

REGULAR MEETING MINUTES

Oceanport, New Jersey
March 18, 2010

The Regular Meeting of the Oceanport Mayor and Council was called to order on March 18, 2010 at 7:45 P.M. with Mayor Mahon stating the meeting had been properly advertised in accordance with the law.

MEMBERS PRESENT: Councilpersons Bertekap, Briscione, Irace, Johnson, Kahle and Mayor Mahon

MEMBERS ABSENT: Councilperson Gallo

OFFICIALS PRESENT: Borough Clerk, Kimberly A. Jungfer and Borough Attorney, John O. Bennett, III

INVOCATION: Borough Chaplain Robert Mills gave the invocation

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

CONSENT AGENDA

1. Resolution authorizing the payment of bills. **R-10-46**
2. Resolution endorsing the 2009 Recycling Tonnage Grant Application. **R-10-47**
3. Resolution awarding East Main Street Improvements **R-10-48**
4. Resolution authorizing a tax refund for overpayment. **R-10-49**
5. Approval of the workshop meeting minutes of March 4, 2010
6. Approval of the regular meeting minutes of March 4, 2010.
7. Approval of Fire Application of James Gallo, Jr.
8. Resolution Objecting to S917 and A597 **R-10-50**

The Clerk stated there were 7 items on the Consent Agenda and that based on the Workshop Meeting there was an 8th item and described the item and then asked for a motion. Mayor Mahon asked if there were any objections towards taking Item 8 as a separate item. As there were no objections, Councilman Irace made a motion to approve the Consent agenda which was seconded by Councilwoman Kahle and approved by Council with the exception of Councilman Johnson whom abstained from Items 5 and 6.

The Clerk asked for a motion on the Resolution Objecting to Senate Bill 917 and Assembly Bill 597 which was moved by Councilman Irace and seconded by Councilman Johnson.

Mayor Mahon stated comments on the motion and asked the Council to consider with respect to the District 12 delegation that they withhold action on this item.

Councilman Irace stated the motion stands.

Councilman Johnson commented that he knows the Mayor worked really hard and would not wish to against any of his requests but felt it was important that they express their opposition on the Bills as strongly as possible and voted yes.

The Clerk called the roll and motion was approved by Council unanimously.

CLERK/ADMINISTRATOR REPORT: Ms. Jungfer stated she was in receipt of the Police Report for February 2010, which had been distributed and would be posted.

COMMITTEES:

COUNCILMAN BERTEKAP: No report

COUNCILMAN BRISCIONE: Councilman Briscione reported on the March 9th Public Safety meeting and that emergency services seemed to be working very efficiently and that from a safety standpoint there have been no injury claims and updated Council on the number of calls and man hours by First Aid, Police, and Fire Department and that the Fire Department continued mandatory trainings, drills and gear inspections. Councilman Briscione also reported that work done by the Office of Emergency Management residents would be seeing a 10% discount in major flood zones and 5% discounts on policies in the 500 year flood areas. Councilman Briscione reported that early warning floodgates had been installed on the Gooseneck and Patten Avenue bridges with data being reported by Stephens Institute to OEM coordinators and was the result of shared services with surrounding municipalities and a Borough cost of about \$1500 per year.

COUNCILMAN IRACE: Councilman Irace gave the following statement:

As we are all painfully aware, Senate Bill 917 is the Fort Monmouth Redevelopment bill co-sponsored by Senator Lesniak of Union and our own Senator Beck. The Assembly has its own version of this bill. With regard to Senate Bill 917 and the corresponding Assembly bill, I would like to offer a short summary of where we are now, how we've gotten here and where we need to be.

I, together with my fellow council people, members of the audience and our fellow Oceanport's residents, have been troubled by this bill since its introduction. The Mayor and I have had extensive discussions with our State representatives about what, we feel, are unacceptable terms contained in this bill in its current form. Additionally, we've corresponded with both our State and County representatives about our concerns. Needless to say, a great deal of information has been exchanged over the past few months. Our State representatives know that we are unhappy with certain aspects of the bill. The lines of communication remain open and highly active.

The Mayor and I have essentially been pursuing the same goal even though we have not always gone about things the same way. Mayor Mahon, a much more tactful and reserved individual than I, has employed reasoning, diplomacy and negotiating skills to attempt to win the minds of our state legislators. Lacking such tact, reserve and diplomacy, I have taken an alternative approach, one that involves confronting our elected state officials and making them aware that we aren't going to sit idly by as this legislation moves forward.

Based upon the feedback that I have received from the residents of Oceanport and its surrounding communities, I believe that the general public is suspicious of and opposed to this bill. Our citizens deserve the best protection that we can afford them by fighting for every necessary change in the language of this bill to insure the maximum benefit to Oceanport.

The redevelopment Fort Monmouth is the single most important issue facing our town. At the same time, we are worried about the continued viability of Monmouth Park. I have no doubt that these two issues will be **intertwined** for years to come.

I have spoken with my colleagues here on the Council and they have been kept abreast of all of the negotiations that have taken place with our State legislators. We have all had the opportunity to read the current versions of both the Assembly bill and the Senate bill. Quite frankly, as these bills stand now, they are unacceptable and they must be substantially amended. I have taken the time to speak with some of the members of the municipal councils of our neighboring communities and they have expressed that they, too, are uncomfortable with the current language of the bills.

I have also communicated with several of our County Freeholders and they share our grave concerns with many aspects of the current legislation. Insofar as Oceanport stands to be most negatively impacted by the current legislation, I believe that it is incumbent upon **this** Municipal Council to make a definitive statement on behalf of our citizens as to where we stand in relation to these bills and, more importantly, to make it emphatically clear to our elected officials, on both the State and County levels, that we are adamantly opposed to the bills. We want to be part of the legislative process, not just a product of it.

I am confident that this resolution will be well received by the other host municipalities and the Monmouth County Freeholders. We recognize that the State of New Jersey must be an integral part of the redevelopment process, but as the bills read now, the State of New Jersey **IS** the redevelopment

process. Simply stated, this bill must be amended to vest **more** control in the redevelopment process in the host communities and the County of Monmouth and **less** control in the State of New Jersey.

As most of you are aware, Senator Beck has called for a public meeting on this bill which is to be held at the Shore Regional High School Cafeteria at 7:00 pm on April 21, 2010. There, citizens of the host municipalities and surrounding communities will have the opportunity to ask questions about the proposed bills and the plans that the State of New Jersey has for the redevelopment of Fort Monmouth.

I hope and pray that, in the interim, amendments can be fashioned to the bills allowing for greater empowerment and involvement of the host communities in the redevelopment process. It is my belief that the fiscal and social future of Oceanport depends on it.

COUNCILMAN JOHNSON:

1. Introduction of an ordinance amending the Solid Waste Ordinance.
2. Table the second reading and public hearing of the Extra Duty Assignment Ordinance to the April 1, 2010 regular meeting.

Councilman Johnson called for the introduction of **AN ORDINANCE AMENDING CHAPTER 324, ARTICLE 11 OF THE BOROUGH CODE ENTITLED "RECYCLING OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY"** and then asked the Clerk to read the proposed Ordinance by title only, after which Councilman Johnson moved to approve the Ordinance upon first reading and to hold the public hearing on the proposed ordinance at the Council meeting of April 1, 2010 and to advertise same in accordance with the law and was seconded by Councilwoman Kahle.

The Clerk called roll:

AYES: Bertekap, Briscione, Irace, Johnson, Kahle
NAYES: None
ABSTAIN: None
ABSENT: Gallo

Councilman Johnson stated that the second reading and public hearing of the Extra Duty Assignment Ordinance had been tabled for the April 1, 2010 meeting.

COUNCILWOMAN KAHLE: No report

MAYOR MAHON: No report

Mayor Mahon asked for a moment of silence for Borough resident Dominick Strollo who passed last week.

PUBLIC:

The Mayor then opened the meeting for anyone from the public who wished to be heard. As no one from the public wished to be heard the Mayor closed that portion of the meeting.

Bill List: Dog Registry \$180.00. Escrow Trust \$1,125.00. Other Trust \$325.00. Water Watch Trust \$162.00. 2009 Vouchers Paid \$311,719.10. 2009 Vouchers Paid this Meeting \$20,149.64 Total 2009 Vouchers Paid \$331,868.74 2010 Vouchers Paid \$5,336,547.83 2010 Vouchers Paid this Meeting \$73,584.01 Total 2010 Vouchers Paid \$5,410,131.84

At 8:56 p.m. the Clerk read a Resolution authorizing the meeting to enter Executive Session for the purposes of negotiations and personnel on a motion made by Councilwoman Kahle and seconded by Councilman Johnson and approved by Council.

At 10:49 p.m. the Council returned from Executive Session and re-opened the Regular Meeting on a motion by Councilwoman Kahle which was seconded by Councilman Irace and approved by Council.

As there was no further business, the meeting was adjourned at 10:51 p.m. on a motion by Councilman Johnson, which was seconded by Councilman Irace and approved by Council.

Respectfully submitted,

KIMBERLY A JUNGFER
BOROUGH CLERK