies to fulfill the purposes established by this ordinance.
- (4) Design and implement community-wide educational programs intended to foster public awareness of the sources of water pollution and to encourage individual actions likely to reduce or eliminate levels of water pollution.
- (5) Research sources of funding for the activities of the Committee.

**Section 11. Annual appropriation.**

A. During the month of December in each year, the Water Watch 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.

**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 which may occur in the performance of the powers and duties conferred on the Committee by this Ordinance.

**Section 14. Severability.**

If any section, paragraph, sentence, clause, phrase or provision 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 February 16, 1995.

PATRICIA L. VARCA  
BOROUGH CLERK



AN ORDINANCE ESTABLISHING THE  
OCEANPORT UNIFORM CONSTRUCTION  
CODE ENFORCEMENT AGENCY, ESTABLISHING  
FEES, AND REPEALING PRIOR ORDINANCE.

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. Enforcing agency established; subcode officials designated.**

A. There is hereby established in the Borough of Oceanport a State Uniform Construction Code enforcing agency to be known as "Oceanport Uniform Construction Code Enforcement Agency," consisting of a Construction Official, Building Subcode Official, Plumbing Subcode Official, Fire Subcode Official, Electric Subcode Official, Elevator Subcode Official and such other subcode officials for such additional subcodes as the Commissioner of the Department of Community Affairs, State of New Jersey, shall hereafter adopt as part of the State Uniform Construction Code. The Construction Official shall be the chief administrator of the enforcing agency.

B. Each official position created in Subsection A hereof shall be filled by a person qualified for such position pursuant to P.L. 1975,c.217, as amended, and N.J.A.C.5:23, provided that, in lieu of any particular subcode official, an on-site inspection agency may be retained by contract pursuant to N.J.A.C.5:23. More than one (1) such official position may be held by the same person, provided that such person is qualified pursuant to P.L.1975,c.217, and N.J.A.C.5:23 to hold each such position.

C. The public shall have the right to do business with the enforcing agency at one (1) office location, except for emergencies and unforeseen or unavoidable circumstances.

**Section 2. Appeals from the enforcing agency.**

All appeals from decisions of the enforcing agency shall be filed with the Monmouth County Construction Board of Appeals established pursuant to N.J.S.A.52:27D-127 in accordance with the procedure provided in N.J.A.C.5:23.

**Section 3. Fees.**

A. The fee for a construction permit shall be the sum of the subcode fees listed in Subsection A through H hereof and shall be paid before the permit is issued.

1. The fee for plan review, which shall be computed at twenty (20%) percent of the construction permit fee, shall be paid at the time the construction permit shall be granted. Plan review fees shall not be refundable.

2. The fee to be charged for a Certificate of Occupancy shall be paid before a Certificate is issued. This fee shall be in addition to the construction permit fee.

B. The basic construction permit fee shall be the sum of the parts computed on the basis of the volume or cost of construction, the number of plumbing fixtures and pieces of equipment, the number of electrical fixtures and devices and the number of sprinklers, standpipes, and detectors (smoke and heat) at the unit rates provided herein plus any special fees. The minimum fee for a basic construction permit covering any or all of building, plumbing, electrical, or fire protection work shall be \$46.00.

C. Building volume or cost: The fees for new construction or alteration shall be as follows:

(1) Fees for new construction shall be based upon volume of the structure. Volume shall be computed in accordance with N.J.A.C.5:23-2.28. The new construction fee shall be in the amount of \$0.025 per cubic foot of volume for buildings and structures of all use groups and types of construction as classified and defined in Articles 3 and 4 of the Building Subcode; except that the fee shall be \$0.013 per cubic foot of volume for use groups A-1, A-2, A-3, A-4, F-1, F-2, S-1 and S-2, and the fee shall be \$0.0007 per cubic foot for structures on farms including commercial farm buildings under N.J.A.C.5:23-3.2(d), with the maximum fee for such structures on farms not to exceed \$1,050.00.

(2) Fees for renovations, alterations and repairs shall be based upon the estimated cost of the work. The fee shall be in the amount of \$17.00 per \$1,000. From \$50,001. to and including \$100,000., the additional fee shall be in the amount of \$13.00 per \$1000. of estimated cost above \$50,000. Above \$100,000., the additional fee shall be in the amount of \$10.00 per \$1000. of estimated cost above \$100,000. For the purpose of determining estimated cost, the applicant shall submit to the enforcing agency such cost data as may be available produced by the architect or engineer of record, or by a recognized estimating firm, or by the contractor. A bona fide contractor's bid, if available, shall be submitted. The enforcing agency shall make the final decision regarding estimated cost.

(3) Fees for additions shall be computed on the same basis as for new construction for the added portion.

(4) Fees for combination renovations and additions shall be computed as the sum of the fees computed separately in accordance with paragraphs (2) and (3) above.

D. Plumbing fixtures and equipment: The fees shall be as follows:

(1) The fee shall be in the amount of \$10.00 per fixture connected to the plumbing system for all fixtures and appliances except as listed in paragraph (2) below.

(2) The fee shall be \$65.00 per special device for the following: grease traps, oil separators, water-cooled air conditioning units, refrigeration units, utility service connections, back flow preventers, steam boilers, hot water boilers (excluding those for domestic water heating), gas piping, active solar systems, sewer pumps, interceptors and fuel oil piping. There shall be no inspection fee charged for utility gas service entrances.

E. Electrical fixtures and devices: The fees shall be as follows:

(1) For from one to and 50 receptacles or fixtures, the fee shall be in the amount of \$36.00. For each additional twenty-five receptacles or fixtures or part thereof, the fee shall be in the amount of \$6.00. For the purpose of computing this fee, receptacles or fixtures shall include lighting outlets, wall switches, fluorescent fixtures, convenience receptacle or similar fixture, and motors or devices of less than one horsepower or one kilowatt or less.

(2) For each motor or electrical device greater than one horsepower and less than or equal to ten horsepower, and for transformers and generators greater than one kilowatt and less than or equal to ten kilowatts, the fees shall be \$10.00. For pool bonding, the fee shall be \$36.00.

(3) For each motor or electrical device greater than ten horsepower and less than or equal to 50 horsepower; for each service panel, service entrance, or sub-panel less than or equal to 200 amperes; for each transformer or generator greater than 10 kilowatts and less than or equal to 45 kilowatts, and for each utility load management device, the fee shall be \$46.00.

(4) For each motor or electrical device greater than 50 horsepower and less than or equal to 100 horsepower; for each service panel, service entrance, or sub-panel greater than 200 amperes and less than or equal to 1,000 amperes, and for transformers and generators greater than 45 kilowatts and less than or equal to 112.5 kilowatts, the fee shall be \$92.00.

(5) For each motor or electrical device greater than 100 horsepower; for each service panel, service entrance or sub-panel greater than 1,000 amperes; and for each transformer or generator greater than 112.5 kilowatts, the fee shall be \$475.00.

(6) For the purpose of computing these fees, all motors except those in plug-in appliances shall be counted, including control equipment, generators, transformers and all heating, cooking or other devices consuming or generating electrical current.

F. Fire protection and other hazardous equipment: Sprinklers, standpipes, detectors (smoke and heat), pre-engineered suppression systems, gas and oil fired appliances not connected to the plumbing system, kitchen exhaust systems, incinerators and crematoriums:

(1) The fee for 20 or fewer heads or detectors shall be \$46.00; for 21 to and including 100 heads or detectors, the fee shall be \$84.00; for 101 to and including 200 heads or detectors, the fee shall be \$160.00; for 201 to and including 400 heads or detectors, the fee shall be \$415.00; for 401 to and including 1,000 heads or detectors, the fee shall be \$575.00; for over 1,000 heads or detectors, the fee shall be \$735.00. In computing fees for heads and detectors, the number of each shall be counted separately and two fees, one for heads and one for detectors, shall be charged.

(2) The fee for each standpipe shall be \$160.00.

(3) The fee for each independent pre-engineered system shall be \$75.00.

(4) The fee for each gas or oil fired appliance that is not connected to the plumbing system shall be \$46.00.

(5) The fee for each kitchen exhaust system shall be \$46.00.

(6) The fee for each incinerator shall be \$255.00.

(7) The fee for each crematorium shall be \$255.00.

G. The fees for elevator device inspections and tests shall be as follows:

(1) Semi-annual inspections (six month routine)

|                              |               |               |
|------------------------------|---------------|---------------|
| Traction and drum elevators: | 1 - 10 floors | \$151.00 each |
|                              | 10 + floors   | 194.00 each   |
| Hydraulic elevators          |               | 108.00 each   |

|                           |             |
|---------------------------|-------------|
| Roped Hydraulic elevators | 151.00 each |
| Escalators, moving walks  | 151.00 each |

## (2) Annual inspection (one year periodic)

|  |               |
|--|---------------|
| Traction and drum elevators 1 - 10 floors    | \$216.00 each |
| 10 + floors                                  | 259.00 each   |
| Hydraulic elevators                          | 162.00 each   |
| Roped hydraulic elevators                    | 216.00 each   |
| Escalators, moving walks                     | 346.00 each   |
| Dumbwaiters                                  | 86.00 each    |
| Manlifts, wheelchair and stairway chairlifts | 130.00 each   |
| Auxiliary device charge if included:         |               |
| Oil buffers                                  | 43.00 each    |
| Counterweight governor and safeties          | 86.00 each    |
| Auxiliary power generator                    | 54.00 each    |

## (3) Three year inspections:

|   |             |
|---|-------------|
| Hydraulic and roped hydraulic elevators | 270.00 each |
|---|-------------|

## (4) Five year inspections:

|                                  |             |
|----------------------------------|-------------|
| Traction elevators 1 - 10 floors | 367.00 each |
| 10 + floors                      | 410.00 each |
| Hydraulic/roped elevators        | 162.00 each |

## (5) Acceptance inspections:

|  |             |
|--|-------------|
| Traction and drum elevators 1 - 10 floors    | 243.00 each |
| 10 + floors                                  | 405.00 each |
| Hydraulic elevators                          | 216.00 each |
| Roped hydraulic elevators                    | 243.00 each |
| Escalators/moving walks                      | 216.00 each |
| Dumbwaiters                                  | 54.00 each  |
| Manlifts, wheelchair and stairway chairlifts | 54.00 each  |
| Elevator devices in use group R-3 or R-4     | 162.00 each |
| Alterations                                  | 54.00 each  |

## (6) Auxiliary device charges if included:

|                                     |             |
|-------------------------------------|-------------|
| Oil buffers                         | 43.00 each  |
| Counterweight governor and safeties | 108.00 each |
| Auxiliary power generator           | 81.00 each  |

## (7) Plan review fees:

|                                    |             |
|------------------------------------|-------------|
| Single family access use group R-2 | 50.00 each  |
| Use groups R-3 and R-4             | 50.00 each  |
| All other groups                   | 260.00 each |

## H. Certificates and other permits: The fees are as follows:

(1) The fee for a demolition or removal permit shall be \$50.00 for a structure of less than 5,000 square feet in area and less than 30 feet in height, for one or two-family residences (Use group R-3 of the Building Code) and structures on farms, including commercial farm buildings under N.J.A.C. 5:23-3.2(d). The fee for all other use groups shall be \$100.00.

(2) The fee for removal of an oil tank (either underground or above ground) shall be \$50.00.

(3) The fee for a permit to construct a sign shall be in the amount of \$0.50 per square foot surface area of the sign, computed on two sides only for double-faced signs. The minimum fee shall be \$25.00.

(4) The fee for a Certificate of Occupancy shall be in the amount of ten (10%) percent of the new construction permit fee that would be charged by the enforcing agency pursuant to this Ordinance. The minimum fee shall be \$110.00, except for one or two family structures (use group R-3 of the Building Subcode) of less than 5,000.00 square feet in area and less than 30 feet in height and structures on farms, including commercial farm buildings subject to N.J.A.C.5:23-3.2(d), for which the minimum fee shall be \$60.00.

(5) The fee for a Certificate of Occupancy granted pursuant to a change of use group shall be \$60.00.

(6) The fee for a Certificate of Continued Occupancy shall be \$35.00.

(7) There shall be no fee for a temporary Certificate of Occupancy.

(8) The fee for a Certificate of Approval or Certificate of Compliance certifying that the work done under a construction permit has been satisfactorily completed shall be \$25.00.

(9) The fee for residential "resale and/or rental" occupancies shall be as provided in the Housing Code, Chapter 40.

(10) The fee for plan review of a building for compliance under the alternate systems and non-depletable energy source provisions of the energy subcode shall be \$274.00 for one and two-family structures (Use group R-3 of the Building Subcode) and for light commercial structures having the indoor temperature controlled from a single point. The fee for all other structures shall be \$1,369.00.

(11) The fee for an application for a variance in accordance with N.J.A.C. 5:23-2.10 shall be \$500.00 for Class I structures and \$100.00 for Class II and Class III structures. The fee for resubmission of an application for a variation shall be \$200.00 for Class I structures and \$50.00 for Class II and Class III structures.

(12) For cross connections and backflow preventers that are subject to testing, requiring reinspection every three months, the fee shall be \$46.00 for each device when they are tested (thrice annually) and \$120.00 for each device when they are broken down and tested (once annually).

#### I. Surcharge fee.

(1) In order to provide for the training and certification and technical support programs required by the Uniform Construction Code Act, the enforcing agency shall collect, in addition to the fees specified above, a surcharge fee of \$0.0016 per cubic foot of volume of new construction. The fee for all other construction shall be \$0.80 per \$1,000. of value of construction.

(2) Said surcharge fee shall be remitted to the Bureau of Housing Inspection, Department of Community Affairs, on a quarterly basis for the fiscal quarters ending September 30, December 31, March 31, and June 30, and not later than one (1) month next succeeding the end of the quarter for which it is due.

(3) The enforcing agency shall report annually at the end of each fiscal year to the Bureau of Housing Inspection, and not later than July 31, the total amount of the surcharge fee collected in the fiscal year.

#### **Section 4. Municipal enforcing agency fees.**

A. The Construction Official shall, with the advice of the subcode officials, prepare and submit to the Mayor and Council, annually, a report recommending a fee schedule based on the operating expenses of the agency and any other expenses of the municipality fairly attributable to the enforcement of the State Uniform Construction Code Act.

B. A copy of the Construction Official's report recommending a fee schedule and setting forth enforcing agency revenues and expenses shall be filed with the Department of Community Affairs when prepared and a copy of the Ordinance, together with the fee schedule, shall be filed with the Department when enacted or amended.

#### **Section 5. Repealer.**

All prior ordinances and parts of ordinances inconsistent herewith are hereby repealed.

#### **Section 6. Effective date.**

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

Passed and approved by Mayor and Council March 2, 1995.

PATRICIA L. VARCA  
BOROUGH CLERK

**AN ORDINANCE PROHIBITING THE  
FEEDING OF WATERFOWL IN THE  
BOROUGH OF OCEANPORT, MONMOUTH  
COUNTY, NEW JERSEY, AND FIXING  
PENALTIES FOR THE VIOLATION THEREOF.**

**WHEREAS**, it appears that a public nuisance and health hazard can be created by the droppings of waterfowl in public lands and park areas, as well as in the streams, rivers, bays and waterways in and around the Borough, and

**WHEREAS**, the feeding of waterfowl causes them to concentrate in unnaturally large groups, thereby discouraging their normal migration patterns; and

**WHEREAS**, the feeding of waterfowl increases their dependency on people, which in turn can become the cause of the spread of disease, which is inimical to the health of the waterfowl, as well as the general public; and

**WHEREAS**, this ordinance has been designed to prevent the aforementioned problems, which may be harmful to waterfowl, animals and the general public;

**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. Definitions.**

Waterfowl shall include all those species of birds commonly known as "swans", "geese", "brant", "river and sea ducks" and any other waterfowl.

**Section 2. Feeding prohibited.**

No person or persons shall feed, cause to be fed, or provide food for waterfowl on any public property within the Borough.

**Section 3. Exceptions.**

This ordinance shall not be construed to prohibit humane acts toward waterfowl in individual cases.

**Section 4. Prohibited conditions.**

No person or person shall create or foster any condition, or allow any condition to exist or continue, which results in a congregation or congestion of waterfowl, or in an accumulation of waterfowl feces or droppings or in damage to flora or fauna on any public property, or in a public health nuisance or in a threat to the health, safety and welfare of the public or the waterfowl.

**Section 5. Enforcement.**

The Oceanport Police Department, Code Enforcement Officer, and the Monmouth County Board of Health are hereby authorized and directed to enforce the provisions of this ordinance.

**Section 6. Penalties.**

Any person or persons convicted of a violation of any of the provisions of this ordinance shall be subject to a fine of twenty-five (\$25.) for the first offense,

fifty dollars (\$50.) for a second offense, and one hundred dollars (\$100.) for subsequent offense thereafter.

**Section 7. Reapler.**

Any ordinances or sections of any ordinances which are contrary to this ordinance are hereby reapled.

**Section 8. Effective date.**

This ordinance shall become effective immediately upon final passage and publication according to law.

Passed and approved by Mayor and Council March 2, 1995.

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 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, 1995 unless otherwise stated, be and the same is hereby amended to read as follows:

**A. ADMINISTRATIVE AND EXECUTIVE**

|                          |           |
|--------------------------|-----------|
| Mayor                    | \$ 1,500. |
| Councilpersons, each (6) | \$ 1,500. |
| Borough Clerk            | \$44,625. |
| Secretary                | \$21,660. |

**B. FINANCIAL ADMINISTRATION**

|                         |           |
|-------------------------|-----------|
| Chief Financial Officer | \$33,730. |
|-------------------------|-----------|

**C. BOARD OF ASSESSORS**

|          |           |
|----------|-----------|
| Assessor | \$22,205. |
| Deputy   | \$ 3,205. |

**D. COLLECTION OF TAXES**

|                  |           |
|------------------|-----------|
| Tax Collector    | \$28,080. |
| Tax Office Clerk | \$17,420. |

**E. MUNICIPAL COURT**

|                            |           |
|----------------------------|-----------|
| Municipal Court Judge      | \$10,900. |
| Court Administrator        | \$10,040. |
| Deputy Court Administrator | \$ 6,090. |
| Municipal Prosecutor       | \$ 3,000. |

**F. LEGAL SERVICES**

|                  |           |
|------------------|-----------|
| Borough Attorney | \$ 3,500. |
|------------------|-----------|

**G. PLANNING BOARD**

|           |           |
|-----------|-----------|
| Secretary | \$ 4,610. |
|-----------|-----------|

**H. ZONING BOARD OF ADJUSTMENT**

|           |           |
|-----------|-----------|
| Secretary | \$ 2,630. |
|-----------|-----------|

**I. ENVIRONMENTAL COMMISSION**

|           |         |
|-----------|---------|
| Secretary | \$ 440. |
|-----------|---------|

**J. POLICE DEPARTMENT**

|                    |           |
|--------------------|-----------|
| Chief              | \$61,265. |
| Captain            | \$55,495. |
| Detective Sergeant | \$53,575. |
| Sergeants, each    | \$52,820. |
| Detective          | \$50,761. |

|  |           |
|--|-----------|
| Patrolman I (commencing fifth year of service<br>and each year thereafter) | \$49,995. |
|--|-----------|

|  |           |
|--|-----------|
| Patrolman II (commencing fourth year of service) | \$45,486. |
|--|-----------|

|  |           |
|--|-----------|
| Patrolman III (commencing third year of service) | \$40,737. |
|--|-----------|

|  |           |
|--|-----------|
| Patrolman IV (commencing second year of service) | \$35,988. |
|--|-----------|

|  |           |
|--|-----------|
| Patrolman V (commencing first year of service) | \$29,698. |
|--|-----------|

**Dispatchers:**

|  |           |
|--|-----------|
| Third year of employment and<br>each year thereafter | \$26,755. |
|--|-----------|

|                           |           |
|---------------------------|-----------|
| Second year of employment | \$24,690. |
|---------------------------|-----------|

|                          |           |
|--------------------------|-----------|
| First year of employment | \$22,750. |
|--------------------------|-----------|

|               |           |
|---------------|-----------|
| Records Clerk | \$ 2,550. |
|---------------|-----------|

|                              |           |
|------------------------------|-----------|
| School Crossing Guards, Each | \$ 6,050. |
|------------------------------|-----------|

**K. PUBLIC WORKS & RECYCLING DEPARTMENT**

|                             |            |           |
|-----------------------------|------------|-----------|
| Public Works Superintendent |            | \$34,625. |
| Helper I                    | \$24,800 - | \$26,040. |
| Helper II                   | \$20,155 - | \$20,960. |
| Helper III                  | \$19,000 - | \$19,760. |

**L. RECREATION AND EDUCATION**

|                                      |           |
|--------------------------------------|-----------|
| Recreation Director                  | \$ 4,548. |
| Recreation Aides & Assistants, total | \$ 9,400. |

|                     |         |
|---------------------|---------|
| Basketball Director | \$ 375. |
|---------------------|---------|

|                    |           |
|--------------------|-----------|
| Building Custodian | \$ 1,240. |
|--------------------|-----------|

|   |         |
|---|---------|
| Community Center/Old Wharf House reservations | \$ 755. |
|---|---------|

|                  |           |
|------------------|-----------|
| Welfare Director | \$ 3,600. |
|------------------|-----------|

|              |           |
|--------------|-----------|
| Library Aide | \$ 2,080. |
|--------------|-----------|

|                            |           |
|----------------------------|-----------|
| Construction Official      | \$13,600. |
| Building Inspector         | \$ 6,180. |
| Plumbing SubCode Official  | \$ 4,925. |
| Housing Inspector          | \$ 2,475. |
| Fire SubCode Official      | \$ 2,045. |
| Fire Marshal               | \$ 2,045. |
| Building SubCode Official  | \$ 2,465. |
| Zoning Enforcement Officer | \$ 3,090. |
| Casual Labor               | \$ 1,000. |

**M. BOARD OF HEALTH**

|           |         |
|-----------|---------|
| Registrar | \$ 915. |
|-----------|---------|

**N. EMERGENCY MANAGEMENT**

|                                  |           |
|----------------------------------|-----------|
| Emergency Management Coordinator | \$ 1,960. |
|----------------------------------|-----------|

**O. CASUAL LABOR**                      \$6.00    -    \$10.00 per hour

**P. LONGEVITY** will be allowed in accordance with the schedule as listed below to all full time employees. (40 hours per week, 52 weeks per year). This provision shall be retroactive to January 1, 1995.

|                                     |          |
|-------------------------------------|----------|
| 6 through 10 years of service-----  | \$ 600.  |
| 11 through 15 years of service----- | \$ 900.  |
| 16 through 20 years of service----- | \$1,200. |
| 21 through 25 years of service----- | \$1,500. |
| 25 years of service and above-----  | \$1,800. |

**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 March 16, 1995.

Patricia L. Varca  
Borough Clerk

BOND ORDINANCE APPROPRIATING \$50,050.  
AND AUTHORIZING THE ISSUANCE OF \$47,547.50  
BONDS AND 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 of said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor, and amounting in the aggregate to \$50,050. including the aggregate sum of \$2,502.50 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 \$50,050. 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 \$47,547.50 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 \$47,547.50 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 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<br/>Estimated Cost</u> | <u>Estimated Maximum<br/>Amount of Bonds<br/>or Notes</u> |
|---|--|---|
| (1) Renovations to<br>Borough Hall  | \$ 9,000.                                    | \$ 8,550.   |
| (2) Acquisition of<br>photocopier   | 13,000.                                      | 12,350.   |
| (3) Acquisition of<br>recording machine<br>and accessories<br>for Police Department | 28,050.                                      | 26,647.50   |
|   | <hr/> \$50,050.                              | <hr/> \$47,547.50   |

the excess of the appropriation made for 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 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 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 to make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property 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 hereof 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 \$47,547.50 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said law.

(d) Amounts not exceeding \$12,500. 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. 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 after final adoption as provided by said Local Bond Law.

Passed and approved by Mayor and Council May 4, 1995.

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  
County of Monmouth, New Jersey as follows:

1. That Section 1, 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 is hereby amended to read as  
follows:

**SECTION 1:** The yearly salaries of the officials and employees herein named  
effective January 1, 1995 be and hereby are fixed respectively as follows:

**K. PUBLIC WORKS & RECYCLING DEPARTMENT**

|                             |                              |
|-----------------------------|------------------------------|
| Public Works Superintendent | \$37,000. (effective 8/9/95) |
| Helper 1                    | \$24,800. -\$26,040.         |
| Helper 11                   | \$20,155. -\$20,960.         |
| Helper 111                  | \$19,000. -\$19,760.         |

**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 7, 1995.

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, New Jersey as follows:

1. That Section 1, Paragraph J 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 effective January 1, 1995 be and hereby are fixed respectively as follows:

**J. POLICE DEPARTMENT**

|                    |           |
|--------------------|-----------|
| Chief              | \$61,265. |
| Captain            | \$55,759. |
| Detective Sergeant | \$53,829. |
| Sergeants, each    | \$53,071. |
| Detective          | \$51,004. |

|  |           |
|--|-----------|
| Patrolman I (commencing fifth year of service<br>and each year thereafter) | \$50,234. |
| Patrolman II (commencing fourth year of service)                           | \$45,486. |
| Patrolman III (commencing third year of service)                           | \$40,737. |
| Patrolman IV (commencing second year of service)                           | \$35,988. |
| Patrolman V (commencing first year of service)                             | \$29,698. |

**Dispatchers:**

|  |           |
|--|-----------|
| Third year of employment and each<br>year thereafter | \$26,755. |
| Second year of employment                            | \$24,690. |
| First year of employment                             | \$22,750. |

|                              |           |
|------------------------------|-----------|
| Records Clerk                | \$ 2,550. |
| School Crossing Guards, each | \$ 6,050. |

**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 October 5, 1995.

PATRICIA L. VARCA  
BOROUGH CLERK



AN ORDINANCE TO AMEND AN ORDINANCE  
ENTITLED "THE LAND USE PROCEDURES  
ORDINANCE OF THE BOROUGH OF OCEANPORT"  
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:

1. That Section 41A-1 A of the Ordinance entitled "The Land Use Procedures Ordinance of the Borough of Oceanport" passed and approved on December 16, 1976, be and the same is hereby amended as follows:

A. Class I: The Mayor or the Mayor's designee in the absence of the Mayor.

2. That Section 41A-2'A of the said Ordinance be and the same is hereby amended as follows:

A. The term of the member composing Class I shall correspond to the Mayor's official tenure, or, if the member is the Mayor's designee in the absence of the Mayor, the designee shall serve at the pleasure of the Mayor during the Mayor's official tenure. The terms of the members composing Class II and Class III and alternates, if any, shall be for one (1) 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 (3) 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.

3. All provisions of the Ordinance being amended herein which are not modified by this Ordinance shall remain in full force and effect.

4. This Ordinance shall take effect following final passage and publication as provided by law.

Passed and approved by Mayor and Council December 7, 1995.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE TO AMEND AN  
ORDINANCE ENTITLED "SIGNS"  
OF THE BOROUGH OF OCEANPORT  
PASSED AND APPROVED ON JULY 15, 1993.

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 49A-3B of the ordinance entitled "Signs" of the Borough of Oceanport passed and approved on July 15, 1993, be and the same is hereby amended as follows:

B. No sign in excess of eight (8) square feet shall be permitted to be placed on grounds or yards, front, rear or side, facing any public street. All such signs must be at least six (6) feet from the curbline or, if there is no curb, six (6) feet from the edge of the paved street.

2. All provisions of the ordinance being amended herein which are not modified by this Ordinance shall remain in full force and effect.

3. This Ordinance shall take effect following final passage and publication as provided by law.

Passed and approved by Mayor and Council December 21, 1995.

Patricia L. Varca  
Borough Clerk

AN ORDINANCE TO AMEND AND SUPPLEMENT  
AN ORDINANCE ENTITLED "LICENSES AND  
PERMITS" OF THE BOROUGH OF OCEANPORT  
PASSED AND APPROVED ON FEBRUARY 2, 1989.

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 41B-2 of the ordinance entitled "Licenses and Permits" of the Borough of Oceanport passed and approved on February 2, 1989, be and the same is hereby amended and supplemented by the addition of Subsection E as follows:

E. Commercial landscapers may not operate within the Borough of Oceanport without first procuring a license to be issued by the Borough Clerk in accordance with the provisions of this Ordinance. There shall be no restriction on the number of such licenses which may be issued.

2. All provisions of the ordinance 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 following final passage and publication as provided by law.

Passed and approved by Mayor and Council 2/1/96.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE CREATING IN THE  
BOROUGH OF OCEANPORT, COUNTY  
OF MONMOUTH AND STATE OF NEW  
JERSEY A CABLE TELEVISION ADVISORY  
COMMITTEE, PROVIDING FOR THE  
APPOINTMENT OF MEMBERS AND FIXING  
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 "Cable Television Advisory Committee Ordinance of the Borough of Oceanport, New Jersey."

Section 2. Establishment. There is hereby established and created a committee of the Borough of Oceanport to be known as the "Cable Television Advisory Committee of the Borough of Oceanport."

Section 3. Composition. The Cable Television Advisory Committee shall be composed of six (6) members to be selected and appointed by the Mayor and Council at its next regular meeting after this Ordinance shall become effective.

Section 4. Appointments; Terms of Office. The members of the Cable Television Advisory 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 31, 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 Cable Television Advisory 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 Cable Television Advisory Committee shall be residents of the Borough of Oceanport and shall serve without compensation, except as may be hereinafter provided.

Section 7. Oath of Office. Every member of the Committee shall, before assuming office, take and subscribe an oath that he or she will faithfully and impartially discharge the duties of his or her 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. Annual and Monthly Meetings. The Committee shall hold an annual reorganization meeting during the month of January in each year. The Committee shall meet regularly thereafter one (1) day each month.

Section 11. Special Meetings. Special meetings of the Committee may be held on call of the President, or, in his absence, by the Vice President.

Section 12. Powers and Duties. The primary function of the Cable Television Advisory Committee shall be to act as an advisory committee to the Mayor and Council in matters related to the Municipal cable television system. The Committee shall also act as a liaison between the Borough administration, the community and the management of the cable television system, giving input of community interest and standards regarding programming, management and operation of the local cable system. It shall also be the duty of the Committee to monitor and enforce compliance of the Municipal Consent Ordinance adopted pursuant to N.J.S.A. 48:5A-24. The Committee shall assist the Council in conducting the public hearings prior to the adoption of the Consent Ordinance pursuant to N.J.S.A. 48:5A-23. Upon the conclusion of public hearings, the Committee shall assist the Council in the selection of a qualified applicant.

Section 13. Annual Appropriation.

A. During the month of December in each year, the 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 costs 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 14. 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.

Section 15. Liability. 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 16. Severability. If any section, paragraph, sentence, clause, phrase or provision of this Ordinance shall be judged 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 17. Repealer. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Section 18. When Effective. This Ordinance shall take effect upon final passage and publication according to law.

Passed and approved by Mayor and Council February 15, 1996.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE OF THE BOROUGH OF  
OCEANPORT, COUNTY OF MONMOUTH,  
STATE OF NEW JERSEY, PROHIBITING THE  
SALES OF TOBACCO TO MINORS AND  
LIMITING LOCATIONS OF CIGARETTE  
VENDING MACHINES.

WHEREAS, cigarette smoking has been identified as a significant and preventable health hazard, and as a probable addictive practice with serious consequences, especially for minors; and

WHEREAS, the State of New Jersey has banned the sale or furnishing of cigarettes or tobacco in any form to minors under N.J.S.A. 2A:170-51; and

WHEREAS, a substantial and legitimate public purpose exists for this municipality to act to further promote and protect the health, safety and welfare of its inhabitants, especially minors, by proscribing accessibility of cigarettes and other tobacco products to minors, and regulating the means by which tobacco products are sold; and

WHEREAS, the New Jersey Supreme Court has ruled that a municipality has the power to regulate the location and operation of cigarette vending machines;

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. Definitions:

(a) Licensed premises:- Shall mean any place licensed by the State of New Jersey to primarily sell at retail beer, wine, and mixed spirits for consumption on the premises.

(b) Health Officer - Shall mean the Administrative Officer and the Oceanport Board of Health and/or his or her authorized representatives:

(c) Person - Shall mean an individual, partnership, cooperative, association, corporation, personal representative, receiver, trustee, assignee, or any other legal entity.

(d) Tobacco - Shall mean any product made from the tobacco plant for the purpose of smoking, chewing, inhaling and other personal use including cigars, chewing tobacco, pipe tobacco, snuff and cigarettes in any form.

(e) Tobacco Retailer - Shall mean any person or entity that operates a store, stand, booth, concession or place at which sales of tobacco are made to purchasers for consumption or use, and shall mean a person or entity that owns or operates a vending machine and/or a vending machine location.

(f) Vending machine - Shall mean any automated, self-service device which, upon insertion of money, tokens or any other form of payments, dispenses cigarettes or other tobacco products.

(g) Vending machine location - Shall mean the room, enclosure, space or area where a tobacco vending machine is installed and operated.

Section 2. Prohibition of Tobacco Sales to Minors It shall be unlawful for anyone, including a tobacco retailer, to sell, give or permit to be sold or given to a person under eighteen (18) years of age, tobacco in any form.

Section 3. Identification Required It shall be unlawful for a tobacco retailer to sell or permit tobacco products to be sold to any individual under the age of eighteen (18) years, unless the seller has a reasonable basis for determining that the buyer is of legal age (18 or over).

Section 4. Prohibition of Sales of Tobacco Products by Minors It shall be unlawful for any tobacco retailer to allow, suffer or permit the sale of tobacco products on his or her premises by any person under the age of eighteen (18) years.

Section 5. Restriction of Tobacco Vending Machines and Sales It shall be unlawful for a tobacco retailer to offer for sale or to sell any tobacco products through a vending machine in this municipality, except in the following instances.

(a) In any premises or portion thereof to which access by minors is expressly prohibited by law, or by the expressed policy of the owner of the premises; provided, however, that the tobacco vending machine is:

(i) located fully within such premises or section of premises, from which minors are prohibited, and

(ii) the tobacco vending machine is under the visual supervision of the tobacco retailer or his or her adult employee, so that all purchases from the machine are readily observable, and

(iii) inaccessible to the public eye when the businesses are closed.

(b) Any premises such as a factory, business, office, industrial plant or other place where the public is generally not given access and where such machines are intended for the use of employees 18 years of age or older or other adults and the tobacco vending machines in each premises is:

(i) located within the immediate vicinity of, or in plain view of, and under the control of, a responsible employee eighteen (18) years of age or older, and

(ii) not located in a coat room, restroom, waiting area, or similar unmonitored area, and is inaccessible to the public when the establishment is closed.

(c) In any premises or portion thereof where the principal use is for the retail sale of alcoholic beverages pursuant to the "New Jersey Alcoholic Beverage Control Act", N.J.S.A. 33:1.1 et seq., where access by persons under eighteen (18) years of age is prohibited by law, provided that the tobacco vending machine is:

(i) located fully within such premises or section of premises from which minors are prohibited, and

(ii) inaccessible to the public when the premises are closed.

(d) In all other instances, locations and places, a tobacco vending machine shall be permitted to operate only if:

(i) the operation of the machine to vend tobacco products is possible only by the activation of an electronic switch or other device, which is controlled by the proprietor or employee at or over the age of eighteen (18), and only after the proprietor or employee has made the reasonable determination that the person wishing to use the tobacco vending machine is eighteen (18) years of age or older.

Section 6. Prohibition Within Certain Distance from School Property Except on premises as described in Section 5(b) of this Ordinance, it shall be unlawful for a tobacco retailer to operate a tobacco vending machine in any premises or portion thereof located within 200 feet of any public or private school or other property used primarily for school activities.

Section 7. Tampering with Machines or Devices It shall be unlawful for any tobacco retailer responsible for the operation of a tobacco vending machine to remove, disconnect or otherwise disable the remotely activated electronic switch or device on a tobacco vending machine, in a location where Section 5 of this Ordinance provides for a vending machine to be so equipped.

#### Section 8. Penalties

(a) Any person, either acting directly or indirectly through an agent, who sells or offers for sale, gives away, delivers or otherwise furnishes to a person under the age of eighteen (18) years any tobacco or tobacco product, in any form, including smokeless tobacco or any other matter or substance which can be smoked, either from a vending machine or by retail counter sales, shall be given a warning pursuant to Subsection (b) of this Section for a first offense and be fined \$250.00 for a second or subsequent offense.

(b) The local Board of Health, or the Board, body or officers exercising the function of a local Board of Health, having determined that a license or other person is in violation of this Section, shall, by written notification, not later than sixty (60) days after discovery of an alleged violation, advise the person of the violation and that any subsequent failure or refusal to comply with this Ordinance is subject to the fine prescribed in this Section.

(c) Any penalty recovered under the provisions of this Ordinance shall be recovered by and in the name of the local Board of Health. The penalty recovered shall be paid by the local Board into the treasury of the Borough.

(d) The Municipal Court shall have jurisdiction over proceedings to enforce and collect any penalty imposed because of the violation of any provision of this Ordinance, if the violation has occurred within the territorial jurisdiction of the Court. The proceedings shall be summary and in accordance with the "Penalty Enforcement Law" (N.J.S.A. 2A:58-1, et seq.). Process shall be in the nature of a Summons or Warrant and shall be issued by the local Board of Health or the Chief of Police.

(e) The Health Officer or his designee, or any other person charged with enforcement of this Ordinance, after giving proper identification, may inspect any matter, thing, premise, or place as may be necessary for the proper enforcement hereof.

(f) It shall be unlawful for any person to oppose or otherwise obstruct a Health Officer or his designee in the performance of duties hereunder, and they may request the assistance of a law enforcement agency or peace officer when necessary to execute his or her official duty in a manner prescribed by law.



Section 9. Seizure of Unauthorized Tobacco Vending Machines A tobacco vending machine which is not permitted under this Ordinance may be taken into custody by municipal authorities. Any machine so taken shall be returned to its owner upon payment of the reasonable costs incurred in connection with the taking. As an alternative or in addition to the provisions of this Section, any person licensed as a retail dealer under the "Cigarette Tax Act" (N.J.S.A. 54:40A-1 et seq.), for each unauthorized tobacco vending machine remaining at any prescribed location after the effective date of this Ordinance may be fined not less than \$100.00 nor more than \$500.00 for each day placement of the vending machine is in violation of this Ordinance.

Section 10. Construction This Ordinance shall be liberally construed for the protection of the health, safety and welfare of the people of this municipality.

Section 11. Repealer All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Section 12. Severability If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to that section, paragraph, subdivision, clause or provision so adjudged, and the remainder of this ordinance shall be deemed to be valid and effective.

Section 13. Effective Date This Ordinance shall take effect on the first day of the fourth month after the enactment and publication thereof.

Passed and approved by Mayor and Council February 15, 1996.

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 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, 1996 unless otherwise stated, be and the same is hereby amended to read as follows:

**A. ADMINISTRATIVE AND EXECUTIVE**

|                          |           |
|--------------------------|-----------|
| Mayor                    | \$ 1,500. |
| Councilpersons, each (6) | \$ 1,500. |
| Borough Clerk            | \$46,860. |
| Secretary                | \$22,750. |

**B. FINANCIAL ADMINISTRATION**

|                         |           |
|-------------------------|-----------|
| Chief Financial Officer | \$35,420. |
|-------------------------|-----------|

**C. BOARD OF ASSESSORS**

|          |           |
|----------|-----------|
| Assessor | \$23,315. |
| Deputy   | \$ 3,300. |

**D. COLLECTION OF TAXES**

|                  |           |
|------------------|-----------|
| Tax Collector    | \$32,000. |
| Tax Office Clerk | \$18,300. |

**E. MUNICIPAL COURT**

|                            |           |
|----------------------------|-----------|
| Municipal Court Judge      | \$11,230. |
| Court Administrator        | \$10,550. |
| Deputy Court Administrator | \$6,275.  |
| Municipal Prosecutor       | \$ 8,400. |

**F. LEGAL SERVICES**

|                  |           |
|------------------|-----------|
| Borough Attorney | \$ 3,500. |
|------------------|-----------|

**G. PLANNING BOARD**

|           |           |
|-----------|-----------|
| Secretary | \$ 4,750. |
|-----------|-----------|

**H. ZONING BOARD OF ADJUSTMENT**

|           |           |
|-----------|-----------|
| Secretary | \$ 2,710. |
|-----------|-----------|

**I. ENVIRONMENT COMMISSION**

|           |         |
|-----------|---------|
| Secretary | \$ 440. |
|-----------|---------|

**J. POLICE DEPARTMENT**

|   |           |
|---|-----------|
| Chief   | \$64,330. |
| Captain   | \$58,547. |
| Detective Sergeant  | \$56,520. |
| Sergeants, each   | \$55,725. |
| Detective   | \$53,554. |
| Patrolman I(commencing fifth year of service<br>and each year thereafter) | \$52,746. |
| Patrolman II(commencing fourth year of service)                           | \$47,760. |
| Patrolman III(commencing third year of service)                           | \$42,774. |
| Patrolman IV(commencing second year of service)                           | \$37,787. |
| Patrolman V(commencing first year of service)                             | \$31,183. |
| Dispatchers:  |           |
| Third year of employment and<br>each year thereafter                      | \$28,095. |
| Second year of employment   | \$25,925. |
| First year of employment  | \$23,890. |
| Records Clerk   | \$ 2,680. |
| School Crossing Guards, each  | \$ 6,230. |

**K. PUBLIC WORKS & RECYCLING DEPARTMENT**

|  |                       |
|--|-----------------------|
| Public Works Administrative Consultant | \$15,000.             |
| Foreman (effective Jan. 18, 1996)      | \$24,000.             |
| Helper I                               | \$26,040. - \$27,350. |
| Helper II                              | \$20,960. - \$22,010. |
| Helper III                             | \$19,760. - \$20,750. |

**L. RECREATION AND EDUCATION**

|   |           |
|---|-----------|
| Recreation Director                           | \$ 4,725. |
| Recreation Aides & Assistants, total          | \$ 9,650. |
| Building Custodian                            | \$ 1,280. |
| Community Center/Old Wharf House reservations | \$ 780.   |
| Welfare Director                              | \$ 4,000. |
| Library Aide                                  | \$ 2,050. |
| Construction Official                         | \$14,010. |
| Building Inspector                            | \$ 6,365. |
| Plumbing SubCode Official                     | \$ 5,075. |
| Housing Inspector                             | \$ 2,550. |
| Fire SubCode Official                         | \$ 2,110. |
| Fire Marshal                                  | \$ 2,110. |
| Building SubCode Official                     | \$ 2,540. |
| Zoning Enforcement Officer                    | \$ 3,185. |
| Casual Labor                                  | \$ 400.   |

**M. BOARD OF HEALTH**

Registrar \$ 960.

**N. EMERGENCY MANAGEMENT**

Emergency Management Coordinator \$32,120.

**O. CASUAL LABOR** \$6.00 - \$10.00 per hour

**P. LONGEVITY** will be allowed in accordance with the schedule as listed below to all full time employees. (40 hours per week, 52 weeks per year)  
This provision shall be retroactive to January 1, 1996.

|                                     |          |
|-------------------------------------|----------|
| 6 through 10 years of service-----  | \$ 600.  |
| 11 through 15 years of service----- | \$ 900.  |
| 16 through 20 years of service----- | \$1,200. |
| 21 through 25 years of service----- | \$1,500. |
| 25 years of service and above-----  | \$1,800. |

**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 March 7, 1996.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE REGULATING WITHIN THE BOROUGH OF OCEANPORT THE TOWING OF VEHICLES FROM THE SCENE OF AN ACCIDENT OR STOLEN VEHICLES, AND/OR VEHICLES WHEN NECESSARY TO SAFEGUARD THE PUBLIC HEALTH SAFETY AND WELFARE WITHIN 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.** For the purpose of this ordinance, the following terms shall have the meanings set forth herein:

a. **GARAGE** - any building or property other than a private garage, available to the public, operated as a business and which is used for the storage, repair, rental, lubrication, washing, servicing, adjusting or equipping of automobiles or other motor vehicles and, if located within the Borough of Oceanport, which complies with the provisions of the Zoning Ordinance of the Borough.

b. **TOWING APPARATUS** - a motor vehicle including but not limited to a wrecker, tow truck or flatbed truck employed for the purpose of towing, transporting, conveying and removing any vehicle without causing damage to the vehicle being towed or transported.

c. **VEHICLES** - shall be deemed to include but not limited to automobiles, trucks, tractors, trailers, motorcycles, minibikes, mopeds, go-carts, trail bikes, buses, ski mobiles, farm equipment, or any other mechanically-powered conveyance which shall become disabled, or required to be towed from the scene of an accident or in order to safeguard the public health, safety and welfare.

**SECTION 2. LICENSE.** No person, firm or corporation, shall participate in the police towing of vehicles within the Borough without first having obtained a towing license as hereinafter provided.

a. A license issued under this Chapter shall not be transferable.

**SECTION 3. APPLICATION.** Applications for licenses issued under this regulation shall be made upon forms made available by the Chief of Police. An application fee of \$16.00 to cover administrative expenses must be paid in full at the time of the submission of the completed application. The application shall include the following information.

a. The description by make, model, license number, year, vehicle identification number and color of all towing apparatus for which licenses are requested, together with the principal location at which the towing apparatus will be maintained.

b. The block and lot number and mailing address of the garage at which the application has space available for properly accommodating and providing for the security of all towed motor vehicles. The storage facility must be able to accommodate at least ten motor vehicles. The location of the storage facility and the location where their wreckers are principally housed may not be more than one (1) driven statute mile over roadways leading to or from the Borough of Oceanport. However, if less than three (3) licenses are issued in any one calendar year, the radius within which an otherwise qualified applicant may be located shall be enlarged to a radius of two (2) driven statute miles.

In the event there shall be less than three (3) licenses issued from within the expanded area, the radius shall be further enlarged to three (3) driven statute miles from the boundaries of the Borough of Oceanport.

c. Letter from the Zoning Officer of the municipality in which the premises is located verifying that the storage of motor vehicles is a permitted use upon the premises where the garage is located. At no time shall there be more vehicles stored upon the premises where the garage is located than that permitted by the Zoning Ordinance of the Borough of Oceanport or municipality where vehicles are stored.

d. Certificates of required insurance.

e. Fully executed employment non-discrimination statement.

f. Certification that applicant is in full compliance with all State and Federal laws and regulations concerning wages, hours and terms of employment.

g. A copy of a mercantile license issued to the business if the municipality wherein the business is located requires such license.

**SECTION 4. FILING DATE.** Upon this ordinance becoming effective, applications shall be received by the Chief of Police during the thirty-day period immediately following and shall be acted upon in accordance with the provisions of this ordinance. The Chief of Police shall be authorized to issue up to three (3) towing licenses. All licenses issued under this ordinance shall expire on the last day of December next succeeding the date of issuance. Prior to renewal of any license issued hereunder, the Chief of Police shall conduct a review of all license holders to assess their compliance with the terms and provisions of the within ordinance and, if applicable, the Zoning Ordinance of the Borough of Oceanport.

**SECTION 5. INVESTIGATION.** Within thirty (30) days after the receipt of an application, the Chief of Police shall cause an investigation to be made of the applicant and its proposed business operation and shall make or have made an inspection of the towing apparatus proposed to be used in connection therewith. All applicants and/or operators shall be fingerprinted and a license shall not be issued to a person convicted of a crime of moral turpitude. The Chief of Police may delegate the inspection of the towing apparatus to a person or persons, who shall make such an inspection and who shall report to the Chief of Police whether the towing apparatus is in a condition that will not interfere with the public health, safety and welfare and complies with the requirements and standards of this ordinance. Upon completion of the investigation and inspection, the Chief of Police shall either refuse to approve the application or shall approve the application in accordance with the standards herein provided, and shall inform the applicant of his decision.

**SECTION 6. CONDITIONS OF ISSUANCE OF LICENSE.** The Chief of Police shall approve an application when he finds that the following requirements have been met by the applicant.

a. The issuance policies as required have been procured and supplied.

b. The applicant has at least one wrecker/tow truck in use and operation in order to assure the efficient and diligent dispatch of towing apparatus upon the request of the Police Department.

c. The requirements of this ordinance and all other applicable laws, statutes and ordinances have been complied with.

d. All towing apparatus proposed to be used have been properly licensed and conform to the State Motor Vehicle Laws.

e. The towing apparatus to be approved meet the required minimum standards as set forth herein.

f. The towing contractor must be able to respond to all calls for service by the Oceanport Police Department within a reasonable amount of time, preferably ten (10) minutes. Although it is stated in other sections of this ordinance, failure to meet this time requirement will initially result in the Police Department calling the next wrecker in the rotation; however, any two (2) failures to comply with the required response time could result in the offending wrecker service being dropped from the list and revocation of its license.

g. Payment of a \$50.00 licensing fee.

**SECTION 7. MINIMUM STANDARDS FOR TOWING APPARATUS.** The following shall serve as a minimum standard for towing apparatus.

a. A wrecker or tow truck or flatbed truck shall be capable of handling, removing and towing any vehicle as defined in SECTION 1 of this ordinance and must have or be equipped with the following.

(1) All wreckers and towers and flatbed trucks shall have a minimum weight of one ton according to the manufacturer's specifications.

(2) A power take off or an adequate electric-operated winch with a minimum cable thickness of three-eighths (3/8) inch steel.

(3) A three-eighths (3/8) inch safety chain. The lift chair and the safety chain are not to be attached in any form or manner to the same part of the tow truck or wrecker or a flatbed truck.

(4) Front and rear flashing hazard lights.

(5) A three-hundred sixty degree rotating amber beacon light mounted above the cab or approved light bar.

(a) Proper permits are required for the amber light and proof for such permit shall be provided with application for the towing license.

(6) All lights shall be of such candlepower and intensity so as to be visible one-fourth (1/4) of a mile away.

(7) The company name, address and phone number permanently affixed on both sides of the wrecker or tow truck or flatbed truck. The letters and numbers shall be a minimum of three (3) inches in height.

(8) A proper motor vehicle car dolly for each wrecker.

(9) Approved towing slings.

(10) Clean up equipment.

(a) All tow vehicles are responsible for the prompt and safe removal of the disabled vehicle(s) and for the prompt and complete removal of all litter, debris and spillage resulting from the accident and must carry a broom, rake, trash can and bags, shovel and speedy dry type material to absorb, remove and properly dispose of any litter, debris and or spillage resulting from the accident, with the exception of hazardous materials as set forth in N.J.S.A. 39:4-56.8.

(11) Commercial motor vehicle plates.

(12) One (1) twenty pound dry chemical fire extinguisher.

**SECTION 8. INSURANCE POLICIES AND INDEMNIFICATION AGREEMENT.**

a. Each licensee shall obtain and provide proof of coverage for the following policies of insurance naming the Borough, where applicable, as an additional named insured prior to the issuance of the towing license:

(1) Automobile liability in an amount not less than \$500,000.00 combined single limit.

(2) Garage Keeper's Policy covering fire, theft and explosion in the minimum amount of \$500,000.00 as well as collision coverage for vehicles in tow.

(3) Garage liability in an amount not less than \$500,000.00 combined single limit.

(4) Miscellaneous coverage to provide complete protection to the Borough against any and all risks of loss or liability, including comprehensive general liability.

Each insurance policy required herein must contain an endorsement providing ten (10) days notice to the Borough in the event of cancellation, revision or modification. The aforesaid insurance policies must be in full force and effect for the entire time period the towing license is issued and these insurance policies must be written by insurance companies authorized to conduct business in New Jersey and have a satisfactory rating from the Commissioner of Insurance.

b. Prior to the issuance of a towing license the licensee must duly execute an indemnification agreement in which the licensee agrees to indemnify and hold the Borough harmless from any and all loss or damages, including but not limited to attorney's fees and costs of suit, arising from the conduct of the licensee in the course of towing or attempting to tow any vehicles pursuant to the terms of the license granted.

**SECTION 9. INSPECTION.** The Chief of Police or his designee is hereby authorized to establish reasonable rules and regulations for the inspection and operation of towing apparatus and for the design, construction, maintenance and conditions for the safe conduct of a towing service business, in accordance with the standards provided in this ordinance. All vehicles shall be maintained in good working order and meet minimum safety standards. If at any time the Chief of Police shall find the equipment inadequate or unsafe or not complying with the Motor Vehicle Laws of the State of New Jersey or in the event that the towing business operator shall fail to comply with the provisions of the Zoning Ordinance of Oceanport or the municipality in which it is situated, he shall have the power to demand immediate correction, and if not corrected to comply with the provisions of this ordinance, the Chief shall have the authority to revoke or suspend the license and schedule a hearing relative thereto. The Chief of Police is also hereby authorized and empowered to establish from time to time such additional rules and regulations, not inconsistent herewith, as may be reasonable and necessary in effectuating and carrying out the terms and provisions of this ordinance.

**SECTION 10. APPEAL.** An appeal of the Police Chief's ruling shall be filed with the Borough Clerk within ten (10) calendar days of the Chief's decision. A hearing before the Governing Body shall be held within thirty (30) calendar days of the filing, with a ruling forthcoming from the Governing Body within twenty (20) calendar days of the conclusion of the hearing.



**SECTION 11. RATES.** Every licensed owner of towing apparatus shall give the owner of the vehicle a written receipt for the fee paid for the rendering of any towing service hereunder. Copies of receipts shall be maintained by the garage owner for three (3) years and be made available for inspection by such authorized Borough Officials. This ordinance requires that all towing contractors adhere to rules and rates and schedules established by the Department of Insurance, N.J.A.C. 11:3-38.1 et seq., and N.J.S.A. 40:48-2:49 et seq. A copy of said laws will be provided to all approved contractors. Fees may be charged that are less than the rates specified in N.J.A.C. 11:3-38.1 et seq. and N.J.S.A. 40:48-2:49 et seq. This ordinance also seeks to assure the timely dispatch of adequate towing equipment to scenes of accidents and in other circumstances requiring the removal of vehicles in order to safeguard the public health, safety and welfare. The Borough shall not be liable for any of the services performed by the tower unless those services are performed for municipal vehicles. The tower shall proceed directly against the owner of the motor vehicle for the recovery of any fees or charges.

**SECTION 12. CONDUCT OF OWNERS AND OPERATORS.** A tow license hereunder shall be issued subject to the following conditions:

- a. No person owning or operating a towing apparatus licensed under this regulation shall permit or invite loitering within or near the towing apparatus when in use.
- b. No person shall solicit, demand, or receive from any person any commission or fee except the fee for transporting the vehicle to be towed.
- c. No person shall pay any gratuity, tip or emoluments to any third person not involved in the towing or removal of any vehicle or to any police officer for any information as to the location of any accident or for soliciting the employment of the operator's services.
- d. The holder of a towing license shall not release to anyone any motor vehicles towed by said license holder without first obtaining a Towed Vehicle Release Form issued by the Oceanport Police Department, or a verbal release authorization if that is all that is required by the Police Department.
- e. The holder of a towing license shall forthwith and without delay release to the owner thereof any motor vehicle which has been towed or stored by said license holder upon payment of the towing and/or storage fee and obtaining of a receipt for said vehicle from the owner thereof, during reasonable hours of business.

**SECTION 13. RECORDS REQUIRED TO BE KEPT.**

- a. Vehicles towed by the Police Department: All companies on the towing list shall maintain a record regarding all vehicles towed at the request of the Police Department. This record shall be made available to any police officer for inspection upon request and shall contain the following information:
  - (1) The date, time, location, and name of the towing apparatus and the name of the driver who towed at the department's request.
  - (2) The physical location of the vehicle after being towed.
  - (3) Identification of the towed vehicle to include make, year, model, color, vehicle identification number, license number, and name of registered owner or operator if known.
  - (4) Fee charged for such towing service and the manner in which said fee was calculated.

b. A list of all vehicles presently stored shall be submitted to the Oceanport Police Department including the following:

- (1) make, model and color;
- (2) Registration number and state of registration;
- (3) Vehicle identification number;
- (4) Officer's name requesting the tow or impound.

**SECTION 14. NOTICE TO VEHICLE OWNERS.** All tow wrecker operators shall be required to contact the registered owner of the towed vehicle in order to promptly facilitate the removal of said vehicle from the storage facility. Failure to notify promptly will require the towing contractor to adjust their total storage charges as is reasonable for their failure to notify. The tow operator will be required to contact the registered owner via the postal service by registered mail, after the vehicle has been at the storage facility for twenty (20) days. If this mail notification has not been performed, storage charges arising after that period of time will not be charged. The towing contractor may continue charging storage fees providing all conditions have been met. A copy of the receipt, along with the time and date of telephone conversations, will be maintained and be made available to the Police Department immediately upon request. Failure to submit the required information will result in the removal of the towing service from the tow list and any request for storage fees will be subject to critical examination. The Oceanport Police will, at the tow operator's request, supply related information as to the owners of the vehicles, last known address and any other data that may be of assistance.

**SECTION 15. ROTATING CALL LIST.**

a. The Police Department shall establish and publish a call list for eligible licensees for the purpose of towing services within the Borough. Each licensee deserving to be placed on the list shall agree to the terms and conditions as may be set and approved by the Chief of Police. The list shall be in alphabetical order and rotated as to be equal to all Licensees. Any licensee shall be removed from the list upon:

- (1) Written request from the Licensee.
- (2) Failure to comply with the terms and conditions as prescribed by the Chief of Police.
- (3) Revocation of Towing License.

b. Approved towing contractors will be placed on a daily rotating call basis. On their respective designated days, towing contractors will be expected to respond anywhere in the Borough of Oceanport. In the event that the holder of a towing license is unavailable or unable to perform all or part of their designated days, it shall be that towing contractor's obligation to provide the Police Department with the name of another licensed towing contractor who has agreed to provide service for all or part of that rotation. A towing contractor who fails to provide such coverage shall forfeit his next scheduled rotation. A second failure to provide coverage could result in that towing contractor's removal from the list and revocation of their license. The Police Department shall keep a list of all requests for towing apparatus, indicating therein the date, time and place to which called and whether the towing contractor was available, and if not available, the reason why and the name of the towing license holder next called. No towing contractor shall respond to the scene of an accident except upon notification by the officer in charge at the scene of an accident or at Police Headquarters or upon the request of the driver or owner of the vehicle concerned. Towing apparatus must be dispatched upon receipt of notification from the Police Department and shall arrive at the scene within a reasonable period of time,

preferably not more than ten (10) minutes after being so notified. If at anytime more than two wreckers are required in order that the performance of towing services may be efficiently rendered and the public's traffic safety assured, the Police Department is hereby authorized to call upon one or more approved holders of towing licenses to respond to the dispatch of the Police Department.

c. Additional rules and regulations regarding the rotation of wreckers as may be promulgated hereunder by the Chief of Police shall take effect immediately after mailing by certified mail, return receipt requested, a copy thereof to all license holders for towing apparatus in the Borough, which mailing may be made by addressing same to the license holders at their last known addresses.

The foregoing shall not limit in any way the authority herein conferred upon the Chief of Police to promulgate rules and regulations providing for the removal and storage of disabled heavy duty motor vehicles such as tractor-trailers and construction equipment requiring specialized towing equipment.

**SECTION 16. CLEAN UP AT SCENE OF ACCIDENT.** The driver of the towing apparatus shall be required to clean up broken glass and debris from the scene of any accident to which it is called, before leaving the scene thereof. All towing apparatus shall be equipped with a broom, rake, shovel, special dry and waste containers.

**SECTION 17. APPLICATION.** This ordinance shall not apply where the towing apparatus is called to perform services by the owner of the disabled vehicle to be towed or serviced, nor shall any provision contained herein be interpreted or construed in any manner as to interfere with or obstruct a member of the Oceanport Police Department in the performance of his duties and the enforcement of the Motor Vehicle Traffic Laws of the State of New Jersey.

**SECTION 18. PRESERVATION OF EVIDENCE.** The tower shall take all reasonable precautions to protect evidence when required to by the Oceanport Police Department. When required, all such vehicles shall be stored as requested and in a manner so as to protect the evidentiary nature of the vehicle. Such vehicles shall be stored and covered so as to prevent any unauthorized individuals from tampering with or removing any item(s) from the vehicle.

a. Release of any evidence, property or vehicle shall not occur unless written authorization has been obtained by the tower from the Oceanport Police Department authorizing said release.

**SECTION 19. CONDUCT OF EMPLOYEES; COMPLAINTS.**

a. The licensee shall be solely responsible for the conduct of its employees.

b. Any complaints received by the Borough of Oceanport regarding the Licensee or its employees involving excessive charging, damage to vehicles, theft from vehicles, discrimination or failure to comply with local, state or federal laws regarding workers employment regulations shall be addressed to the Chief of Police for review. After review, if the complaint(s) is substantiated, the License of said tower may be revoked or suspended.

**SECTION 20. VIOLATIONS.** Any persons violating the provisions of this ordinance shall be subject to a fine of not more than \$500.00 for each violation and/or removal from the approved towing list.

**SECTION 21. EFFECTIVE DATE.** This ordinance shall take effect upon final passage and publication according to law.

Passed and approved by Mayor and Council March 7, 1996.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE TO AMEND AND SUPPLEMENT  
AN ORDINANCE ENTITLED "THE PERSONNEL  
POLICY ORDINANCE" OF THE BOROUGH OF  
OCEANPORT 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:

1. That the ordinance entitled "The Personnel Policy Ordinance" of the Borough of Oceanport passed and approved on March 20, 1986, be and the same is hereby amended and supplemented as follows:

A. Section 13-26A(2) is amended to read as follows:

The borough shall pay the full premium for such medical plan for the employee and his dependents both during the term of employment and, provided that such employee remains insurable and has completed not less than twenty-five (25) years of public employment("employment period"), throughout the term of such employee's retirement. Such employment period shall consist of not less than twenty (20) years of employment by the Borough, as well as employment by any other public employer qualifying for participation in the public employee's retirement system; provided that the total length of all such public employment shall be not less than twenty-five (25) years.

B. Section 13-26B is amended to read as follows:

B. Dental plan.

(1) All full-time permanent employees and their dependents 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.

(2) The borough shall pay the full premium of this plan.

C. Section 13-32C is amended to read as follows:

C. Monthly payroll: the Secretary of the Board of Tax Appeals, the Secretary of the Board of Adjustment, the Municipal Welfare Director, Housing Inspector and the Secretary of the Planning Board.

D. Section 13-32D is amended to read as follows:

D. Quarterly payroll: members of the Board of Tax Assessors, the Municipal Court Clerk, the Municipal Court Judge, the Fire Marshal, the Assessment Clerk, the Borough Attorney, the Mayor, members of the Borough Council and all other employees.

2. All provisions of the ordinance 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 following final passage and publication as provided by law.

Passed and approved by Mayor and Council March 7, 1996.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE GRANTING RENEWAL OF MUNICIPAL CONSENT TO COMCAST CABLEVISION OF MONMOUTH COUNTY, INC. TO CONSTRUCT, CONNECT OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM IN THE BOROUGH OF OCEANPORT, NEW JERSEY.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF OCEANPORT, as follows:

#### SECTION 1. PURPOSE OF THE ORDINANCE

The Borough hereby grants to the Comcast Cablevision of Monmouth County, Inc. renewal of its non-exclusive Municipal Consent to place in, upon, along, across, above over and under highways, streets, alleys, sidewalks, easements, public ways and public places in the Borough, poles, wires, cables, underground conduits, manholes and other television conductors, fixtures, apparatus and equipment as may be necessary for the construction, operation and maintenance in the Borough of Oceanport a cable television and communications system.

#### SECTION 2. DEFINITIONS

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. Such meaning or definition of terms is supplemental to those definitions of the Federal Communications Commission ("FCC") rules and regulations 47 C.F.R. Subsection 76.1 et seq., and the Cable Communications Policy Act 47 U.S.C. Section 521 et seq., as amended, and the Cable Television Act N.J.S.A. 48:5A-1 et seq., and shall in no way be construed to broaden, alter or conflict with the federal or state definitions:

- a. "Municipality" or "Borough" is the Borough of Oceanport, County of Monmouth, State of New Jersey.
- b. "Company" is the grantee of rights under this Ordinance and is known as Comcast Cablevision of Monmouth County, Inc.
- c. "Act" or "Cable Television Act" is Chapter 186 of the General Laws of New Jersey, and subsequent amendments thereto, Section 48:5A-1 et seq.
- d. "FCC" is Federal Communications Commission.
- e. "Board" or B.P.U. is the Board of Public Utilities, State of New Jersey.
- f. "Office" is the Office of Cable Television (OCTV) of the Board of Public Utilities.
- g. "Basic Cable Service" means any service tier which includes the retransmission of local television broadcast signals as defined by the FCC.

#### SECTION 3. STATEMENT OF FINDINGS

Public hearings, conducted by the Borough, concerning the renewal of Municipal Consent herein granted to the Company were held after proper public notice pursuant to the terms and conditions of the Act and the regulations of the Board adopted pursuant thereto. Said hearings having been fully open to the public and the Borough having received at said public hearings all comments regarding the qualifications of the Company to receive this renewal of Municipal Consent, the Borough 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 4. DURATION OF FRANCHISE**

The consent herein granted shall expire ten (10) years from the date of expiration of the Previous Certificate of Approval as issued by the Board of Public Utilities, with the Borough entitled to review the performance of the company at the end of five (5) years. If the promises of the company, as referenced herein, are not kept, the borough may commence revocation proceedings which shall be in conformance with applicable statutes and regulations.

**SECTION 5. FRANCHISE FEE**

Pursuant to the terms and condition of the Act, the Company shall, during each year of operation under the consent granted herein, pay to the Borough two percent (2%) of the gross revenues from all recurring charges in the nature of subscription fees paid by subscribers to its cable television reception service in the Borough or any higher amount permitted by the Cable Television Act or otherwise allowable by law, which ever is greater.

**SECTION 6. FRANCHISE TERRITORY**

The Consent granted under this Ordinance to the renewal of the franchise shall apply to the entirety of the Borough and any property subsequently annexed hereto.

**SECTION 7. OTHER COMMITMENTS**

(a) The Company shall, upon the request of the Borough, send a representative to one public meeting per year of the Borough Council for the purpose of discussing the Company's performance during the preceding twelve months, and to answer questions from the public or the Council about the Company and its service.

(b) The Company shall provide the Borough with a one-time grant of \$5,000. for the purchase of video production equipment within twelve (12) months or receipt of a Renewal COA.

**SECTION 8. EXTENSION OF SERVICE**

The Company shall be required to proffer service along any public right-of-way to any person's residence or business located in all areas of the franchise territory as described herein, at tariffed rates for standard and non-standard installations.

**SECTION 9. CONSTRUCTION TIMETABLE**

The Borough recognizes that the Company has completed an upgrade of their distribution system in the Borough enabling the Company to add new channels, improve picture quality and enhance signal reliability.

The upgraded system is a fiber optic/coaxial cable hybrid following a "fiber to the service area" or "fiber to the node" architecture.

**SECTION 10. CONSTRUCTION REQUIREMENTS**

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

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 remove, re-lay or relocate its equipment, at the expense of the Company.

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

#### **SECTION 11. MUNICIPAL COMPLAINT OFFICER**

The Office of Cable Television is hereby designated as the complaint officer for the Borough of Oceanport pursuant to N.J.S.A. 48:5a-26(b). All complaints shall be received and processed in accordance with N.J.A.C. 14:17-6.5.

Borough residents shall also maintain the right to contact the Borough offices or the Borough's Cable Television Advisory Committee for assistance in attaining information from, or resolving disputes with the Company. The Company shall respond to inquiries from the Borough and Advisory Committee in the same manner in which it responds to similar inquiries from the Official Complaint Officer.

#### **SECTION 12. LOCAL OFFICE**

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. to 5:00 p.m., Monday through Friday. Telephone response for such purposes as mentioned herein will be provided by the Company's representative or agent twenty-four (24) hours per day. The telephone number and address of the local office shall be listed in applicable telephone directories and in correspondence from the Company to the customer. The telephone number for the local office shall utilize and exchange which is a non-toll call for Borough residents.

#### **SECTION 13. PERFORMANCE BONDS**

During the life of the franchise the Company shall give to the municipality a bond in the amount of twenty-five thousand (\$35,000.00) dollars. Such bond shall be to insure the faithful performance of all undertakings of the Company as represented in its application for municipal consent incorporated herein.

#### **SECTION 14. SUBSCRIBER RATES**

The rates of the company shall be subject to regulation as permitted by federal and state law.

#### **SECTION 15. PUBLIC, EDUCATIONAL AND GOVERNMENTAL ACCESS**

The cable operator shall provide access time to non-commercial public, governmental and educational entities on a system-wide channel on a non-discriminatory basis on a channel to be activated within 12 months of the completion of the system-wide upgrade project. The operator shall also provide ongoing training and technical assistance to personnel designated by those entities upon reasonable request.

**SECTION 16. FREE SERVICES**

The Company shall provide the standard installation and expanded basic service monthly on up to ten (10) outlets in each school in the Borough at no charge and shall provide standard installation and expanded basic service monthly to the Borough Hall and Community Center as well as each police, fire, first aid, emergency management and library facility in the Borough at no charge. Each additional outlet installed, if any, shall be paid for by the institution requesting service on a materials plus labor basis. Monthly service charges shall be billed at the regular tariffed rates for additional outlets. If new construction shall be required to provide said service, construction shall be completed within twelve (12) months of receipt of a renewal COA.

**SECTION 17. TWO WAY SERVICES AND INTERCONNECTION**

In the event that the Borough determines that it is necessary and feasible for it to contract with the Company for the purpose of providing two-way or interconnection services, the Company shall be required to apply to the BPU for approval to enter into and establish the terms and conditions of such contract. All costs for such application to the BPU shall be borne by the Borough.

**SECTION 18. EMERGENCY USES**

Upon activation of the State's Emergency Alert System and the issuance by the FCC of rules for the use of same, the Company shall be required to have the capability to override at the headend a portion of the system in order to permit the cablecasting of emergency messages. The Company shall in no way be held liable for any injury suffered by the municipality or any other person, during an emergency, if for any reason the municipality is unable to make full use of the cable television system as contemplated herein. The municipality, along with the company, shall establish reasonable procedures for such emergency uses.

**SECTION 19. LIABILITY INSURANCE**

The Company agrees to maintain and keep in full force and effect at its sole expense at all times during the term of this consent, sufficient liability insurance naming the municipality as an insured and insuring against loss by any such claim, suit, judgement, execution or demand in the minimum amounts of \$1,000,000. for bodily injury or death to one person, and \$100,000. for property damage resulting from one accident.

**SECTION 20. INCORPORATION OF THE APPLICATION**

All of the commitments and statements contained in the application and any amendment thereto submitted in writing to the municipality by the Company except as modified herein, are binding upon the Company as terms and conditions of this consent. The application and any other relevant writings submitted by the Company shall be annexed hereto and made a part hereof by reference as long as it does not conflict with state or federal law.



**SECTION 21. SEPARABILITY**

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 its invalidity or unconstitutionality shall not affect the validity of the remaining portions of the Ordinance.

**SECTION 22. EFFECTIVE DATE**

This Ordinance shall take effect immediately upon passage and publication, according to law, and issuance of a Renewal Certificate of Approval from the BPU.

Passed and approved by Mayor and Council March 7, 1996.

PATRICIA L. VARCA  
BOROUGH CLERK

**AN ORDINANCE ABANDONING, VACATING,  
RELEASING AND EXTINGUISHING ANY AND  
ALL PUBLIC RIGHTS IN AND TO A PORTION  
OF AN UNIMPROVED STREET APPEARING  
ON THE OFFICIAL TAX MAP AS RIVER  
STREET, IN THE BOROUGH OF OCEANPORT,  
COUNTY OF MONMOUTH AND STATE OF  
NEW JERSEY**

**WHEREAS**, the Borough Council of the Borough of Oceanport in the County of Monmouth is of the opinion that the public interest will best be served by abandoning, vacating, releasing and extinguishing any and all public rights which the said Borough may have in and to the following described unimproved street appearing on the Official Tax Map as a portion of River Street;

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

1. The public rights and interests in and to a portion of an unimproved street appearing on the Official Tax Map as River Street, more particularly described as follows, are hereby vacated, abandoned and released:

**BEGINNING** at a point in the Northwesterly line of Lot 2, Block 59, Borough of Oceanport Tax Map, distant 30.00 feet Southwestwardly along said Northwesterly line of Lot 2, from the point of intersection of the Northeasterly line of Lot 2, Block 59, also being the Southwestery line of River Street, 40.00 feet wide, with the aforesaid Northwesterly line of Lot 2, Block 59 and running from said **BEGINNING** point.

(1) Southwestwardly, along a portion of the Northwesterly line of Lot 2, Block 59, and along the Northwesterly line of Lot 1, Block 59, 180.00 feet, more or less, to its intersection with the Northwesterly line of Vreeland Place; thence

(2) Northwestwardly, along the Northeasterly line of Vreeland Place extended Northwestwardly, 14 feet more or less, to its intersection with the Northwesterly line of Vreeland Place, extended Northeastwardly;thence

(3) Southwestwardly, along the Northeasterly extension of the Northwesterly line of Vreeland Place, 15 feet more or less to its intersection with the Southeasterly line of Lot 23.01, Block 1;thence

(4) Northeastwardly, along the Southeasterly line of Lot 23.01 and along a portion of the Southeasterly line of Lot 23.02, 182 feet more or less;to a point;thence

(5) Southeastwardly along a proposed new line, said line being at right angles with the herein described fourth course, 20 feet more or less, to the point or place of **BEGINNING**.

2. The rights of public utilities and CATV companies as defined by N.J.S.A. 40:67-1 are hereby expressly reserved and excepted from this vacation..

3. This Ordinance shall become effective twenty (20) days after final passage and publication according to law.

Passed and approved by Mayor and Council May 16, 1996

PATRICIA L. VARCA  
BOROUGH CLERK

BOND ORDINANCE APPROPRIATING \$200,000.  
AND AUTHORIZING THE ISSUANCE OF \$190,000.  
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, 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 \$200,000. including the aggregate sum of \$10,000. 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 \$200,000. 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 \$190,000. 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 a principal amount not exceeding \$190,000. 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 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<br/>Estimated Cost</u> | <u>Estimated Maximum<br/>Amount of Bonds<br/>or Notes</u> |
|--|--|---|
| (1) Reconstruction of<br>various streets                 | \$ 150,000.                                  | \$ 142,500.   |
| (2) Acquisition of<br>Public Works Dept.<br>truck        | 40,000.                                      | 38,000.   |
| (3) Acquisition of<br>computers and<br>related equipment | 10,000.                                      | 9,500.  |
|  | <hr/> \$ 200,000.                            | <hr/> \$ 190,000.   |

the excess of the appropriation made for 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. 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 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 to 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 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 hereof 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 \$190,000. and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said law.

(d) Amounts not exceeding \$50,000. 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. 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 after final adoption as provided by said Local Bond Law.

Passed and approved by Mayor and Council June 6, 1996.

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 1 of the Housing and Community Development Act of 1974, as amended, commonly known as the 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. 40:8B-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 Council June 20, 1996.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE TO AMEND AND SUPPLEMENT  
AN ORDINANCE ENTITLED THE "POLICE DEPARTMENT  
ORDINANCE" OF THE BOROUGH OF OCEANPORT  
PASSED AND APPROVED DECEMBER 1, 1938.

**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 the ordinance entitled the "Police Department Ordinance" of the Borough of Oceanport passed and approved on December 1, 1938, be and the same is hereby amended and supplemented as follows:

A. Section 16-3 Rank is amended by the addition of the following position:

H. Probationary Trainee

B. There shall be added Section 16-10.2 Probationary Trainee as follows:

A. Upon the recommendation of the Chief of Police, the Borough Council may approve the appointment of one or more Probationary Trainee officers whenever it shall appear that a like number of permanent officer positions are likely to become vacant due to retirement or otherwise. Each such Probationary Trainee shall have successfully completed a training course at a Police Training Commission approved facility and possess at least a Class A certification prior to appointment.

B. Prior to appointment as a Probationary Trainee, each prospective appointee shall submit to and successfully pass such physical and psychological examinations as may be required by law.

C. No Probationary Trainee shall serve for more than ten (10) months following the date of appointment unless such term is extended upon the recommendation of the Chief of Police and approval by the Borough Council. Unless so extended, the appointment of a Probationary Trainee shall automatically terminate at the expiration of ten (10) months.

D. If a Probationary Trainee shall have served for a period of at least six (6) months and thereafter be appointed as a permanent member of the Police Department, the probationary period requirement of Section 16-12 may be waived as to such appointee upon the recommendation of the Chief of Police and approval by the Borough Council.

2. All provisions of the ordinance 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 following final passage and publication as provided by law.

Passed and approved by Mayor and Council August 15, 1996.

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, New Jersey as follows:

1. That Section 1, Paragraph J 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 effective January 1, 1996 be and hereby are fixed respectively as follows:

**J. Police Department**

|                    |           |
|--------------------|-----------|
| Chief              | \$64,330. |
| Captain            | \$58,547. |
| Detective Sergeant | \$56,520. |
| Sergeants, each    | \$55,525. |
| Detective          | \$53,554. |

|   |           |
|---|-----------|
| Patrolman I (commencing fifth year of service and each year thereafter) | \$52,746. |
| Patrolman II (commencing fourth year of service)                        | \$47,760. |
| Patrolman III (commencing third year of service)                        | \$42,774. |
| Patrolman IV (commencing second year of service)                        | \$37,787. |
| Patrolman V (commencing first year of service)                          | \$31,183. |

|   |           |
|---|-----------|
| Probationary Trainee (Effective 8/1/96) | \$23,890. |
|---|-----------|

**Dispatchers:**

|   |           |
|---|-----------|
| Third year of employment and each year thereafter | \$28,095. |
| Second year of employment                         | \$25,925. |
| First year of employment                          | \$23,890. |

|                              |           |
|------------------------------|-----------|
| Records Clerk                | \$ 2,680. |
| School Crossing Guards, each | \$ 6,230. |

**K. Public Works & Recycling Department**

|  |                       |
|--|-----------------------|
| Public Works Administrative Consultant | \$15,000.             |
| Foreman (effective Jan. 18, 1996)      | \$24,000.             |
| Helper I                               | \$26,040. - \$27,350. |
| Helper II                              | \$20,960. - \$22,010. |
| Helper III                             | \$19,760. - \$20,750. |
| Helper IV (effective June 6, 1996)     | - \$16,640.           |

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 August 15, 1996.

PATRICIA L. VARCA  
BOROUGH CLERK



**AN ORDINANCE TO AMEND AN  
ORDINANCE ENTITLED THE  
"BOROUGH OF OCEANPORT ZONING  
ORDINANCE" PASSED AND APPROVED  
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:

1. That the ordinance entitled the "Borough of Oceanport Zoning Ordinance" passed and approved on July 3, 1969, be and the same is hereby amended as follows:

A. Section 68-19 Community facility uses, Subsection C is amended as follows:

C. Private schools and similar institutions of learning. All private schools and other similar private institutions of learning shall occupy an area of no less than required in the following schedule:

| <b>Grades<br/>Served</b>           | <b>School Site</b>   |
|------------------------------------|--|
| Nursery school/<br>day-care center | 2 acres plus 500 square feet additional<br>for each child over a total of 20 |
| K-6                                | 5 acres plus 1 additional acre for<br>each 100 pupils                        |
| 7-12                               | 15 acres plus 1 additional acre for<br>each 100 pupils                       |
| 9-12                               | 25 acres plus 1 additional acre for<br>each 100 pupils                       |

B. Schedule 1 Permitted Land Uses Per Zoning District is amended to:

(1) Include Public Schools as a Permitted Principal Use in the R-1, R-2, R-3, R-4, R-5 and R-M zoning districts.

(2) Delete Public Schools as a Special Exception Use in any zoning district.

2. All provisions of the ordinance being amended herein which are not modified by this Ordinance shall remain in full force and effect.

3. This Ordinance shall take effect following final passage and publication as provided by law.

Passed and approved by Mayor and Council September 5, 1996.

Patricia L. Varca  
Borough Clerk

**ORDINANCE AUTHORIZING THE MAYOR TO SIGN A  
CERTIFICATION PROHIBITING THE USE OF  
EXCESSIVE FORCE AND THE CERTIFICATION  
PROHIBITING THE USE OF FEDERAL FUNDS FOR LOBBYING**

**WHEREAS**, certain Federal Funds are potentially available to Monmouth County through the Housing and Community Development Act of 1974, as amended; and

**WHEREAS**, the U.S. Department of Housing and Urban DEvelopment has allocated funding to the County in the amount of \$3,960,000.00 for Fiscal Year 1995; and

**WHEREAS**, the County is making some of these funds available to certain participating municipalities and non-profit agencies; and

**WHEREAS**, it is required that the Borough of Oceanport execute a project agreement with Monmouth County to undertake a project known as Construction of ADA Accessible intersections; and

**WHEREAS**, the U.S. Department of Housing and Urban Development is requiring that the Mayor and other chief Executive Officer of the Borough of Oceanport sign additional certifications in order to receive these funds; and

**WHEREAS**, the Borough of Oceanport has adopted a policy prohibiting the use of excessive force by its law enforcement agency (police force) within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

**WHEREAS**, a copy of that policy is attached to and made part of this ordinance.

**NOW, THEREFORE, BE IT ORDAINED** that the Borough of Oceanport has met the conditions of receiving FY 1995 CDBG allocation by adopting a policy prohibiting the use of excessive force and by not using Federal Funds for lobbying or by disclosing that funds have been used for lobbying.

**BE IT FURTHER ORDAINED** that the Mayor of the Borough of Oceanport is hereby authorized to sign the attached certifications which will become part of the FY 1995 project agreement.

Passed and approved by Mayor and Council September 5, 1996.

PATRICIA L. VARCA  
BOROUGH CLERK

**ORDINANCE AUTHORIZING THE MAYOR AND CLERK  
TO EXECUTE A PROJECT AGREEMENT WITH MONMOUTH  
COUNTY FOR PERFORMANCE AND DELIVERY OF FY 1995  
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 \$3,960,000.00 for FY 1995; 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 1995 which included a project hereinafter referred to as Construction of ADA Accessible Intersections with a grant allocation of \$31,300.00. This project will be undertaken in various sections of the Borough of Oceanport; and

**WHEREAS**, the Borough of Oceanport has hereby met all the requirements of 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 approvable "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 are hereby authorized to execute with the County of Monmouth that attached Project Agreement.

Passed and approved by Mayor and Council September 5, 1996.

PATRICIA L. VARCA  
BOROUGH CLERK

**AN ORDINANCE AUTHORIZING THE REPAIR/RECONSTRUCTION  
OF SOUTH PEMBERTON AVENUE UTILIZING  
\$18,000 FROM THE CAPITAL IMPROVEMENT FUND  
FOR ROAD IMPROVEMENTS**

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

Section 1. The improvements described in Section 1 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 Section 1, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums amount in the aggregate to \$18,000.

Section 2. The improvements and purposes for the financing hereby authorized is as follows:

| <u>Improvement or Purpose</u>                             | <u>Appropriation and<br/>Estimated Cost</u> |
|---|---|
| Repair and/or reconstruction of<br>South Pemberton Avenue | \$18,000.00                                 |

Section 3. This ordinance shall take effect upon final adoption and publication as required by law.

Passed and approved by Mayor and Council October 17, 1996.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE TO AMEND AND SUPPLEMENT  
AN ORDINANCE ENTITLED THE "FIRE DEPARTMENT  
ORDINANCE" OF THE BOROUGH OF OCEANPORT  
PASSED AND APPROVED DECEMBER 2, 1920.

**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 the ordinance entitled the "Fire Department Ordinance" of the Borough of Oceanport passed and approved on December 2, 1920, be and the same is hereby amended and supplemented as follows:

A. Regular membership. No person under the age of eighteen (18) may become a regular member of the Fire Department. Any applicant for membership must pass satisfactorily a physical examination by a practicing physician, which examination must be made within two (2) weeks of the filing of the application for membership, and a certificate as to his physical condition, disclosed by such examination and signed by the physician making such examination, must be presented to the company with his application for membership in the Department. Each active member of the Department must do sixty percent (60%) of duty each and every year, said duty to include only fires, fire alarms and twenty (20) drills in each and every year until he reaches New Jersey exempt status. Qualifications for active membership shall be determined by the bylaws of the fire company of which each individual is a member.

B. Special membership. Any person eighteen (18) years of age or older may become a special member of the Fire Department; provided such person shall be an active member in good standing of the fire department of any other municipality of the State of New Jersey. Applications for special membership shall be subject to review and approval by the Borough Council.

1. Unless any applicant for special membership shall have furnished satisfactory evidence that he or she was approved for membership in the fire department of another municipality prior to April 2, 1994, such application shall be subject to all of the provisions of Article II of this Ordinance.

2. In the event any special member shall cease to be an active member in good standing of the fire department of another municipality for any reason, the special membership of such person in the Oceanport Fire Department shall automatically terminate.

3. All applicants who shall become a special member of the Fire Department shall at all times be subject to the provisions of Article II of the Fire Department Ordinance regardless of their standing with the fire department of any other municipality in the State of New Jersey.

2. All provisions of the ordinance 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 following final passage and publication as provided by law.

Passed and approved by Mayor and Council November 7, 1996.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE TO AMEND AN  
ORDINANCE ENTITLED THE "PRIVATE  
SALES AND AUCTIONS ORDINANCE"  
OF THE BOROUGH OF OCEANPORT  
PASSED AND APPROVED NOVEMBER 1, 1973

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 the ordinance entitled the "Private Sales and Auctions Ordinance" of the Borough of Oceanport passed and approved on November 1, 1973, be and the same is hereby amended as follows:

A. Section 48-3C is amended as follows:

No person, firm or corporation, shall be issued more than two (2) permits within a twelve-month period for any one (1) location.

B. Section 48-4A is amended as follows:

In connection with the conduct of any private sale or private auction as may be permitted by the terms of this ordinance not more than two (2) signs advertising such private sale or auction shall be permitted.

2. All provisions of the ordinance being amended herein which are not modified by this Ordinance shall remain in full force and effect.

3. This Ordinance shall take effect following final passage and publication as provided by law.

Passed and approved by Mayor and Council December 5, 1996.

PATRICIA L. VARCA  
BOROUGH CLERK

**AN ORDINANCE AUTHORIZING REPAIRS TO THE  
COMMUNITY CENTER BALLFIELD UTILIZING \$7,500 AND  
\$1,500 FOR THE ROLLER HOCKEY PROJECT FROM THE  
CAPITAL IMPROVEMENT FUND FOR PARK IMPROVEMENTS**

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

Section 1. The improvements described in Section 1 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 Section 1, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sum amount in the aggregate to \$7,500.

Section 2. The improvements and purposes for the financing hereby authorized is as follows:

| <u>Improvement or Purpose</u>                   | <u>Appropriation and<br/>Estimated Cost</u> |
|---|---|
| Repair of Community Center<br>Ballfield         | \$7,500.00                                  |
| Roller Hockey Project at Blackberry<br>Bay Park | \$1,500.00                                  |

Section 3. This ordinance shall take effect upon final adoption and publication as required by law.

Passed and approved by Mayor and Council December 19, 1996.

PATRICIA L. VARCA  
BOROUGH CLERK

**1997 MODEL "CAP" ORDINANCE TO EXCEED INDEX RATE;  
INDEX RATE LESS THAN 5% LIMITATIONS FOR THE YEAR 1997 (N.J.S.A. 40A:4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et. seq., provides 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**, P. 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 appropriation 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 1997 has been certified by the Director of the Division of Local Government Services in the Department of Community Affairs as 2.5%; and

**WHEREAS**, the Borough Council of the Borough of Oceanport in the County of Monmouth finds it advisable and necessary to increase its 1997 budget by more than 2.5% 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 2.5% increase in the budget for said year, amounting to \$74,822.52 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 Borough Council of the Borough of Oceanport, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the 1997 budget year, the final appropriations of the Borough of Oceanport shall, in accordance with this ordinance and P.L. 1986, C. 203, be increased by 5%, amounting to \$149,645.04, and that the 1997 municipal budget for the Borough of Oceanport be approved and adopted in accordance with this ordinance; 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 five 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 five days after such adoption.

Passed and approved by Mayor and Council March 6, 1997.

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 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, 1997 unless otherwise stated, be and the same is hereby amended to read as follows:

**A. ADMINISTRATIVE AND EXECUTIVE**

|                          |           |
|--------------------------|-----------|
| Mayor                    | \$ 1,500. |
| Councilpersons, each (6) | \$ 1,500. |
| Borough Clerk            | \$49,205. |
| Secretary                | \$23,890. |

**B. FINANCIAL ADMINISTRATION**

|                         |           |
|-------------------------|-----------|
| Chief Financial Officer | \$37,195. |
|-------------------------|-----------|

**C. BOARD OF ASSESSORS**

|                    |           |
|--------------------|-----------|
| Assessor           | \$24,480. |
| Assistant Assessor | \$ 5,000. |
| Deputy             | \$ 1,500. |

**D. COLLECTION OF TAXES**

|                  |           |
|------------------|-----------|
| Tax Collector    | \$36,000. |
| Tax Office Clerk | \$19,215. |

**E. MUNICIPAL COURT**

|                            |           |
|----------------------------|-----------|
| Municipal Court Judge      | \$11,680. |
| Court Administrator        | \$11,080. |
| Deputy Court Administrator | \$ 6,530. |
| Municipal Prosecutor       | \$ 8,400. |

**F. LEGAL SERVICES**

|                  |           |
|------------------|-----------|
| Borough Attorney | \$ 3,500. |
|------------------|-----------|

**G. PLANNING BOARD**

|           |           |
|-----------|-----------|
| Secretary | \$ 4,940. |
|-----------|-----------|

**H. ZONING BOARD SECRETARY**

|           |           |
|-----------|-----------|
| Secretary | \$ 3,110. |
|-----------|-----------|

**I. Environmental Commission**

|           |         |
|-----------|---------|
| Secretary | \$ 440. |
|-----------|---------|

**J. POLICE DEPARTMENT**

|                    |           |
|--------------------|-----------|
| Chief              | \$68,500. |
| Captain            | \$61,474. |
| Detective Sergeant | \$59,346. |
| Sergeants, each    | \$58,511. |
| Detective          | \$56,232. |

|  |           |
|--|-----------|
| Patrolman I (commencing fifth year of service<br>and each year thereafter) | \$55,383. |
|--|-----------|

|  |           |
|--|-----------|
| Patrolman II (commencing fourth year of service) | \$50,148. |
|--|-----------|

|  |           |
|--|-----------|
| Patrolman III (commencing third year of service) | \$44,913. |
|--|-----------|

|  |           |
|--|-----------|
| Patrolman IV (commencing second year of service) | \$39,676. |
|--|-----------|

|  |           |
|--|-----------|
| Patrolman V (commencing first year of service) | \$32,742. |
|--|-----------|

|                      |           |
|----------------------|-----------|
| Probationary Trainee | \$25,085. |
|----------------------|-----------|

**Dispatchers:**

|  |           |
|--|-----------|
| Third year of employment and<br>each year thereafter | \$29,500. |
|--|-----------|

|                           |           |
|---------------------------|-----------|
| Second year of employment | \$27,220. |
|---------------------------|-----------|

|                          |           |
|--------------------------|-----------|
| First year of employment | \$25,085. |
|--------------------------|-----------|

|               |           |
|---------------|-----------|
| Records Clerk | \$ 2,815. |
|---------------|-----------|

|                              |           |
|------------------------------|-----------|
| School Crossing Guards, each | \$ 6,480. |
|------------------------------|-----------|

**K. PUBLIC WORKS & RECYCLING DEPARTMENT**

|  |           |
|--|-----------|
| Public Works Administrative Consultant | \$10,000. |
|--|-----------|

|                |           |
|----------------|-----------|
| Superintendent | \$29,000. |
|----------------|-----------|

|         |           |
|---------|-----------|
| Foreman | \$23,000. |
|---------|-----------|

|          |             |           |
|----------|-------------|-----------|
| Helper I | \$27,350. - | \$28,720. |
|----------|-------------|-----------|

|           |             |           |
|-----------|-------------|-----------|
| Helper II | \$20,000. - | \$22,010. |
|-----------|-------------|-----------|

|            |             |           |
|------------|-------------|-----------|
| Helper III | \$16,640. - | \$18,000. |
|------------|-------------|-----------|

**L. RECREATION AND EDUCATION**

|                     |           |
|---------------------|-----------|
| Recreation Director | \$ 4,915. |
|---------------------|-----------|

|                                      |           |
|--------------------------------------|-----------|
| Recreation Aides & Assistants, total | \$ 9,650. |
|--------------------------------------|-----------|

|                    |           |
|--------------------|-----------|
| Building Custodian | \$ 1,335. |
|--------------------|-----------|

|   |         |
|---|---------|
| Community Center/Old Wharf House reservations | \$ 815. |
|---|---------|

|                  |           |
|------------------|-----------|
| Welfare Director | \$ 4,160. |
|------------------|-----------|

|              |           |
|--------------|-----------|
| Library Aide | \$ 2,050. |
|--------------|-----------|

|                       |           |
|-----------------------|-----------|
| Construction Official | \$14,570. |
|-----------------------|-----------|

|                    |           |
|--------------------|-----------|
| Building Inspector | \$ 7,625. |
|--------------------|-----------|

|                           |           |
|---------------------------|-----------|
| Plumbing SubCode Official | \$ 5,280. |
|---------------------------|-----------|

|                   |           |
|-------------------|-----------|
| Housing Inspector | \$ 2,655. |
|-------------------|-----------|

|                       |           |
|-----------------------|-----------|
| Fire SubCode Official | \$ 2,195. |
|-----------------------|-----------|

|              |           |
|--------------|-----------|
| Fire Marshal | \$ 2,195. |
|--------------|-----------|

|                           |           |
|---------------------------|-----------|
| Building SubCode Official | \$ 3,725. |
|---------------------------|-----------|

|                            |           |
|----------------------------|-----------|
| Zoning Enforcement Officer | \$ 3,315. |
|----------------------------|-----------|

|              |           |
|--------------|-----------|
| Casual Labor | \$ 2,080. |
|--------------|-----------|

**M. BOARD OF HEALTH**

Registrar \$ 1,010.

**N. EMERGENCY MANAGEMENT**

Emergency Management Coordinator \$ 2,205.

**O. CASUAL LABOR** \$6.00 - \$10.00 per hour

**P. LONGEVITY** will be allowed in accordance with the schedule as listed below to all full time employees. (40 hours per week, 52 weeks per year) This provision shall be retroactive to January 1, 1997.

|                                     |          |
|-------------------------------------|----------|
| 6 through 10 years of service-----  | \$ 600.  |
| 11 through 15 years of service----- | \$ 900.  |
| 16 through 20 years of service----- | \$1,200. |
| 21 through 25 years of service----- | \$1,500. |
| 25 years of service and above-----  | \$1,800. |

**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 March 6, 1997.

PATRICIA L. VARCA  
BOROUGH CLERK

BOND ORDINANCE APPROPRIATING \$104,300.  
AND AUTHORIZING THE ISSUANCE OF \$99,085.  
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 \$104,300. including the aggregate sum of \$5,215. 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 \$104,300. 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 \$99,085. 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 \$99,085. 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 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<br/>Estimated Cost</u> | <u>Estimated Maximum<br/>Amount of Bonds<br/>or Notes</u> |
|---|--|---|
| (1) Computer System-Tax<br>Office Purchase-Restoration  | \$ 12,000.                                   | \$ 11,400.  |
| (2) Major Equipment-Fire/First<br>Aid/Public Works      | 60,000.                                      | 57,000.   |
| (3) Restoration/Const. to Public<br>Buildings & Streets | 25,800.                                      | 24,510.   |
| (4) Emergency Management<br>Vehicle                     | 6,500.                                       | 6,175.  |
|   | <u>\$ 104,300.</u>                           | <u>\$ 99,085.</u>   |

the excess of the appropriation made for 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. 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 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 to make 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 said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of 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 hereof 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 \$99,085. and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said law.

(d) Amounts not exceeding \$26,075. 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 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 limitations 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 after final adoption as provided by said Local Bond Law.

Passed and approved by Mayor and Council May 1, 1997.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE TO AMEND AND SUPPLEMENT  
AN ORDINANCE ENTITLED THE "BOROUGH OF  
OCEANPORT ZONING ORDINANCE" PASSED  
AND APPROVED ON 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:

1. That the ordinance entitled "The Borough of Oceanport Zoning Ordinance" passed and approved on July 3, 1969, be and the same is hereby amended and supplement as follows:

A. Section 68-4 Word usage; terms defined is amended and supplemented by the addition to the definition of "DWELLING" the following subsection:

(4) DWELLING, ELDERLY HOUSING - a building occupied or intended for occupancy as separate living quarters for up to fifty (50) households containing no more than two (2) persons in each living quarter. Each unit is to be occupied or intended for occupancy by at least one (1) person aged sixty-two (62) or older.

That the said Section 68-4 shall be further amended and supplemented by the addition of the following definition:

NURSING HOME - "Nursing home" or "nursing facility" means a facility that is licensed by the Department of Health to provide health care under medical supervision and continuous nursing care for 24 or more consecutive hours to two or more patients who do not require the degree of care and treatment which a hospital provides and who, because of their physical or mental condition, require continuous nursing care and services above the level of room and board.

B. Section 65-5 Designation of zones is amended as follows:

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-7.5 Residential Single-Family  
R-M Residential Multifamily  
RMO Residential Multiple-Family Development  
(fee simple owner)  
B-1 Professional and Office  
B-2 General and Recreational Commercial  
V-C Village Center (Retail Commercial)  
I Industrial

C. Section 68-6 Zoning Map is amended as follows:

The location and boundaries of said districts are hereby established on the Zoning Map of the Borough of Oceanport dated September 11, 1996, and revised December 15, 1996, which is attached hereto and is hereby made a part of this ordinance. Said map or maps and all notations, references and designations

shown thereon shall be, as such, a part of this ordinance as if the same were all fully described and set forth herein.

D. Section 68-21 Automotive uses. Subsection B(7) is amended as follows:

(7) Minimum distances and setbacks. Off-street parking and loading facilities for four (4) or more spaces in a B, V-C or I District shall not be closer than ten (10) feet to an R District or any street right-of-way line, nor located within the minimum setback area.

E. Section 68-21D TABLE 1 is amended as follows:

TABLE 1

| Uses  | Minimum Required<br>Off-Street Parking Spaces   |
|---|---|
| Bowling alleys  | 5 for each alley  |
| Churches and synagogues   | 2 for each 3 permanent seats. When individual seats are not provided, each 20 inches of bench shall be considered 1 seat  |
| Community buildings, country clubs, social halls, lodges, fraternal organizations, private schools and similar uses | 1 for each 75 square feet of floor area occupied by all principal and accessory structures                                |
| Doctors and dentists  | 6 for patients use for each doctor's or dentist's office  |
| Motels and hotels   | 1 for each rentable unit  |
| Funeral homes and mortuaries  | 1 for each car used in connection with the business, plus 1 for each 40 square feet of floor area of assembly             |
| Hospital, nursing and convalescent homes  | 1 for each 3 beds   |
| Manufacturing, industrial and general commercial uses not otherwise specified herein                                | 1 for each 1,000 square feet of floor area, plus 1 for each 4 employees in the maximum working shifts                     |
| Offices   | 6 for every 1,000 square feet of gross floor area or fraction thereof   |
| Multiple-family apartments  | 2 for each apartment  |
| Dwelling units<br>(elderly housing)   | 1 for every 4 dwelling units  |
| Single-family residential   | 2   |
| Restaurants, bars and nightclubs  | 1 for every 3 seats   |
| Retail stores, store groups, shops, etc.  | 5 for 1,000 square feet of gross floor area or fraction thereof   |
| Wholesale establishments or warehouses  | 1 for each 2 employees in the maximum shift. The total parking area shall be not less than 20% of the building floor area |



Convention halls, skating rinks, exhibition halls, stadiums, sports arenas, auditoriums and other places of public assembly.

1 for each 3 permanent seats, plus 1 for every 2 employees

Planned commercial development groups and shopping centers

1 for each 100 square feet of floor area where the floor area shall exceed 2,000 square feet

Any other uses not specified above

In determining minimum parking space requirements for uses not covered in this section, the planning board shall be guided by the number of persons employed in said building or by the use; and the number of persons expected to visit or patronize the building or use.

Reverse parking, with off-street parking located in the rear yard, is preferred. Off-street parking or loading shall not be permitted within the first fifteen (15) feet of any front yard.

F. Section 68-23 Miscellaneous uses, Subsection H(2) is amended as follows:

(2) In the B-1, B-2, V-C 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 (1) 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 person served by the antenna:

- (a) (No Change)
- (b) (No Change)

G. Section 68-23A shall be added as follows:

68-23A. V-C Zone development criteria. In order to insure that the Village Center (V-C Zone) be a visually attractive area, the following development criteria shall be applied whenever possible:

A. General Lot and Building Design Criteria.

(1) Any principal commercial building may contain more than one use and/or organization. Any lot may contain more than one principal structure, provided that each principal structure is located in a manner which will allow the possibility of subdividing the lot in a manner that each structure and resulting lot would conform to the zoning and subdivision requirements, including frontage on a public street.

(2) All building walls facing a street or residential district line shall be suitably finished for aesthetic purposes, which shall not include unpainted or painted cinder block or concrete block walls. Preferred building materials include brick, wood, stone or other natural materials.

(3) No merchandise, products, waste equipment or similar material or objects shall be displayed or stored outside.

B. Landscaping and Lighting.

(1) All portions of the property not utilized by buildings or paved surfaces shall be landscaped, with a combination of fencing, shrubbery, lawn area, ground cover, contours, existing foliage and the planting of conifers and/or deciduous trees native to the area

in order to either maintain or re-establish the tone of the vegetation in the area and lessen the impact of the structures and paved areas. The established grades on any site shall be planned for both aesthetic and drainage purposes. The grading plan, drainage facilities and landscaping shall be coordinated to prevent erosion and silting, as well as assuring that the capacity of any natural or man-made drainage system is sufficient to handle the water generated and anticipated.

(2) Perimeter strips consisting of a landscape screen shall be provided between off-street parking areas and adjoining properties. The perimeter strip shall be composed of plants and trees arranged to form both a low level and a high level screen. The high level screen shall consist of trees planted with specimens of at least four feet in height, and planted at intervals which will provide an overlapping foliage screen at maturity with a minimum mature height of 15 feet. The low level screen shall consist of shrubs or hedges planted at an initial height of not less than two feet and spaced at intervals of not less than five feet. The low level screen shall be placed in alternating rows to produce a more effective barrier. All plants not surviving two growing seasons after planting, shall be replaced. Perimeter strips shall be a minimum of ten feet wide and shall be protected by permanent curbing.

(3) Landscaping and buffer plan should be submitted for Planning Board site plan review showing what will remain and what will be planted indicating names of plants and trees and dimensions and approximate time of planting.

(4) There shall be at least one trash and garbage pick-up location provided by each building. It shall be separated from the parking spaces by either a location outside the building, which shall be a steellike, totally enclosed container located in a manner to be obscured from view from parking areas, and adjacent residential uses or zoning districts by a fence, wall, planting or combination of the three. If located within the building, the doorway may serve both the loading and trash/garbage functions, and if located within the general loading area(s), provided that the container in no way interferes with or restricts loading and unloading functions.

(5) Lighting. For all uses within this district, adequate lighting to ensure safe pedestrian and vehicular travel shall be provided. The following standards shall apply.

- a. Lights shall be directed toward the center and designed so as to prevent glare beyond the property line.. No high pressure sodium lights shall be permitted.
- b. The maximum height of free-standing light standards shall be 12 feet.
- c. The following intensity standards shall apply.
  - (1) Parking areas: an average of one and five tenths (1.5) footcandles throughout.
  - (2) Intersections: three footcandles.
  - (3) Maximum at property lines: one and zero tenths (1.0) footcandles.

**SCHEDULE I**  
**PERMITTED LAND USES FOR B AND I DISTRICTS**  
**Borough of Oceanport**  
**[Amended 6-23-1997 by Ord. No. 693]**

| District                                | Permitted Principal Uses  | Permitted Accessory Uses   | Special Exception Uses  |
|---|---|--|---|
| B-1 Professional and Office             | <p>Business or professional office buildings, including banks and financial institutions, but not including businesses which involve the retail sale of goods</p> <p>Recreation facilities, including public open space, public active and passive recreational uses such as miniature golf, a golf driving range and other similar uses or places of assembly</p> <p>Elderly housing</p>   | <p>Signs</p> <p>Off-street parking facilities</p>  |   |
| B-2 General and Recreational Commercial | <p>Horse racing, with or without pari-mutuel wagering, provided that any racetrack conducted for profit shall be licensed by the State Racing Commission</p> <p>Clubhouses, auditoriums and other places of assembly</p> <p>Motels and hotels</p> <p>Eating and drinking establishments</p> <p>Business and professional offices</p> <p>Swimming pools</p> <p>Ice-skating rinks</p>   | <p>Signs</p> <p>Parking and loading facilities</p> <p>Within the confines of any structure or structures, designed, constructed and/or used for horse racing, business incidental thereto may be conducted for the convenience of the users thereof, such as restaurants, food and beverage stands, newspaper stands and the like, provided that the conduct of business should be confined to a limited area, the access to which can only be made by paying a general admission or other similar charge</p> <p>Accessory uses and structures customarily appurtenant to a principal permitted use and/or necessary to the conduct of a principal permitted use</p> | <p>Regulation golf course, par-3 golf course and pitch and putt golf course</p> |
| I Industrial                            | <p>Any use permitted in the B-1 District, plus manufacturing of small machine parts and assemblies such as carburetors, cash registers, sewing machines, calculators and other machines. Fabrication of paper products, comprising any of the following: bags bookbinding, boxes and packaging material and office supplies</p> <p>Laboratories comprising any of the following: dental, electronic and pharmaceutical</p> <p>The warehousing or storage of goods and products, provided that no goods are sold on or from the premises</p> <p>Manufacturing of electronic products; switches and controls; glass and glass products manufacturing; jewelry manufacturing, including gem polishing; leather goods manufacturing except curing, tanning and finishing of hides; printing plant; sporting goods and toy manufacturing; and thread and yarn manufacturing.</p> | <p>Signs</p> <p>Private garage space necessary to store vehicles owned by the occupant on the premises</p> <p>Electric light and power and other utility company installations which may be needed in conjunction with this Industrial Zone</p> <p>Other accessory uses and structures customarily appurtenant to a principal permitted use</p>  |   |

**SCHEDULE I**  
**PERMITTED LAND USES FOR**  
**B AND I DISTRICTS**  
**Borough of Oceanport**

**SCHEDULE I**  
**PERMITTED LAND USES FOR R AND V-C DISTRICTS**  
**Borough of Oceanport**  
[Amended 1-20-1977 by Ord. No. 396; 5-15-1980 by Ord. No. 443;  
9-5-1996 by Ord. No. 683; 6-23-1997 by Ord. No. 693]

| District   | Permitted Principal Uses   | Permitted Accessory Uses   | Special Exception Uses   |
|--|--|--|--|
| R-1 Single-Family<br>R-2 Single-Family<br>R-3 Single-Family<br>R-4 Single-Family | Single-family detached dwelling<br><br>Park and playground<br><br>Municipal buildings<br><br>Library<br><br>Public schools   | Private garages for no more than 3 motor vehicles<br><br>Private boat launching and docking facilities for no more than 3 boats<br><br>Signs<br><br>Other accessory uses and structures customarily appurtenant to a permitted principal use<br><br>Private swimming pools and private tennis courts | Churches and other places of worship<br><br>Private schools having curricula comparable to that offered in the public school<br><br>Fire station<br><br>Commercial nursery and greenhouse in R-3 District only |
| R-5 Single-Family<br>Two-Family  | Single-family detached dwelling<br><br>Two-family dwelling<br><br>Park, playground and open space<br><br>Public schools  | Same as residential districts above  | Same as residential districts above<br><br>Commercial nursery and greenhouse   |
| R-7.5 Single-Family  | Single-family detached dwelling<br><br>Park, playground and open space   | Same as residential districts above  | Same as residential districts above  |
| R-M Multifamily  | Multiple-family dwelling<br><br>Public schools   | Same as residential districts above  | Same as residential districts above  |
| RMO Multifamily  | Multifamily development (fee simple owner)<br><br>Multifamily development (elderly housing)<br><br>Assisted care facility (nursing home)   |  | Existing single-family homes   |
| V-C Village Center   | Retail stores and service establishments, including but not limited to a grocery store, drug store, stationery store, the sale of gifts, antiques, flowers, books, jewelry, wearing apparel, tobacco and related supplies or craft shops making articles exclusively for sale at retail on the premises, provided that a retail store in the V-C District shall include a store in excess of 10,000 square feet of floor area<br><br>Personal service shops, including but not limited to a tailor, barber, beauty salon, shoe repair, dressmaking or similar service uses<br><br>General business and professional offices<br><br>Banks<br><br>Museums, galleries and studios for dance, art, music, photography, radio or television<br><br>Fully enclosed restaurants and drinking establishments with or without outdoor dining areas. No drive-in restaurants shall be permitted<br><br>Elderly housing<br><br>Municipal uses | Signs<br><br>Incidental storage<br><br>Parking and loading facilities<br><br>Other accessory uses and structures customarily appurtenant to a principal permitted use  | Existing single-family homes<br><br>Existing elderly housing in excess of 50 units   |

**SCHEDULE I  
PERMITTED LAND USES FOR  
R AND V-C DISTRICTS  
Borough of Oceanport**

H. Section 68-24B is amended as follows:

B. Signs in business and industrial districts. Business signs are permitted in B, V-C and I Districts in accordance with the following regulations:

(1) through (9) (No change)

(10) Special design for commercial signs in the V-C Zone (Village Center) have been recommended in the Oceanport Master Plan as revised by resolution of the Planning Board adopted on May 28, 1997, and should be applied whenever possible.

2. All provisions of the ordinance 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 following final passage and publication as provided by law.





**SCHEDULE II**  
**BULK AND COVERAGE CONTROLS**  
**Borough of Oceanport**  
[Amended 1-20-1977 by Ord. No. 396; 5-15-1980 by Ord. No. 443;  
10-15-1987 by Ord. No. 557; 12-21-1989 by Ord. No. 597;  
6-23-1997 by Ord. No. 693]

|                                | R-1<br>Single-<br>Family | R-2<br>Single-<br>Family | R-3<br>Single-<br>Family | R-4<br>Single-<br>Family | R-5<br>Single-<br>Family | R-5<br>Two-<br>Family | R-7.5<br>Single-<br>Family | RM<br>Multi-<br>family | RMO<br>Multiple-<br>Family<br>Development      | V-C<br>Village<br>Center | B-1<br>Profes-<br>sional<br>and<br>Office | B-2<br>General and<br>Recreational<br>Commercial | I<br>Industrial |
|--------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-----------------------|----------------------------|------------------------|--|--------------------------|---|--|-----------------|
| Minimum lot area (square feet) | 30,000                   | 15,000                   | 12,000                   | 10,000                   | 10,000                   | 7,000 <sup>1</sup>    | 7,500                      | 5 acres                |  | 6,000 <sup>2,3</sup>     | 62,500                                    | 80,000   | 40,000          |
| Minimum lot width (feet)       | 150                      | 125                      | 120                      | 100                      | 100                      | 70 <sup>1</sup>       | 75                         | 350                    |  | 60                       | 250                                       | 250  | 200             |
| Minimum lot depth (feet)       | 200                      | 120                      | 100                      | 100                      | 100                      | 100                   | 100                        | 350                    |  | 100                      | 250                                       | 250  | 200             |
| Maximum height (stories/feet)  | 2/30                     | 2/30                     | 2/30                     | 2/30                     | 2/30                     | 2/30                  | 2/30                       | 2/30                   | For bulk and coverage controls, see § 68-22.1. | 2/30                     | 2/30                                      | 2/30   | 2/30            |
| Maximum lot coverage (percent) |                          |                          |                          |                          |                          |                       |                            |                        |  |                          |   |  |                 |
| Principal building             | 25                       | 25                       | 25                       | 25                       | 25                       | 25                    | 25                         | 25                     |  | -- <sup>4</sup>          | 25  | 15   | 30              |
| Accessory building             | 5                        | 5                        | 5                        | 5                        | 5                        | 5                     | 5                          | 5                      |  | 5                        | --  | 5  | 5               |
| Maximum dwellings per acre     | 1.5                      | 3.0                      | 3.7                      | 4.5                      | 4.5                      | 6.3                   | 4                          | 12                     |  | 16                       | --  | --   | --              |
| Minimum yards (feet)           |                          |                          |                          |                          |                          |                       |                            |                        |  |                          |   |  |                 |
| Principal building             |                          |                          |                          |                          |                          |                       |                            |                        |  |                          |   |  |                 |
| Front                          | 50                       | 30                       | 30                       | 30                       | 30                       | 30                    | 30                         | 75                     |  | 15                       | 100                                       | 100  | 50              |
| Side (one/both)                | 15/35                    | 10/25                    | 10/25                    | 10/20                    | 10/20                    | 15/20                 | 10/20                      | 30/60                  |  | 10/20                    | 50/100                                    | 50/100   | 25/50           |
| Rear                           | 40                       | 40                       | 25                       | 25                       | 25                       | 25                    | 25                         | 50                     |  | 25                       | 100                                       | 60   | 25              |
| Accessory building             |                          |                          |                          |                          |                          |                       |                            |                        |  |                          |   |  |                 |
| Side                           | 20                       | 15                       | 10                       | 10                       | 10                       | 10                    | 10                         | 30                     |  | 20                       | --  | 50   | 20              |
| Rear                           | 10                       | 10                       | 5                        | 5                        | 5                        | 5                     | 5                          | 50                     |  | 10                       | --  | 50   | 10              |

**NOTES:**

<sup>1</sup> Per dwelling unit.

<sup>2</sup> Shopping centers: minimum lot area of five acres and subject to site plan review. (See § 68-10 of this ordinance.)

<sup>3</sup> Elderly housing development shall have a minimum lot area of 15,000 square feet.

Maximum number of elderly units per development is 50.

<sup>4</sup> Not more than 80% of any lot area may be covered by buildings and/or impervious paving materials, and not more than 40% of any lot area may be occupied by buildings. A minimum of 20% of each lot shall be landscaped.

**SCHEDULE II**  
**BULK AND COVERAGE CONTROLS**  
**Borough of Oceanport**





**SCHEDULE III**  
**MINIMUM HABITABLE FLOOR AREA PER FAMILY**  
(square feet)<sup>1</sup>  
**Borough of Oceanport**  
[Amended 1-20-1977 by Ord. No. 396; 6-23-1997 by Ord. No. 693]

|             | R-1<br>Single-Family           | R-2<br>Single-Family           | R-3<br>Single-Family           | R-4<br>Single-Family           | R-5, R-7.5<br>Single-Family    | R-5<br>Two-Family   |
|-------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|---|
| 1-Story     | 2,000                          | 1,500                          | 1,400                          | 1,200                          | 1,200                          | --  |
| 1½-Story    | 2,200 total<br>1,500 1st floor | 1,600 total<br>1,200 1st floor | 1,600 total<br>1,200 1st floor | 1,600 total<br>1,200 1st floor | 1,600 total<br>1,200 1st floor | --  |
| 2-Story     | 2,200 total<br>1,350 1st floor | 2,000 total<br>1,150 1st floor | 2,000 total<br>1,150 1st floor | 1,800 total<br>1,050 1st floor | 1,800 total<br>1,050 1st floor | --  |
| Bi-Level    | 2,200 total<br>1,500 2nd floor | 1,600 total<br>1,200 2nd floor | 1,600 total<br>1,200 2nd floor | 1,600 total<br>1,200 2nd floor | 1,600 total<br>1,200 2nd floor | (Side-by-side vertical<br>1,450 total<br>1,000 1st floor)     |
| Split-Level | 2,200 total<br>1,500 2nd floor | 1,600 total<br>1,200 2nd floor | 1,600 total<br>1,200 2nd floor | 1,600 total<br>1,200 2nd floor | 1,600 total<br>1,200 2nd floor | (Over-and-under<br>horizontal 1,000 total<br>1,000 1st floor) |

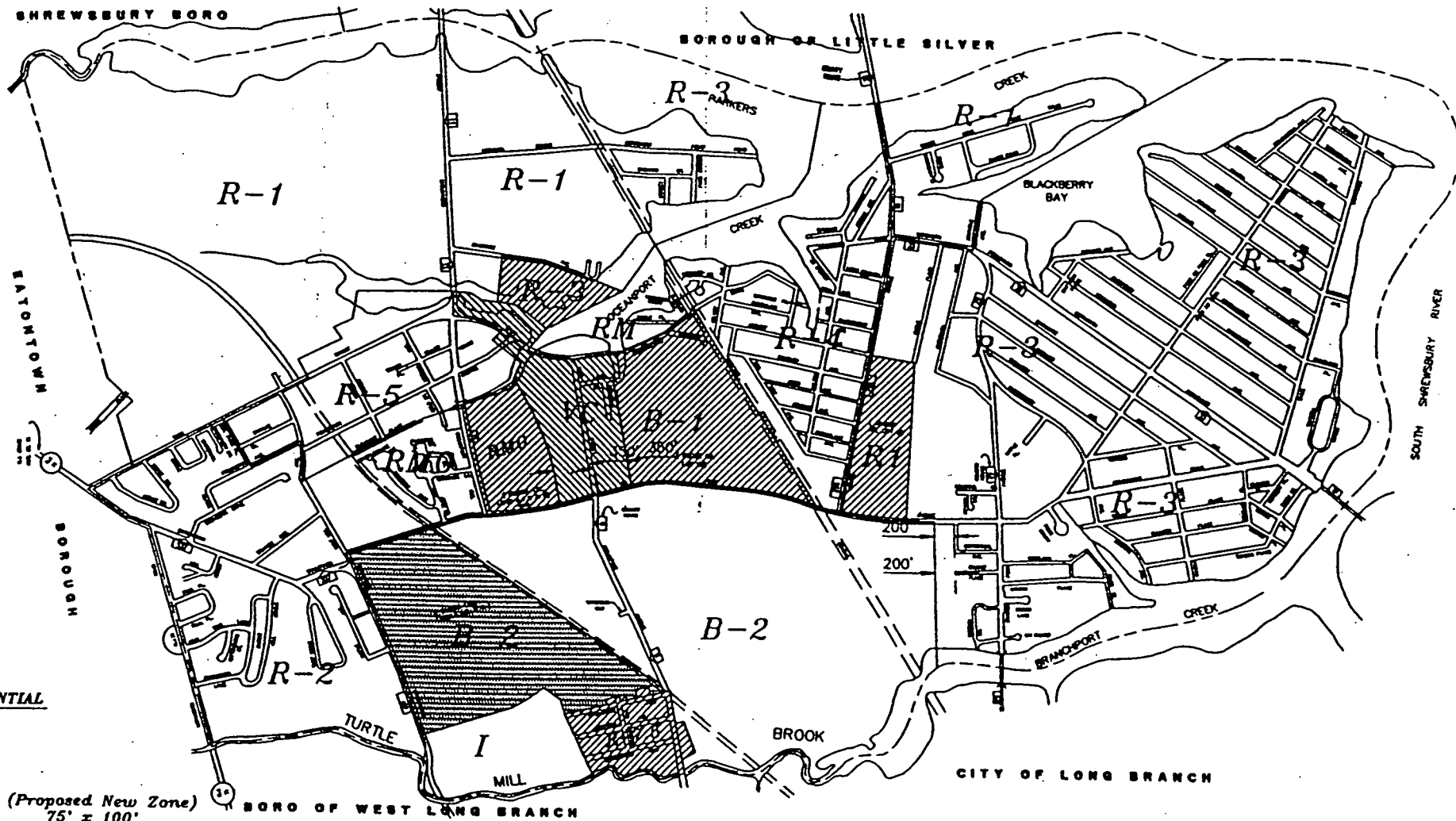
**MINIMUM HABITABLE FLOOR AREA (MULTIFAMILY)**  
(square feet)<sup>1</sup>  
[Amended 5-15-1980 by Ord. No. 443; 6-23-1997 by Ord. No. 693]

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

**NOTES:**

<sup>1</sup> Square footage given is per living unit.

**SCHEDULE III**  
**MINIMUM HABITABLE FLOOR AREA**  
**Borough of Oceanport**



**RESIDENTIAL**

- R-1
- R-2
- R-3
- R-4
- R-5
- R-7.5 (Proposed New Zone)
- RMO 75' x 100'
- RM

**BUSINESS**

- B-1 (To include Assisted Living Facilities)
- B-2

**INDUSTRIAL**

- I

**VILLAGE CENTER**

- VC (Proposed New Zone)

**KEY**

- PROPOSED ZONE CHANGES
- OPEN SPACE - PROPOSED COUNTY PARK

NOTE: BLOCK AND LOTS FOR  
N.J. SPORTS AUTHORITY PROPERTY  
SHOWN FOR REFERENCE ONLY.

**ZONING MAP**  
**BOROUGH OF OCEANPORT**  
MONMOUTH COUNTY, NEW JERSEY  
SCALE: 1" = 500'  
SEPTEMBER 11, 1998  
REVISED 12/18/98  
BIRDSALL ENGINEERING, INC.  
1700 7<sup>TH</sup> STREET, SOUTH BELMAR, NEW JERSEY 07719  
70002568

**ZONING MAP**

**OF THE**

**BOROUGH OF**

**OCEANPORT**

**[Amended 9-6-1979 by Ord. No. 435;  
6-23-1997 by Ord. No. 693]**



Passed and approved by Mayor and Council June 23, 1997.

PATRICIA L. VARCA, BOROUGH CLERK

AN ORDINANCE TO AMEND AND SUPPLEMENT  
AN ORDINANCE ENTITLED THE "BOROUGH OF  
OCEANPORT FEES ORDINANCE" PASSED AND  
APPROVED 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 the ordinance entitled "The Borough of Oceanport Fees Ordinance" passed and approved on April 16, 1981, be and the same is hereby amended and supplemented by the addition of ARTICLE V as follows:

ARTICLE V  
Tax Collector Fees

Section 35A-11. Tax Sale Certificate Duplicates.

In case of the destruction or loss of a tax sale certificate which was previously issued by the Borough at a prior tax sale, the Collector of Taxes shall issue and execute a new tax sale certificate in place of one which has been destroyed or lost, provided such issuance shall have been duly authorized by a resolution of the Governing Body. A fee of one hundred (\$100.00) dollars shall be charged for each replacement tax sale certificate so issued.

2. All provisions of the ordinance 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 following final passage and publication as provided by law.

Passed and approved by Mayor and Council August 21, 1997.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE TO AMEND AND SUPPLEMENT  
AN ORDINANCE ENTITLED THE "BOROUGH OF  
OCEANPORT VEHICLE AND TRAFFIC ORDINANCE"  
PASSED AND APPROVED APRIL 1, 1993.

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 64-29 Violations and penalties of the ordinance entitled "The Borough of Oceanport Vehicle and Traffic Ordinance" passed and approved on April 1, 1993, be and the same is hereby amended and supplemented as follows:

Section 64-29 Violations and penalties.

Unless another penalty is expressly provided by New Jersey Statute, every person convicted of a violation of a provision of this ordinance, or any supplement thereto, shall be liable to a penalty of not more than two hundred dollars (\$200.) or imprisonment for a term not exceeding fifteen (15) days, or both. Any fine or penalty imposed or levied for a violation of any provision of this ordinance regarding parking may be paid to and collected by the Violations Clerk without the necessity of a Court appearance.

2. All provisions of the ordinance 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 following final passage and publication as provided by law.

Passed and approved by Mayor and Council September 18, 1997.

PATRICIA L. VARCA  
BOROUGH CLERK

AN ORDINANCE ESTABLISHING THE WOLFHILL  
FOUNDATION COMMITTEE; PROVIDING FOR  
THE APPOINTMENT OF MEMBERS THEREOF,  
AND DESIGNATING 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 "Wolfhill Foundation Committee Ordinance of the Borough of Oceanport, New Jersey".

**Section 2. Establishment.**

There is hereby established and created a committee of the Borough of Oceanport to be known as the "Wolfhill Foundation Committee of the Borough of Oceanport"

**Section 3. Composition.**

The Committee shall be composed of twelve (12) members, to be selected and appointed by the Mayor at the next regular meeting of the Borough Council after this ordinance shall become effective. The Committee shall consist of one (1) representative from each of the following committees: Historical Committee, Library Committee and Recreation Committee. In addition, nine (9) at-large members shall be appointed.

**Section 4. Appointments; terms of office.**

The members of the Committee shall be appointed by the Mayor. Four (4) members shall be appointed for a term expiring on December 31 of the year following the year of appointment. Four (4) members shall be appointed for a term expiring on December 31 of the second year following the year of appointment. Four (4) members shall be appointed for a term expiring on December 31 of the third year following the year of appointment. Following the initial appointments, all members shall serve 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 respective terms and until their successors are appointed and qualified.

**Section 5. Removal from office.**

Any member of the 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 Committee shall be residents of the Borough of Oceanport and shall serve without compensation, except as may be hereinafter provided.

**Section 7. Oath of office.**

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 the Committee members, a Chairman. The members of the Committee may also choose such other officers as it may deem necessary. Two (2) members of the Borough Council, being the liaison members appointed for the Historical and Library Committees, shall be appointed annually by the Council as liaison members 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 Wolfhill Foundation Committee in the Borough of Oceanport to provide for the planning of renovations and improvements to the main house located on property known as Wolf Hill Farm for use as a branch of the Monmouth County Library, as well as for other community activities and events. 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) Invite the participation in any of its meetings of various individuals within the Borough.
- (2) Formulate and promulgate reasonable rules and regulations relating to the use by groups or individuals of the Wolf Hill Farm Facility.
- (3) Determine the amount of fees, if any, to be collected from groups or individuals wishing to use the facility.
- (4) Deposit in interest-bearing accounts at any commercial bank or savings and loan institution all fees and other revenue generated by the Committee. With the exception of such sums as may be required to finance the activities of the Committee, all moneys generated or otherwise received by the Committee shall be designated and utilized solely for the purposes stated herein.
- (5) Expend such sums as may be necessary 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.
- (6) Execute such sums as may be necessary to accomplish the purposes of this ordinance, provided that they shall have been previously submitted to and approved by the Borough Attorney.
- (7) 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.
- (8) Apply for and receive such licenses, permits and other approvals necessary or required to engage in the activities authorized by this ordinance.

(9) Determine the existence and availability of both public and private grants and other funding to effectuate the purposes of this ordinance and, subject to the prior authorization by the Borough Council, to apply for any such grants or funds.

**Section 11. Annual appropriation.**

A. During the month of December in each year, the 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 costs 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. Liability.**

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 November 6, 1997.

PATRICIA L. VARCA  
BOROUGH CLERK

**AN ORDINANCE CREATING THE OFFICE  
OF MUNICIPAL COURT PUBLIC DEFENDER  
IN 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. Position created.**

The office of Municipal Court Public Defender 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 Court Public Defender 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 Court Public Defender. Such nomination shall be made at the annual organizational 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 Court Public Defender. 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 Court Public Defender, 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 Court Public Defender pursuant to the terms of this ordinance, and to serve until December 31, 1998, 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 ordinance. 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 Court Public Defender. No appointment shall be made by except by the 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.

**Section 3. Compensation.**

The Municipal Court Public Defender 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 Court Public Defender

Shall provide all necessary and desirable legal counsel and advice required for the defense of cases in the Municipal Court of the Borough on behalf of those indigent defendants who are entitled by law to appointment of counsel and as approved by the Municipal Court Judge.

Section 5. Application procedure.

Every person who makes application to the Oceanport Municipal Court for representation by the Public Defender in any matter pending before the Court shall pay an application fee of Two Hundred (\$200.00) Dollars. The Municipal Court may waive this required application fee, in whole or in part, if the Court determines, in its discretion, that the application fee represents an unreasonable burden on the person seeking representation. An applicant seeking a waiver shall submit a written request supported by facts that payment of the fee would represent an unreasonable burden on the applicant. The Court may consider the applicant's employment status, income, assets, number of dependents, financial obligations, and any other information relevant to a determination, in the discretion of the Judge, of what constitutes an unreasonable burden on the particular applicant. Waivers shall be decided by the Court on a case by case basis according to the particular circumstances of each applicant.

Section 6. 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 provision of this ordinance notwithstanding any such invalid portion.

Section 7. Repealer.

All ordinances or parts of ordinances inconsistent herewith are hereby repealed, to the extent of such inconsistency only.

Section 8. When effective.

This ordinance shall take effect immediately after final passage and publication as required by law.

Passed and approved by Mayor and Council January 15, 1998.

PATRICIA L. VARCA  
BOROUGH CLERK



AN ORDINANCE TO AMEND AN ORDINANCE  
ENTITLED THE "PERSONNEL POLICY ORDINANCE  
OF THE BOROUGH OF OCEANPORT" PASSED AND  
APPROVED 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 that the ordinance entitled the "Personnel Policy Ordinance of the Borough of Oceanport" passed and approved on March 20, 1986, be amended as follows:

1. Section 13-17 Vacations, Subsection A is amended as follows:

A. Full-time employees will received vacations with pay on a calendar-year basis as follows:

(1) During the first calendar year of employment, 1/2 day per month with a maximum of five (5) working days.

(2) From the second through the fifth calendar years of service, ten (10) working days per year. That the ordinance entitled the "Personnel Policy Ordinance of the Borough of Oceanport" passed and approved on March 20, 1986, be amended as follows:

(3) From the sixth through the tenth calendar years of service, fifteen (15) working days per year.

(4) From the eleventh through the fifteenth calendar years of service, twenty (20) working days per year. Vacations with pay on a calendar-year basis as follows:

(5) From the sixteenth calendar year of service and thereafter, twenty-five (25) working days per year. That the ordinance entitled the "Personnel Policy Ordinance of the Borough of Oceanport" passed and approved on March 20, 1986, be amended as follows:

2. Section 13-34.1 Compensation for unused sick leave, Subsection A(3) is amended as follows: From the second through the fifth calendar years of service, ten (10) working days per year.

(3) A maximum of one hundred (100) days or \$27,800., whichever is less, provided that the employee is at least fifty-five (55) years old and has been employed by the borough for a minimum of thirty (30) years or is at least sixty (60) years old and has been employed by the borough for a minimum of twenty (20) years.

(4) From the eleventh through the fifteenth calendar years of service, twenty (20) working days per year.

3. All provisions of the ordinance being amended and supplemented herein which are not modified by this Ordinance shall remain in full force and effect.

4. The Ordinance shall take effect following final passage and publication as provided by law.

4.1 Compensation for unused sick leave, Subsection A(3) is amended as follows: From the second through the fifth calendar years of service, ten (10) working days per year.

Passed and approved by the Mayor and Council February 5, 1998

(3) A maximum of one hundred (100) days or \$27,800., whichever is less, provided that the employee is at least fifty-five (55) years old and has been employed by the borough for a minimum of thirty (30) years or is at least sixty (60) years old and has been employed by the borough for a minimum of twenty (20) years.

5. All provisions of the ordinance being amended and supplemented herein which are not modified by this Ordinance shall remain in full force and effect.

4. The Ordinance shall take effect following final passage and publication as provided by law.

Passed and approved by the Mayor and Council February 5, 1998

**AN ORDINANCE AUTHORIZING REPAIRS TO THE  
COMMUNITY CENTER KIDDY LOT PLAYGROUND  
UTILIZING \$2,780.07 FROM THE CAPITAL IMPROVEMENT  
FUND FOR PARK IMPROVEMENTS AND  
\$32,775. FOR THE BALANCE OF ROAD IMPROVEMENTS  
TO TECUMSEH AVENUE FROM THE CAPITAL  
IMPROVEMENT FUND FOR ROAD IMPROVEMENTS**

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

Section 1. The improvements described in Section 1 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 Section 1, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes in the amount of \$2,780.07 for park improvements and \$32,775 for road improvements.

Section 2. The improvements and purposes for the financing hereby authorized is as follows:

| <u>Improvement or Purpose</u>                       | <u>Appropriation and<br/>Estimated Cost</u> |
|---|---|
| Repairs to Community Center<br>Kiddy Lot Playground | \$ 2,780.07                                 |
| Road Improvements to Tecumseh Avenue                | \$32,775.00                                 |

Section 3. This ordinance shall take effect upon final adoption and publication as required by law.

Passed and approved by the Mayor and Council March 5, 1998

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 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, 1998 unless otherwise stated, be and the same is hereby amended to read as follows:

**A. ADMINISTRATIVE AND EXECUTIVE**

|   |           |
|---|-----------|
| Mayor                                   | \$ 1,500. |
| Councilpersons, each (6)                | \$ 1,500. |
| Borough Clerk                           | \$51,545  |
| Deputy Borough Clerk (effective 2/9/98) | \$30,000  |
| Secretary                               | \$25,025  |

**B. FINANCIAL ADMINISTRATION**

|                         |          |
|-------------------------|----------|
| Chief Financial Officer | \$38,965 |
|-------------------------|----------|

**C. BOARD OF ASSESSORS**

|          |          |
|----------|----------|
| Assessor | \$15,000 |
|----------|----------|

**D. COLLECTION OF TAXES**

|                  |          |
|------------------|----------|
| Tax Collector    | \$37,710 |
| Tax Office Clerk | \$20,130 |

**E. MUNICIPAL COURT**

|                            |          |
|----------------------------|----------|
| Municipal Court Judge      | \$12,090 |
| Court Administrator        | \$11,605 |
| Deputy Court Administrator | \$ 6,760 |
| Municipal Prosecutor       | \$ 8,400 |
| Public Defender            | \$ 2,500 |

**F. LEGAL SERVICES**

|                  |           |
|------------------|-----------|
| Borough Attorney | \$ 3,500. |
|------------------|-----------|

**G. PLANNING BOARD**

|           |          |
|-----------|----------|
| Secretary | \$ 5,115 |
|-----------|----------|

**H. ZONING BOAR OF ADJUSTMENT**

|           |          |
|-----------|----------|
| Secretary | \$ 3,220 |
|-----------|----------|

**I. ENVIROMENTAL COMMISSION**

|           |         |
|-----------|---------|
| Secretary | \$ 440. |
|-----------|---------|

**J. POLICE DEPARTMENT**

|       |           |
|-------|-----------|
| Chief | \$71,755. |
|-------|-----------|

|                    |          |
|--------------------|----------|
| Captain            | \$64,394 |
| Detective Sergeant | \$62,165 |
| Sergeants, each    | \$61,290 |
| Detective          | \$58,903 |

|  |          |
|--|----------|
| Patrolman I (commencing fifth year of service<br>and each year thereafter) | \$58,014 |
|--|----------|

|  |          |
|--|----------|
| Patrolman II (commencing fourth year of service) | \$52,530 |
|--|----------|

|  |          |
|--|----------|
| Patrolman III (commencing third year of service) | \$47,046 |
|--|----------|

|  |          |
|--|----------|
| Patrolman IV (commencing second year of service) | \$41,561 |
|--|----------|

|  |          |
|--|----------|
| Patrolman V (commencing first year of service) | \$34,297 |
|--|----------|

|                      |           |
|----------------------|-----------|
| Probationary Trainee | \$25,085. |
|----------------------|-----------|

Dispatchers:

|  |          |
|--|----------|
| Third year of employment and<br>each year thereafter | \$30,900 |
|--|----------|

|                           |          |
|---------------------------|----------|
| Second year of employment | \$28,515 |
|---------------------------|----------|

|                          |          |
|--------------------------|----------|
| First year of employment | \$26,275 |
|--------------------------|----------|

|               |          |
|---------------|----------|
| Records Clerk | \$ 2,950 |
|---------------|----------|

|                              |          |
|------------------------------|----------|
| School Crossing Guards, each | \$ 6,705 |
|------------------------------|----------|

## K. PUBLIC WORKS & RECYCLING DEPARTMENT

|  |          |
|--|----------|
| Public Works Administrative Consultant | \$ 7,800 |
|--|----------|

|                |          |
|----------------|----------|
| Superintendent | \$31,900 |
|----------------|----------|

|         |          |
|---------|----------|
| Foreman | \$25,300 |
|---------|----------|

|          |                      |
|----------|----------------------|
| Helper I | \$28,720. - \$30,085 |
|----------|----------------------|

|           |                      |
|-----------|----------------------|
| Helper II | \$20,000. - \$22,010 |
|-----------|----------------------|

|            |                     |
|------------|---------------------|
| Helper III | \$18,000 - \$19,855 |
|------------|---------------------|

## L. RECREATION AND EDUCATION

|                     |          |
|---------------------|----------|
| Recreation Director | \$ 5,090 |
|---------------------|----------|

|                                      |          |
|--------------------------------------|----------|
| Recreation Aides & Assistants, total | \$ 9,650 |
|--------------------------------------|----------|

|                    |          |
|--------------------|----------|
| Building Custodian | \$ 1,385 |
|--------------------|----------|

|   |           |
|---|-----------|
| Community Center/Old Wharf House reservations | \$34,5845 |
|---|-----------|

|              |          |
|--------------|----------|
| Library Aide | \$ 2,400 |
|--------------|----------|

|                            |          |
|----------------------------|----------|
| Construction Official      | \$15,500 |
| Building Inspector         | \$ 7,895 |
| Plumbing SubCode Official  | \$ 5,465 |
| Housing Inspector          | \$ 2,750 |
| Fire SubCode Official      | \$ 2,275 |
| Fire Marshal               | \$ 2,275 |
| Building SubCode Official  | \$ 3,855 |
| Zoning Enforcement Officer | \$ 3,430 |
| Casual Labor               | \$ 2,160 |

#### **M. BOARD OF HEALTH**

|           |          |
|-----------|----------|
| Registrar | \$ 1,060 |
|-----------|----------|

#### **N. EMERGENCY MANAGEMENT**

|                                  |          |
|----------------------------------|----------|
| Emergency Management Coordinator | \$ 2,285 |
|----------------------------------|----------|

#### **O. CASUAL LABOR**                      \$6.00 - \$10.00 per hour

**P. LONGEVITY** will be allowed in accordance with the schedule as listed below to all full time employees. (40 hours per week, 52 weeks per year) This provision shall be retroactive to January 1, 1998.

|                                     |           |
|-------------------------------------|-----------|
| 6 through 10 years of service-----  | \$ 600.   |
| 11 through 15 years of service----- | \$ 900.   |
| 16 through 20 years of service----- | \$ 1,200. |
| 21 through 25 years of service----- | \$ 1,500. |
| 25 years of service and above-----  | \$ 1,800. |

**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.

**Approved:**

**GORDON N. GEMMA, MAYOR**

**Dated: March 5, 1998**

Passed and approved by the Mayor and Council 3/5/98

PATRICIA L. VARCA  
BOROUGH CLERK

**BOND ORDINANCE APPROPRIATING \$135,790. AND  
AUTHORIZING THE ISSUANCE OF \$128,995. BONDS  
OR NOTES OF THE BOROUGH OF 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 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 \$135,790. including the aggregate sum of \$6,795. 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 \$135,790. 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 \$128,995. 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 \$128,995. 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 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 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<br/>Estimated Cost</u> | <u>Estimated Maximum<br/>Amount of Bonds<br/>or Notes</u> |
|---------------------------------------|--|---|
| (1) Fire Department Air Paks          | \$ 8,000.00                                  | \$ 7,600.   |
| (2) First Aid Extraction<br>Equipment | 112,000.                                     | 11,400.   |

|  |                  |                   |
|--|------------------|-------------------|
| (3) Renovations to<br>Port-Au-Peck Firehouse       | 14,500.          | 13,770.           |
| (4) Tennis Court Restoration -<br>Community Center | 25,000.          | 23,750.           |
| (5) Police Computer System                         | 76,290.          | 72,475.           |
|  | <u>\$135,790</u> | <u>\$128,995.</u> |

the excess of the appropriation made for 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. All funds to be received from the Program shall be used to satisfy the obligations incurred pursuant to the terms of this Ordinances.

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 to 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 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 complete duplicate hereof 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 \$128,995. and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said law.

(d) Amounts not exceeding \$33,950. 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 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 after the final adoption as provided by said Local Bond Law.

Passed and approved by the Borough Council 4/2/98

PATRICIA L. VARCA  
BOROUGH CLERK

**AN ORDINANCE ESTABLISHING THE CAPITAL  
IMPROVEMENTS ADVISORY COMMITTEE OF THE BOROUGH  
OF OCEANPORT, NEW JERSEY; PROVIDING FOR THE APPOINTMENT  
OF MEMBERS THEREOF AND DESIGNATING 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 "Capital Improvements Advisory Committee Ordinance of the Borough of Oceanport, New Jersey."

**Section 2. Establishment**

There is hereby established and created a committee of the Borough of Oceanport to be known as the "Capital Improvements Advisory Committee of the Borough of Oceanport."

**Section 3. Composition.**

The Capital Improvements Advisory Committee shall be composed of eight (8) members to be selected as follows:

A. Three (3) members of the Borough Council, two (2) of whom shall be current members of the Council's Finance Committee

B. Four (4) residents of the Borough not holding municipal elective office.

C. The Chief Financial Officer of the Borough.

The back-up member of the Borough's Finance Committee shall serve as the liaison from the Capital Improvements Advisory Committee to the Borough Council.

**Section 4. Appointments; terms of office**

The members of the Capital Improvements Advisory Committee shall be nominated by the Mayor and confirmed by the vote of the Council. Members of the Borough Council's Finance Committee and the Chief Financial Officer shall serve for the term of their respective appointments. The third member of the Borough Council shall serve for a term of one (1) year to expire on December 31 next succeeding the date of appointment. The four (4) resident members shall serve for terms of two (2) years. Two (2) resident members shall be appointed for a term expiring on December 31 of the year following the year of appointment. Following the initial appointments, all resident members shall serve for a term of two (2) 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 respective terms and until their successors are appointed and qualified.

**Section 5. Removal from office.**

Any member of the Capital Improvements Advisory 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 Capital Improvements Advisory Committee, other than the Chief Financial Officer, shall be residents of the Borough of Oceanport who shall not, with the exception of the Borough Council members, hold elective office within the Borough. Such members shall serve without compensation, except as may be hereinafter provided

**Section 7. Oath of Office.**

Each member of the Committee shall, before assuming office, take and subscribe an Oath that he or she will faithfully and impartially discharge the duties of such 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. Borough Council members shall not hold Committee office.

**Section 9. Meetings.**

The Capital Improvements Advisory Committee shall meet as such times as it may determine to carry out its purpose and upon call of its Chairperson.

**Section 10. Quorum.**

A Majority of the members shall constitute a quorum of the Committee.



# Section 11. Purpose: powers and duties.

A. The Capital Improvements Advisory Committee shall assist the Borough Council and Planning Board in the development of the Municipal Capital Improvement Program in accordance with N.S.J.A. 40:55D 29,30 and 31, by proposing capital improvement projects; classifying capital improvement projects in regard to urgency and need for realization; examining budgetary constraints and the availability of public and private funding; estimating capital, operation and maintenance costs and revenues of capital projects and thereupon recommend to the Borough Council and Planning Board capital improvement projects in a prioritized fashion with estimated\*and monitor the annual Capital Improvements Program adopted by the Borough. "Capital Improvements" shall be defined as a governmental acquisition of real property or a major construction project.

B. To effectuate its purposes, the Committee shall have the following powers:

1. To coordinate the activities of all unofficial bodies which are organized for purposes similar to those of the Committee
2. To advertise, prepare, print and distribute books, maps, charts, plans and pamphlets which, in its judgement, it deems necessary for its purpose.
3. To apply for any grants appropriate for its purpose.
4. To appoint a secretary and other officers and employees as it deems necessary.

C. The specific duties of the Committee shall include, but are not limited to, the following areas:

1. To plan, review and recommend to the Borough Council and Planning Board capital improvements in accordance with the Committee's purpose.
2. To interview architects, engineers and other professionals, as requested by the Borough Council, who may be considered for employment in connection with capital improvement projects.
3. To assemble information, conduct studies, interview various appointed or elected officials or the Borough and keep current data on all capital improvement projects.
4. To compile from all relevant committees and agencies of the Borough their respective requests or plans for capital improvement projects and to distribute copies of such compilation to the Borough Council and the respective committees and agencies not later than July 1 of each year.
5. Any other matter related to the Capital Improvement Program in the Borough of Oceanport.

## Section 12. Annual appropriation.

A. During the month of December in each year, the Capital Improvements 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 to be expended for such of the following items as 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, and (2) purchase of necessary equipment and materials and the costs 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 be thereafter administered and disbursed by the Committee.

## Section 13. 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, such report to be submitted not later than December 1 of each year.

## Section 13. 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, such report to be submitted not later than December 1 of each year.

\*time sequences for implementation. The Committee shall additionally conduct periodic reviews

Section 14. Liability.

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 15. Severability.

If any section, paragraph, sentence, clause, phrase or provision of this ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgement 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 16. Repealer.

All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Section 17. When Effective.

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

Passed and approved by the Mayor and Council 4-16-98

PATRICIA L. VARCA  
BOROUGH CLERK