

REGULAR MEETING MINUTES

Oceanport, New Jersey
June 3, 2010

The Regular Meeting of the Oceanport Mayor and Council was called to order on June 3, 2010 at 7:36 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, Borough Auditor Robert Oliwa (entered at

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.

Mayor Mahon stated that if there were no objections the Agenda would be taken out of order in order to take action on an item listed under Councilwoman Kahle.

COUNCILWOMAN KAHLE:

1. Resolution adopting a pesticide reduction and lawn fertilization policy **R-10-84**

Councilwoman Kahle commented on the purpose of the resolution, its role in the Borough's commitment to the Sustainable Jersey program and the impact that pesticide use had on the water quality as a waterfront community. Councilwoman Kahle continued that the intention of the policy was to implement a reduction in pesticide use and that all Borough parks would be pesticide free with the exception of soccer fields.

Councilwoman Kahle introduced Guest Jane Nogaki, the Pesticide Program Coordinator for New Jersey Environmental Federation who assisted in drafting the resolution and thanked Mr. White, Borough Engineer who assisted in the changes, Public Works representative Marc Hunter and Michael Tober for their assistance in developing a program that would be beneficial to the residents of Oceanport.

Councilwoman Kahle made a motion to approve a Resolution adopting a pesticide reduction and lawn fertilization policy which was seconded by Councilman Johnson.

The Clerk called roll:

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

Councilwoman Kahle stated that she was also working with Mr. White to consider areas at Blackberry Bay Park behind the pool site to use and would also be working with the Recreation Committee.

Mayor Mahon asked Ms. Jungfer to proceed with the Consent Agenda.

CONSENT AGENDA

1. Resolution authorizing the payment of bills. **R-10-85**
2. Resolution accepting the Share Grant and authorizing execution of Grant Agreement. **R-10-86**
3. Resolution authorizing the use of certain Borough Fields. **R-10-87**
4. Approval of the workshop meeting minutes of May 20, 2010
5. Approval of the regular meeting minutes of May 20, 2010.
6. Resolution regarding Kyleigh's Law **R-10-88**

The Clerk stated there were 5 items on the Consent Agenda and then described a 6th item added from the Workshop then asked for a motion. Councilman Irace made a motion to approve the Consent Agenda which was seconded by Councilwoman Kahle and approved by Council except for Councilman Johnson who abstained from Item 6.

CLERK/ADMINISTRATOR REPORT: No report

COMMITTEES:

COUNCILMAN BERTEKAP: No report

COUNCILMAN BRISCIONE: Councilman Briscione commented on the new meet at Monmouth Park – 50 days \$50 Million had been very successful in both handle and attendance and has attracted national media attention and encouraged residents to continue to support the meet this summer. Councilman Briscione also advised that the coming weekend Monmouth Park would be hosting the Jersey Shore Jazz & Blues Festival.

COUNCILMAN GALLO: No report

COUNCILMAN JOHNSON:

1. Second reading and public hearing on the 2010 Bond Ordinance. #
2. Second reading and public hearing regarding an amendment to the Salary Ordinance

Councilman Johnson called for the 2nd reading and public hearing of the **AN ORDINANCE OF THE BOROUGH OF OCEANPORT IN THE COUNTY OF MONMOUTH, NEW JERSEY PROVIDING FOR THE 2010 ROAD AND SIDEWALK IMPROVEMENT PROGRAM AND RELATED EXPENSES OF THE BOROUGH OF OCEANPORT AND APPROPRIATING \$506,000 INCLUDING A GRANT IN THE AMOUNT OF \$116,000 EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION AND PROVIDING FOR THE ISSUANCE OF \$370,500 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE BOROUGH OF OCEANPORT TO FINANCE THE SAME** 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. As no one from the public wished to be heard Mayor Mahon closed the public portion.

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 Councilwoman Kahle.

The Clerk called roll:

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

Councilman Johnson called for the 2nd reading and public hearing of the **AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED AN ORDINANCE TO DETERMINE AND FIX THE SALARIES OF CERTAIN BOROUGH OFFICIALS PASSED AND APPROVED MARCH 16, 1939** 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. As no one from the public wished to be heard Mayor Mahon closed the public portion of the hearing.

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 Councilwoman Kahle.

The Clerk called roll:

AYES: Bertekap, Briscione, Gallo, Irace, Johnson, Kahle

NAYES: None

ABSTAIN: None

ABSENT: None

MAYOR MAHON: Mayor Mahon commented on newspaper articles based on press releases made by the NJ Congressional Delegation pertaining to the disposition or request for the reuse of the McAfee Center on Fort Monmouth and that the proposed use was different than that which was proposed by the Reuse Plan and that he and others have requested to meet with those parties to express their concern that local officials were not involved in the discussions to change the use of the McAfee Center.

Mayor Mahon also discussed an issue related to the fire apparatus on Fort Monmouth which was being deemed not necessary after the fort closes and the process which determines the amount of fire apparatus needed to service the additional areas after the base closes. Mayor Mahon continued that it was important to address this service in order to limit the burden on local services and that he had reached out to the Fort Garrison Commander to see if any apparatus that may be near its end of life that might be available.

Mayor Mahon also offered his comments regarding the Governor's Office release of a proposal called Cap 2.5 which calls for a series of toolkit features available to municipalities along with a State constitutional amendment that would limit property tax increases/budget increases on an annual basis to 2.5 percent. Mayor Mahon stated that most of the changes proposed were related to civil service changes, educational changes as well as awards towards arbitration and those subject to a new set of rules and that more information would be forthcoming in the next few weeks.

Mayor Mahon then reported on opening day at Monmouth Park and that it was doing well and offered comments concerning the 50 Days \$50 Million meet for this year, the Governor's presence to sign legislation to authorize the meet and the movement of thoroughbred racing out of the Meadowlands and exclusively at Monmouth Park. He also reported that he and Councilwoman Kahle were interviewed regarding the relationship Monmouth Park has with the local municipality. Mayor Mahon also gave details concerning the new twilight racing dates and encouraged residents to get out and support the twilight racing. Mayor Mahon also mentioned that they would be honoring another group as they had done last year during the Oceanport Stakes.

Mayor Mahon also reported on FMERPA and a presentation from the Federal side concerning the environmental process that the military uses as part of restoration during the BRAC process and that the Borough would be advocating a stronger process of restoration which would be important as the reuse plan was implemented.

Mayor Mahon explained that some of the items on the Agenda were time sensitive and was the reason for the Agenda's order.

Councilman Irace stated he wanted to take the opportunity to thank Council for adopting the Resolution requesting to appeal part of the Kyleigh's Law which requires the red stickers for probationary drivers and explained why he and others felt it important to eliminate the stickers as one of Oceanport's residents had their teenager followed and that others had written letters to officials reporting similar concerns.

Mayor Mahon announced a brief recess of the meeting which was approved by Council at 7:56 pm and returned to the Regular Meeting at 8:01 pm.

Mr. Bennett stated that the advertising for the auction of Borough property Block 108, Lot 10 and Block 105, Lot 10, two lots with the potential to subdivide into 3 building lots and advertising had been done in accordance with law for public auctions in the Asbury Park Press for an auction on June 3, 2010 beginning at 8 p.m. and announced that no bids were accepted prior and that bidding would be closed at the end of the auction. Mr. Bennett announced the auction open and that there was no minimum bid but the Council reserved the right to reject any and all bids and that the successful bidder would have to provide a certified check in the amount of 5% of the accepted bid amount within 5 business days after notification of being the successful bidder.

Mr. Bennett opened the auction to receive bids.

As there was no bidders, Mr. Bennett closed the bidding and stated that the Borough would retain the right to reoffer the land upon notification at a future date. Mr. Bennett stated having received no bids and no bids could be received and that the auction was closed.

COUNCILMAN IRACE:

1. Resolution authorizing local examination of the 2010 Budget **R-10-89**
 1. Public Hearing – 2010 Municipal Budget
 2. Resolution Adopting the 2010 Municipal Budget **R-10-90**

Councilman Irace thanked the members of the Finance Committee, Ms. Jungfer, Mr. Oliwa and Mr. Mayers for their work on the municipal budget for 2010. Councilman Irace commented on the work done on the budget stating that the Finance Committee with the input of Council has put together what they feel is a fair and reasonable budget not only for this year but also planning for the future. Councilman Irace gave a presentation of the municipal budget using a PowerPoint presentation with items discussed including the taxing authorities, 2009 Tax Levy Breakdown, the impacts of the reassessment, the proposed Municipal Tax Rate, how the taxpayer would be affected, the largest increases in the budget, various cost saving measures that were taken, operating expenses, services provided by the Borough and shared services.

Ms. Jungfer commented on the importance of the reserve for Uncollected Taxes and how the Borough collects for not just municipal services but for County and schools which get their funding first with the Borough being last and bearing the cost of uncollected taxes.

Councilman Irace also mentioned that the non union employees have received no raises and eliminated longevity for non union employees. They will receive a one time payment for what they would have been entitled and then longevity will be gone for them. Also we have investigated what we can sell, as today was a auction of land surplus.

Councilman Irace moved that the resolution authorizing local examination of the 2010 budget, which Ms. Jungfer explained the resolution. The motion was seconded by Councilman Bertekap and unanimously approved by Council.

Councilman Briscione echoed Councilman Irace's comments and thanked the Finance Committee, the CFO, the Administrator and the Auditor. He continued that the Borough's cost per household has continually been towards the low end of the low end and today we received something from LUARC, the State's branch that deals with consolidation and they gave out some uniformed cost per household which confirmed what he just said, we are low end of many of the surrounding communities.

Councilman Irace then opened the public hearing of the 2010 budget for comments. As no one from the public wished to be heard the public portion was closed for comments on the budget on a motion from Councilman Johnson and a second from Councilwoman Kahle.

Councilman Irace made a motion to adopt the 2010 Municipal Budget. Councilman Johnson seconded the motion.

The Clerk called roll:

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

The Mayor thanked the Finance Committee, the Auditor and the CFO stating the message that was delivered to the Finance Committee last fall was that we need spending in all categories where possible to remain flat and that is same message provided to the Finance Committee for the last three years. Effectively where the Council is able to control the spending that has level funded certain portions of the budget to rate of spending from four years ago. The Governing Body did get a message loud and clear by the voters when they voted on the school budgets, and that message was felt here which caused a reexamination and additional discussion to possibly cut the level of taxation for this years budget and again looking to the potential of a 2.5% CAP next year we have taken a longer view and kept some of those tools available so there is no shock to the system next year and still maintain services. The Mayor continued that the message that was sent to the school boards was a message that was carried by the Governor and that was wage freezes and benefit co sharing and those are things that were already in place prior to this budget in the Borough of Oceanport.

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 Mayor Mahon closed the public portion of the meeting.

Bill List: Ad Hoc Trust \$8,392.00 Capital Trust \$23,858.25 Escrow Trust \$4,321.25. Open Space Trust \$6,118.75 Trust Other \$82.50 Water Watch Trust \$162.00 2009 Vouchers Paid \$374,890.74. 2009 Vouchers Paid this Meeting \$0.00 Total 2009 Vouchers Paid \$374,890.74 2010 Vouchers Paid \$9,093,297.80 2010 Vouchers Paid this Meeting \$316,617.03 Total 2010 Vouchers Paid \$9,409,914.83

As there was no further business, the meeting was adjourned at 8:23 p.m. on a motion by Councilwoman Kahle, which was seconded by Councilman Irace and approved by Council.

Respectfully submitted,

KIMBERLY A JUNGFER
BOROUGH CLERK