

REGULAR MEETING MINUTES

Oceanport, New Jersey
April 15, 2010

The Regular Meeting of the Oceanport Mayor and Council was called to order on April 15, 2010 at 7:58 P.M. with Mayor Mahon stating the meeting had been properly advertised in accordance with the law.

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

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

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

GUESTS: The Mayor on behalf of the Governing Body recognized the Department of Public Works, Fire, First Aid and Police for their extraordinary service during the February 25th snow storm and presented Certificates of Recognition to each Department. John Connor from First Aid gave an explanation of the events from that day.

CONSENT AGENDA

1. Resolution authorizing the payment of bills. **R-10-58**
2. Resolution authorizing the Field Usage. **R-10-59**
3. Resolution authorizing a Tax Refund for overpayment **R-10-60**
4. Resolution authorizing the Fire Department Grant application. **R-10-61**
5. Resolution opposing Senate Bill S458 regarding Tax Assessing **R-10-62**
6. Resolution authorizing an on line auction **R-10-63**
7. Approval of the regular meeting minutes of April 1, 2010.
8. Approval of the workshop meeting minutes of April 1, 2010.
9. Resolution approving Maser to Engineer the Blackberry Bay Park Storage for \$54,500 **R-10-64**

The Clerk stated there were 8 items on the Consent Agenda and then described a 9th item added from the Workshop then asked for a motion. Councilwoman Kahle made a motion to approve the Consent agenda which was seconded by Councilman Johnson and approved by Council.

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

COMMITTEES:

COUNCILMAN BERTEKAP: Councilman Bertekap reported on a ceremony he attended for the installation of a weather station on the Gooseneck Point Bridge, who attended and the information the station would provide.

Councilman Bertekap commended the Public Works staff again and that they were currently evaluating other possible shared services to reduce costs.

COUNCILMAN BRISCIONE: Councilman Briscione reported on the April 6th Public Safety Committee meeting at which was discussed the emergency services response and reaction to the Nor'easter of March 12th and 13th and summarized the types of damages from the storm including 300+ homes that went without power, some for up to 3 days. Councilman Briscione continued that teams aided those with family members on oxygen support and that the fire department activated themselves as County radio was overwhelmed during the storm but that overall response was good but described some of the items to be worked on and that there was discussion on creating a Pre-Storm Strategy Plan.

Councilman Briscione reported that Public Works spent 72 man hours during the storm cleanup and removed 192 cubic yards debris and 48 cubic yards of garbage. Councilman Briscione informed the public of a phone number with FEMA for Disaster Assistance.

Councilman Briscione also summarized the number of calls for the month for police, fire and first aid and Monmouth Park.

Councilman Briscione also discussed the difficulty council persons experience with emergency service departments when approaching budgets and the financial pressures that towns were experiencing around the state. He continued that he had the utmost respect for the Borough's volunteers for their effort and passion that they apply and spoke specifically of their actions for which they were earlier commended on.

Councilman Briscione then reported on his attendance at the April 5th budget meeting of the Oceanport Board of Education including a 75% reduction in State aid, a loss of about \$510,000, the 4% cap and the result of a potential increase in the tax levy, the per pupil costs, the deductions that would be necessary to stay under the cap and urged everyone to vote at the upcoming school board elections.

COUNCILMAN GALLO: Councilman Gallo on behalf of the Parks and Recreation Committee made a motion to nominate John Cepalluni to the Committee which was seconded by Councilwoman Kahle and approved by Council.

COUNCILMAN IRACE: Councilman Irace thanked the Borough's volunteers again for their work and mentioned that the Fire & Police Departments hand-shoveled the driveway so that First Aid could help save the life of a resident.

Councilman Irace gave an update on the Finance Committee's work on the budget, the loss of State aid and loss of energy tax receipts and that they were working to keep tax increases down and maintain services.

Councilman Irace also advised the public the details on the upcoming meeting on April 21st being held by Senator Beck regarding Senate bill S-917 pertaining to Fort Monmouth and urged everyone to attend.

Councilman Briscione reminded everyone that Monmouth Park would be opening on May 22nd for live racing and that this Meet, 50 Days and 50 Million Dollars, would be the most critical period in its history and encouraged everyone to support the Park and go out to visit one of the most beautiful racetracks in the country.

COUNCILMAN JOHNSON:

1. 2nd reading and public hearing of the 2010 CAP ordinance. **#880**

Councilman Johnson called for the 2nd reading and public hearing of the **AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATIONS LIMITS AND TO ESTABLISH A CAP BANK** and then asked the Clerk to read the affidavit of publication by title only.

Mayor Mahon then opened the meeting to the public for anyone who wished to be heard.

Edward Miller, asked what a penny was worth which Councilman Irace answered about \$105,000.00 with the reassessment.

As no one else from the public wished to be heard Mayor Mahon closed the public portion of the hearing on a motion for Councilwoman Kahle which was seconded by Councilman Johnson.

Councilman Johnson then made a motion to adopt the Ordinance on second and final reading and advertise same in accordance with the law, which was seconded by Councilman Irace.

The Clerk called roll:

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

COUNCILWOMAN KAHLE: Councilwoman Kahle stated she had no report but wanted to thank the Borough's emergency services not just for the efforts on February 25th but for all the work they do each day for the community.

Councilwoman Kahle also commented on Councilman Irace's report about the public meeting being held by Senator Beck that there was an article in the newspaper that day quoting Senator Beck that it would be very difficult to get through the amendments that the Borough was seeking and encouraged the residents to attend the meeting.

MAYOR MAHON: Mayor Mahon gave a Proclamation establishing April 2010 as Alcohol Awareness Month and read the proclamation.

Mayor Mahon gave a second Proclamation declaring May 1, 2010 Silver Star Banner Day and read the proclamation.

Mayor Mahon then commented on the hot topic of State aid reductions and specifically the impacts on the school budgets. Mayor Mahon then read a prepared statement regarding the upcoming school budgets and items to consider when voting on the budget including the reduction in the budget compared with the prior year, lowest costs per pupil, the loss of \$744,000 in State aid for Shore Regional who has also reduced their spending by over \$350,000.00 resulting in annual savings of \$77.00 for the average home assessment of \$450,000 in Oceanport among others and encouraged the residents to support our school districts and why.

PUBLIC:

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

John Connor, CFO and Training Officer for the First Aid Squad, wished to make known to the Governing Body that as of April 1st, the Governor had chosen to eliminate the EMT Fund - \$4,000,000 – which the squads will now have to cover to provide training beyond the basic course.

Mayor Mahon asked what the elective classes were which Mr. Connor gave an explanation. Mayor Mahon asked Mr. Connor if he would prepare the details for the Council so that it could be presented to their Legislators which Mr. Connor replied that he would.

Ed Miller, stated he wished to echo Councilman Gallo's nomination to the Recreation Committee and that he would ask Mayor and Council to support the Shade Tree Committee's concerns about the permitting process for JCP&L and how they trim the trees around the Borough and the length of the time that the permit was valid.

Mayor Mahon answered that they are exempt from local permitting as they are regulated by the Board of Public Utilities. Mayor Mahon also stated that he understood their concern about a 10 year period and asked what time period would they feel comfortable in order to address their concerns.

Mr. Miller responded that he would like to go back to the Committee and obtain specific comments and bring back to the Council.

Mr. Miller also offered comments on the Fort Monmouth issues and that it was nice to see all of Council, Republican and Democrat, come together on the matter, that he had read the proposed amendments and offered his own recommendations that he would bring to the public meeting including the number of local members appointed and how he thought voting should be weighted.

Robert Kelly, Gooseneck Point Road, thanked Councilwoman Kahle for her email that advised him of the tax calculator available for Shore Regional and discussed at length the impact that the proposed Shore Regional school budget would have on his property taxes and that his taxes were going up \$93 a *month* and how it was becoming impossible for him to stay in Oceanport as a retired person.

Councilwoman Kahle asked if anyone had used the calculator and knew if it was correct.

Mayor Mahon answered that the Borough's Auditor was looking at it as they were not sure if the calculator was based on the Borough's new assessment.

Councilman Irace answered that the calculator was created using the new assessment amounts.

There was additional discussion about the amounts and it was agreed that they would look into it further.

As no one else from the public wished to be heard Mayor Mahon closed the public portion of the meeting.

Bill List: Capital Trust \$31,946.00 Dog Registry \$91.20. Escrow Trust \$2,960.75. Open Space Trust \$1,360.00 Other Trust \$86.00. Recreation Trust \$1,850.00 2009 Vouchers Paid \$331,868.74. 2009 Vouchers Paid this Meeting \$41,672.00 Total 2009 Vouchers Paid \$373,540.74 2010 Vouchers Paid \$7,124,567.92 2010 Vouchers Paid this Meeting \$172,028.68 Total 2010 Vouchers Paid \$7,296,596.60

At 8:43 p.m. the Clerk read a Resolution authorizing the meeting to enter Executive Session for the purposes of litigation on a motion made by Councilwoman Kahle and seconded by Councilman Johnson and approved by Council.

At 9:56 p.m. the Council returned from Executive Session and re-opened the Regular Meeting on a motion by Councilman Gallo which was seconded by Councilwoman Kahle and approved by Council.

Mayor Mahon stated that there were two items that the Council would take action on.

COUNCILMAN JOHNSON:

2. Resolution authorizing amendments to the Extra Duty Ordinance. **R-10-65**
3. Reintroduction of the Extra Duty Ordinance.

Ms. Jungfer read a proposed Resolution authorizing amendments to the Extra Duty Ordinance.

Councilman Johnson then made a motion to approve a Resolution authorizing amendments to the Extra Duty Ordinance which was seconded by Councilwoman Kahle and approved by Council.

Councilman Johnson called for the re-introduction of **AN ORDINANCE ENTITLED "EXTRA DUTY ASSIGNMENTS" 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 May 6, 2010 and to advertise same in accordance with the law and was seconded by Councilwoman Kahle.

The Clerk called roll:

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

As there was no further business, the meeting was adjourned at 10:00 p.m. on a motion by Councilman Irace, which was seconded by Councilman Johnson and approved by Council.

Respectfully submitted,

KIMBERLY A JUNGFER
BOROUGH CLERK