

BOROUGH OF OCEANPORT PLANNING BOARD

**RESOLUTION OF THE PLANNING BOARD
OF THE BOROUGH OF OCEANPORT
ADOPTING RULES AND REGULATIONS FOR THE
ADMINISTRATION OF THE DUTIES, POWERS AND FUNCTIONS OF THE
BOROUGH OF OCEANPORT PLANNING BOARD
APRIL 22, 2009**

WHEREAS, the duties, function and responsibilities of the Borough OF Oceanport Planning Board (hereinafter referred to as the "Planning Board") are created by Statute and controlled by the Municipal Land Use Law, Chapter 291, Laws of N.J. 1975 as compiled in N.J.S.A. 40-55-1 et. seq.; and

WHEREAS, N.J.S.A. 40:55D-8a provides that the Planning Board shall make and adopt rules for the administration of its functions, powers and duties; and

WHEREAS, N.J.S.A. 40:55D-10b provides the Planning Board shall make and adopt rules for the orderly conducting of any hearing before the Board; and

WHEREAS, the Board feels that these Rules and Regulations can greatly aid the applicant, the public and the Planning Board in carrying out organized and legally sufficient procedures and hearings; and

WHEREAS, Rules and Regulations were prepared by the Attorney for the Planning Board and reviewed and discussed by the Board and comments provided to the Board Attorney consistent with

meeting this responsibility to adopt Rules and Regulations by the Planning Board; and

WHEREAS, the Planning Board wishes to adopt the attached Rules and Regulations consistent with its requirement and responsibility to promulgate Rules and Regulations pursuant to the Municipal Land Use Law; and

WHEREAS, the Planning Board is of the opinion that the attached Rules and Regulations are consistent with the Municipal Land Use Law and all applicable Borough Ordinances with respect to Municipal Land Use.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the Borough of Oceanport, that the Planning Board adopts the attached Rules and Regulations for the administration of its functions, powers and duties and the conducting of any hearings before the Planning Board.

BE IT FURTHER RESOLVED, that attached Rules and Regulations shall control the administration of the functions, powers, duties and the conducting of any hearings before the Planning Board until such time as they are amended, which may be amended from time to time.

BE IT FURTHER RESOLVED, that the Secretary of the Planning Board shall furnish a copy thereof to any person who requests a copy and charge a reasonable fee for such copy as determined by applicable ordinance.

BE IT FURTHER RESOLVED, that a copy of this resolution, certified to be a true copy by the Secretary of the Planning Board be forwarded to the Borough Council, Borough Clerk, Borough Engineer, Borough Administrator, Planning Board Engineer, and the Borough Attorney within ten (10) days from the date hereof.

**Resolution Adopting Rules and Regulations
Oceanport Borough Planning Board
April 22, 2009**

This resolution was offered by _____,
seconded by _____, and adopted on
roll call by the following vote:

ROLL CALL	YES	NO	ABSTAIN	ABSENT	INELIGIBLE
Widdis	()	()	()	()	()
Kleiberg	()	()	()	()	()
McCarthy	()	()	()	()	()
Johnson	()	()	()	()	()
Savarese	()	()	()	()	()
Whitson	()	()	()	()	()
Sullivan	()	()	()	()	()
Gervilino	()	()	()	()	()
Conlon	()	()	()	()	()
Chayes (Alt. 1)	()	()	()	()	()
Bertekap (Alt. 2)	()	()	()	()	()

I hereby certify that the foregoing Resolution was adopted by the Planning Board of the Borough of Oceanport at its meeting of April 22, 2009.

Jeanne Smith, Secretary

STATE OF NEW JERSEY : SS.
COUNTY OF MONMOUTH :

I hereby certify that on _____, 2009,
_____, personally came before me and
acknowledged under oath, to my satisfaction, that she: (a) is
the Secretary of the Borough of Oceanport Planning Board; and (b)
signed the Resolution as her act and deed.

Rick J. DeNoia, Jr. Esq.
Attorney at Law, State of NJ