

REGULAR MEETING MINUTES

Oceanport, New Jersey
May 24, 2007

The Regular Meeting of the Oceanport Mayor and Council was called to order on May 24, 2007 at 8:00 P.M. with Mayor Chaump stating the meeting had been properly advertised in accordance with the law.

MEMBERS PRESENT: Councilpersons Kahle, Johnson, Gallo, Ibex, Briscione, and Mayor Chaump, Councilman Sharkey (entered at 8:03 pm)

OFFICIALS PRESENT: Borough Clerk, Kimberly A. Jungfer, Borough, Attorney, Scott Arnette and Chief Financial Officer, Greg Mayers

INVOCATION: Retired Army Chaplain Wayne Smith gave the Invocation

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

Mayor Chaump stated they had one guest this evening from NJ American Water Company: Mr. Benjamin Daniel, Communications Manager

Mr. Daniel introduced himself as the liaison between Oceanport and NJ American Water Co and stated he was here to provide a few updates on what's been going on with the company. Mr. Daniel discussed that the company is going public soon and that the vesture has been approved in 9 of 13 States. He presented that he is available to assist with any problems or any other needs and asked if there were any questions. Mayor Chaump asked if they donate bottles of water for the Office of Emergency Management. Mr. Daniel responded that they do and that a letter on letterhead detailing how many cases of water are needed and it would be provided straight away.

CONSENT AGENDA:

1. Resolution authorizing a shared service with Tinton Falls for Video conferencing for Municipal Court. (Resolution R-07-62)
2. Resolution supporting Click It or Ticket Mobilization (Resolution R-07-63)
3. Resolution authorizing the Cancellation of a Tax Sale Certificate. (Resolution R-07-64)
4. Raffle Application, Tinton Falls PTA, On premise merchandise raffle June 3rd Monmouth Park.
5. Raffle Application,
6. Raffle Application, Tinton Falls PTA, On premise 50/50, June 3rd, Monmouth Park,
7. Raffle Application, Monmouth Park Charity Fund, off premise merchandise raffle, Sept.
8. Raffle Application, Monmouth Park Charity Fund, on premise 50/50 on 6/16, 6/30, 7/7, 7/22, 8/5 8/18 at Monmouth Park.
9. Raffle Application, Monmouth Park Charity Fund, off premise 50/50, Sept 1, Monmouth Park.
10. Raffle Application, Monmouth Park Charity Fund, off premise merchandise raffle, August 31st, Monmouth Park.
11. Raffle Application Hook & ladder Ladies Auxiliary, off premise 50/50, Nov. 3,
12. Fire application of Joshua T. Modlin.
13. Special Meeting minutes March 26, 2007
14. Special Meeting minutes April 2, 2007
15. Workshop Meeting April 2, 2007

16. Workshop Meeting April 16, 2007

17. Regular Meeting April 19, 2007

18. Resolution approving the Bill List dated 5/24/07 (Resolution R-07-65)

The Borough Clerk stated there were 17 items on the Consent Agenda. The Borough Clerk asked that item #17 be removed as the regular minutes for April 19, 2007 are not yet complete and there is one additional item for Resolution approving the Bill list dated 5/24/07 to be added to that as item #18. Councilman Sharkey asked that the item #18 be removed. Councilman Ibex asked that item #16 be removed. With these items removed Councilman Briscione made a motion to approve the Consent Agenda, which was seconded by Councilman Johnson and approved by Council.

The Borough Clerk asked for a motion for item #18 which is a resolution approving the Bill List dated 5/24/07. The motion was moved by Councilman Ibex and seconded by Councilman Johnson and approved by Council with the exception of Councilman Sharkey who abstained.

The Borough Clerk asked for a motion for item #16, the workshop minutes of April 16, 2007. The motion was moved by Councilman Briscione and seconded by Councilman Johns and approved by Council with the exception of Councilman Ibex who abstained.

CLERK'S REPORT:

The Borough Clerk stated she had the police report for April 2007, which has been distributed and will be posted tomorrow morning.

COMMITTEES:

COUNCILWOMAN KAHLE: Councilwoman Kahle started off with the police report for April 2007. There were 59 motor vehicle summons' issued, 12 arrests and a total of 143 motor vehicle stops. She commended Officer Michael Kelly for successfully completing the Police Traffic Control Technician course at Rutgers, NJ. Councilwoman Kahle also reported that the Police have requested and are funding a change in the License plates of all the marked police vehicles to the Law Enforcement Memorial license plates, which honor fallen heroes of the police departments and will be done in honor of Sgt. Pat King killed while on duty for the City of Long Branch whose family lives in Oceanport. She commended them for being the first department in Monmouth County to do this.

Councilwoman Kahle reported for the First Aid that they had a total of 19 emergency calls, 1 motor vehicle accident, 5 fire calls, 1 call to Monmouth Park, mutual aid calls to Eatontown, 1 to Long Branch, and 1 call to Bound Brook. Total calls for the month were 28 and personnel hours totaled 201. She also pointed out that the First Aid mutual call to Bound Brook was requested by the County to assist in the floods up in Somerset County. She read the letter from Somerset County Office of Emergency Management. Our Company went up there for the day, responded and aided the residents in Bound Brook and transported the residents by administering first aid.

Councilwoman Kahle reported that the Fire Department has a Proclamation. They had the huge fire in Sea Bright a few months ago. Our Fire Department was there most of the day. Sea Bright had a Council meeting and presented a Proclamation to the Oceanport Fire Department in grateful appreciation of their valiant service on February 5, 2007, Sea Bright Mayor and Council.

Councilwoman Kahle reported on the Environmental Commission and the progress with the geese population situation. The community had a total of 5 nests that were discovered with a total of 25 eggs. Although she was disappointed at the beginning with only 5 nests, she spoke with Steve Fisher of Monmouth Park who advised her that for the last 6 years they've been taking measures to reduce the geese population. They started out with 30 nests 3 years ago and now they are down to 6-9 nests. She encouraged any residents that see any baby geese to call her or the Environmental Commission or the Water Watch Committee and let them know where you've seen the baby geese.

COUNCILMAN JOHNSON: Councilman Johnson stated he had 2nd readings for Ordinances, the first one being the Noise Ordinance. He called for the 2nd reading and public hearing of the noise ordinance and then asked the Clerk to read the proposed Ordinance by title only.

Mayor Chaump then opened the meeting to the public for anyone who wished to be heard. As no one from the public wished to be heard, a motion was made by Councilman Johnson to close the public hearing, which was seconded by Councilwoman Kahle and approved by Council.

Councilman Johnson then made a motion to approve 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: Kahle, Johnson, Gallo, Ibex, Sharkey, Briscione
NAYES: None
ABSTAIN: None
ABSENT: None

Councilman Johnson stated the second ordinance tonight was for the 2nd reading and public hearing of the 2007 Bond Ordinance and then asked the Clerk to read the proposed Ordinance.

Mayor Chaump then opened the meeting to the public for anyone who wished to be heard. As no one from the public wished to be heard, a motion was made by Councilman Johnson to close the public hearing, which was seconded by Councilwoman Kahle and approved by Council.

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

Councilman Briscione commented he had a problem with the justification for a \$450,000 piece of fire equipment. He doesn't question the need for the equipment but the cost. The Capital Committee had recommended \$300,000 for this piece of equipment. The justification given to Council was that we needed to comply with ISO ratings and we needed to replace 1,500 gallon per minute pumping capacity. Five other towns that replaced 1,500 gallon/minute pumping capacity with pumpers that range from \$222,000 to \$350,000. The other justification that was given that that piece of equipment was promised and quite frankly that is not enough justification for him.

Councilwoman Kahle stated she would like to comment on the Capital Committee recommending \$350,000 based on the Fire Department putting in \$100,000. In other towns they have a program where the Fire Department raises money and First Aid and Emergency Services for other equipment but our Fire Department and First Aid have never done that, which

is why she believes it was changed to the \$450,000. It wasn't that they didn't need that fire engine for \$450,000. They wanted the Council to really think about having a program going forward where the emergency service is contributing to any kind of equipment they are going to be buying.

The Clerk called roll:

AYES: Kahle, Johnson, Gallo, Ibex, Sharkey
NAYES: Briscione
ABSTAIN: None
ABSENT: None

Councilman Johnson called for an introduction of the Amended 2007 Salary Ordinance and then asked the Clerk to read the proposed Ordinance by title only. Councilman Johnson made a motion to approve the ordinance on first reading, which was seconded by Councilman Ibex.

The Clerk called roll:

AYES: Kahle, Johnson, Gallo, Ibex, Sharkey, Briscione
NAYES: None
ABSTAIN: None
ABSENT: None

Councilman Johnson made a motion to hold the public hearing on the proposed ordinance at the Council meeting of June 21, 2007 and to advertise same in accordance with the law and was seconded by Councilman Briscione.

The Clerk called roll:

AYES: Kahle, Johnson, Gallo, Ibex, Sharkey, Briscione
NAYES: None
ABSTAIN: None
ABSENT: None

COUNCILMAN GALLO: Councilman Gallo reported that Recreation now has two working water fountains at the Community Center, one at the ball field and one at the tennis court. A third will be installed at Trinity Park. These were funded through Recreation and a matching Grant from the Oceanport's Sports Foundation.

Councilman Gallo state that the trees throughout the park that suffered damage from this year's ice storm will all be trimmed and shaped and will save as many as they can. The condition of the 2 ball fields at Blackberry Park will be looked at by the Borough Engineer. Recreation decided at their last meeting to look into a Grant to refurbish Charles Park. This will include a new basketball court, a kiddie area for 2-5 year olds and possibly a walking track for around the park. As of now, Recreation has 22 benches sold for the bench program. Recreation has begun work on a 10-year plan to refurbish all the parks. Each park is being looked at and a report will be provided to Council with a detail of year by year, park by park, dollar by dollar breakdown of each park.

Councilman Gallo then reported on Special Events. He invited all the residents to the Memorial Day Ceremony. The parade will begin at 10:30 am, beginning at Comanche Drive, proceeding down Monmouth Boulevard and end at Borough Hall. This year's Grand Marshall will be Nick Fuller, and our Guest Speaker will be Lieutenant Colonel Richard Wernstein.

COUNCILMAN IBEX: Councilman Ibex made a motion to move the Resolution with regard to increasing the salaries of certain Borough positions for the year 2007, which was seconded by Councilman Johnson.

The Clerk called roll:

AYES: Johnson, Ibex, Briscione
NAYES: Kahle, Gallo, Sharkey
ABSTAIN: None
ABSENT: None

As the vote was 3/3 the Clerk asked the Mayor for her vote and Mayor Chaump voted in the affirmative whereby the motion carried. (Resolution R-07-66)

Councilman Ibex then introduced the 2007 Budget Amendment Resolution. Mayor Chaump then opened the meeting to the public for anyone who wished to be heard on this resolution only.

Alan Johnson, 30 Belmar Ave., asked what this resolution was for. Mayor Chaump responded that it is for the amendments to the budget on April 23rd and then the Special Meeting on May 3rd where the budget was not adopted. As there were no other comments from the public, a motion was made by Councilman Ibex to close the public hearing, which was seconded by Councilman Johnson and approved by Council.

Councilman Johnson made a motion to adopt the 2007 Municipal Budget as amended, which was seconded by Councilwoman Kahle.

Before voting, Councilwoman Kahle wished to comment that she was disappointed with the amendment to the Salary Ordinance. The amendment was made with no justification to surrounding salaries. She had no problem with the one salary that was adjusted because justification was provided based on surrounding area salaries.

Councilman Johnson responded that he is supporting the increase as it is minimal in cost and hopes it goes a long way to boost moral and productivity. Staff turnovers end up costing the taxpayers more in the long range due to training costs and breaking costs. He did comment that he agreed with Councilwoman Kahle that mechanisms should be instituted concerning employee evaluations.

Councilman Ibex also wanted to comment regarding the Borough's employees, he is very happy with the minor adjustments to 4 salaries, which was long overdue. He also commented that the Borough Clerk did an admirable job in assessing what was appropriate under the circumstances.

Before voting, Councilman Briscione commented that he is voting no because he is against the salary for the BA which is about \$40,000 for which there is no job description. He is also against the \$15,000 for the study to see whether we need a BA. We now have a Blue Panel conducting a study at no cost to the Borough.

The Clerk called roll:

AYES: Kahle, Johnson, Gallo

NAYES: Ibex, Sharkey, Briscione
ABSTAIN: None
ABSENT: None

The Clerk stated that there is a tie and therefore, the motion to adopt the 2007 Municipal Budget does not carry.

Councilman Briscione requested that the Council open discussion on the matter. He would be willing to support the budget if the Council would be willing to reduce the salary amount for the BA by \$20,000 and have an agreement that if the Borough comes to a solution that we need a BA, then we'll look for a BA. If we don't need a BA then we'll abide by that decision. \$20,000 gives us \$36 an hour to have someone part time for over 20 hours a week for half the year. He also suggested reducing the \$15,000 that's in the budget for the study by the amount of \$7500 because we still need \$7500 to take care of the emergency repairs that were done to Hedge Drive.

Mr. Arnette commented that from a technical perspective, the reduction could only be brought down to \$16,600 or it would trigger an obligation to have another public hearing as would the \$7500 reduction in the budget for the study. The reduction could be no more than \$6300. Councilman Briscione stated that he would agree to the salary for the BA at \$23,400.

Councilwoman Johnson stated he understands that certain Council members are totally against the Business Administrator but he didn't understanding holding up a \$6.2 million dollar budget for a \$40,000 item. To hold up the whole budget is in effect a stonewall. Councilman Briscione responded, no, he's been consistently against it. Councilman Johnson stated that we cut the \$75,000 down to \$40,000 essentially, cut it in half and now you want to cut it in half even more. Councilman Briscione responded that there is plenty in here to pay somebody \$35 an hour for 21 hours a week for 6 months. Councilwoman Kahle stated that we all comprised on this budget. She thought that the surplus was too high and she was able to reconcile herself with keeping that and for you to do this is in conflict.

Councilman Ibex asked wasn't there a vote of 4 last week? As he understood it, as the amended budget was presented, Councilwoman Kahle voted yes, Councilman Johnson voted yes, Councilman Sharkey voted yes and he is surprised that there is 3 ayes and one nay tonight. Councilman Johnson and Councilwoman Kahle stated that they were just as surprised.

Mayor Chaump asked Councilman Sharkey if there were any changes he would like to see in the budget for his vote to be a yes. Councilman Sharkey responded that he thought the salary changes at the last minute without any justification was not appropriate. He felt that there should have been someone on board consulting and advising the Council on this budget and there is nothing more than political wrangling going on. Councilman Briscione stated his argument is the same. We are holding up a \$6.2 million dollar budget for \$5,100 in salary raises.

Mr. Mayers stated that those salary changes were not made part of the budget amendment. We did not change the budget for it. We took a small amount of money and did not want to hold the budget up at this time. He thought that it would create a problem where we were going to run slightly short on one line item and the most it would equal would be \$2,000 or \$3,000, we could cover it with a transfer at the end of the year. We haven't changed the budget to accommodate that. We didn't want to make an amendment to the budget for such a small amount. Councilman Ibex asked in conference with whom? Mr. Mayers responded that he

spoke with the Auditor and the Clerk that if that were to go through we wouldn't need to amend the budget for it. It was such a small amount we figured we would cover it with utilities if they were lower or if overtime was lower. A budget is a budget. It's a spending plan, not an exact science. Some things break a little higher, some a little lower. Mayor Chaump asked if that resolution passed and this had nothing to do with the budget. There were no changes to the budget or the amendment. Councilman Ibex asked, then, the budget is identical to what it was previously presented and. Mr. Mayer responded that it is what was approved to introduce on May 10th, there were no changes to it. Councilman Ibex stated on May 10th there were 4 ayes some time ago and doesn't understand why its 3 and 1 at this point. Councilman Johnson wanted it clarified that the vote is 3 and 3, which Councilman Ibex affirmed.

Mayor Chaump commented that they are not holding up the budget for the \$5300 for salary increases because that was done by resolution.

Councilman Ibex asked if another motion could be made to see if it could be voted the same. Councilman Johnson asked if he was making a motion and Councilman Ibex responded no, he was just asking a question. Councilman Johnson stated he would love to make it a motion at this time. Councilman Sharkey asked if it would reflect any changes. Mr. Mayers stated that the \$5,300, the salary resolution that's at the back of the packet is not going to reflect any changes – that was a resolution. We didn't make any changes in the budget to accommodate for it. We thought that if the governing body passed it and carried through with it, again, the budget defined by a \$1,000 higher or lower in a \$6.2 million dollar budget, come November or December, shouldn't be a problem. Councilman Ibex asked so the money will be found if we need it? Councilman Johnson stated but the money is in there to pay for the salaries that we passed by resolution. Councilman Briscione asked if this is the same budget that we introduced. Mr. Arnette responded yes, it is the same budget that was introduced. There were no changes made to the budget. There was a separate resolution to modify \$5,300 in salary changes. But it's the same budget that was introduced on May 10th – is that correct Mr. Mayers? Mr. Mayers responded it's the same budget, same resolution, same everything.

Councilman Briscione asked if there was a willingness to go along with what he suggested, \$24,000 for a BA and Councilman Johnson stated he thinks there's been enough compromise on that issue. We've already cut in half and he's been trying to do nothing but compromise. He agreed to the bump up in salaries but there's no negotiations for it. Councilman Briscione responded that we had agreed to that previously and we've had a consultant jammed down our throats. Councilman Johnson stated we didn't hire a consultant. Councilman Briscione asked didn't we hire a consultant a couple weeks ago? We had a resolution to hire one. Councilman Johnson responded, yes, but we never hired them. Councilman Briscione stated we hired one and then we fired them. We had a motion two weeks ago to hire one whom we'd never interviewed and never went by the Personnel Ordinance. So he objects to the fact that he's being unreasonable. Councilwoman Kahle commented that we did interview her but that's semantics.

Mayor Chaump stated in fairness to clarify for the public, the BA went from \$75,000 to \$40,000 because we'll only need them for 6 months. So its not that the BA was cut in half, its just that it was realized by the time we get someone, its going to be June anyway.

Councilman Johnson made a motion to move for the adoption of the 2007 Municipal Budget as amended, the same budget that we introduced last week, which was seconded by Councilwoman Kahle.

The Clerk called roll:

AYES: Kahle, Johnson, Gallo
NAYES: Ibex, Sharkey, Briscione
ABSTAIN: None
ABSENT: None

The Clerk stated that there was a tie and therefore, the motion to adopt the 2007 Municipal Budget did not carry.

Councilman Briscione stated that we really shouldn't leave here without getting a budget. Councilwoman Kahle asked Councilman Ibex why he was so opposed to a Borough Administrator when he had gone before a Board of Education to sell his company to a Board of Education that has a Borough Administrator, a Superintendent, 2 Principals and a budget roughly the same as we have yet you are so opposed for our same budget to have a Borough Administrator or even entertain the thought. Councilman Ibex responded what does his firm, Councilwoman Kahle interrupted that it was him *and* his firm, he was their as the Chair of Finance. Councilman Ibex directed to Councilwoman Kahle now you want to get nasty, I'm going to respond to you. Councilwoman Kahle stated she is not getting nasty but she doesn't understand why Councilman Ibex is so opposed when he thinks the Board of Education, really the taxpayers, can afford that much more money to hire his firm. Mayor Chaump commented that that has nothing to do with this. Councilman Ibex requested the opportunity to respond and explain it. He stated that the proposal his firm made to the Board of Education has absolutely nothing to do with the governing of this body. In fact, he was not involved with the presentation other than to introduce his partner who does work in the municipal area to the Superintendent of schools. Councilwoman Kahle asked if he was there. Councilman Ibex responded yes he was there and it has nothing to do with this issue and why she is mixing apples and oranges is completely beyond comprehension. He will deal with this issue with her separately and not waste the Borough's time. However, with regard to the BA, he has been 100% consistent in his position. No one on this Council has demonstrated a need for a BA. No one has articulated a reason why they need a BA. No one has come forth with a cost benefit of any kind of what this position is going to do for the Borough. He has repeatedly come to this Council and requested 5 things this BA will do. The Council requested he along with Councilman Johnson to develop a job description, which he'd be more than happy to do and is willing to do all that, but please demonstrate the need and he will be the first one to say that he agrees or disagrees. If he agrees, he'll carry the flag to get a BA but no one has demonstrated a need for a BA and to say you don't understand his position is beyond comprehension.

Mayor Chaump also commented that to say that people are holding up this budget for \$40,000, its not \$40,000. Three people on this Council are holding up the budget for reducing the budget by \$16,000 and she thinks that's a difference. Its not \$40,000, its coming down to \$16,000 to reduce it. Councilwoman Kahle stated that she'd like to reduce the budget to \$194,000 for surplus and how much does that reduce this by, \$35,000, semantics. Councilman Briscione responded that when you asked for proof of surplus he went to surrounding towns and found how much surplus they had and he believes it's a responsible thing that we did and we took the recommendations of the CFO. Councilwoman Kahle responded last year we had a surplus of \$194,972. This year we have surplus of \$261,150. She thinks that in the history of Oceanport there has normally been a surplus of about \$200,000 and to increase it and put that burden on our taxpayer is also not the right thing to do. Mayor Chaump replied to Councilwoman Kahle that she took an extra \$25,000 and everyone agreed to it along with consent from the CFO and his recommendation.

Councilman Briscione stated, one more time, he is not opposed to a BA if this panel comes back and tells us we need a BA at \$24,000 we have money for over 21 hours a week for a BA for the remaining 6 months of the year. Do we really think we're going to need a full time BA when we haven't had one for 20 years? Councilwoman Kahle responded she has no idea, she hasn't heard the recommendations from the panel. Councilman Briscione continued then what's wrong with starting someone off at 21 hours a week if we're told that we need a BA. Councilwoman Kahle countered what if they say we're in such disrepair, we need a full time BA right away. Councilman Briscione asked why should the taxpayer pay an additional \$25,000, whatever the number is, we never have surplus or "fluff" in these budgets, why make them pay for something we don't even have a job description. Councilwoman Kahle stated we already have \$35,000 in surplus that we should be using for tax relief, that's her position and she has already compromised.

Councilman Briscione asked what do we need this budget item for then? What's the purpose of having a study done? Anybody? Councilman Johnson responded to make the town run more efficiently. Councilman Briscione stated we're not paying for the study. What do we need it for? Councilman Ibex responded the Mayor's Blue Ribbon Committee is going to report back to us. Councilwoman Kahle asked Councilman Briscione wasn't it his recommendation to get rid of the study and use that for the \$7500. Councilman Briscione asked why are we leaving that money in there? Councilman Johnson responded he had no problem with that. He would take that out. He was leaving the \$7500 for the road. Councilman Briscione asked Councilman Johnson, but you wouldn't reduce the BA salary \$16,000. Councilman Johnson responded no. Mayor Chaump stated there's been no justification for a BA. Councilman Ibex stated he offered a similar compromise – consider Councilman Briscione's position, he'll guarantee his yes vote just to get the budget moving. Councilman Briscione also stated that if the study comes back and says we need a BA, he will be fully supportive of a BA. Councilwoman Kahle stated she wanted to clarify. Mr. Mayers stated that the motion to reduce the Administrative and Executive line item would be \$16,600 in salaries and wages and \$6,300 in other expenses, total about \$20,000, is the most you could do in that set of line items without triggering another public hearing. Councilwoman Kahle stated that she would be willing to take out the study - \$15,000, which Councilman Johnson also agreed too. Councilman Ibex responded that you can't take out the entire \$15,000 – it would require an amendment to the budget and another public hearing. Mr. Arnette stated that you can't take the \$15,000 out of that – you have to take it from different places. That's why \$16,000 can come out of salaries but only \$6,300 can come out of that Administrative Other which is where the study money was placed in the budget. Councilwoman Kahle stated so that it would be \$6,000 and the \$7,500 we can keep in their for the road expense. So we're reducing the study by \$6,000. Mr. Arnette responded that it would be reducing the Administrative Other line item that is \$63,000 by \$6,300. Councilwoman Kahle asked for the study and not for the BA salary? Councilman Briscione stated that his motion is the BA salary and half that study or whatever the CFO has suggested. Mr. Mayers stated that the most you can do is \$6,300. Councilman Briscione stated that's fine, the \$6,300 is fine.

Councilman Briscione made a motion to reduce the salary item by \$16,600, the BA salary and the \$15,000 for the study by \$6,300, which was seconded by Councilman Ibex.

The Clerk called roll:

AYES: Ibex, Briscione
NAYES: Kahle, Johnson, Gallo, Sharkey
ABSTAIN: None

ABSENT: None

The Clerk stated that the motion did not carry.

Councilman Johnson made a motion to amend the budget and there was discussion to clarify how the motion was to be stated and based upon advise of Counsel and how the motion would be worded, the motion was made to amend the budget to reduce by \$6,300 from the Administrative Other line, which was seconded by Councilwoman Kahle.

The Clerk called roll:

AYES: Kahle, Johnson, Gallo, Ibex, Briscione
NAYES: Sharkey
ABSTAIN: None
ABSENT: None

The Clerk stated that the motion carries.

Councilman Johnson made a motion to approve the budget as amended, which was seconded by Councilwoman Kahle.

Before voting, Councilman Briscione stated that the Council has had 5 months to justify the rationale for a BA to the public and to him. That hasn't been done yet. We've had 5 months to write a job description for a BA that we want to hire. We don't have a job description.

The Clerk called roll:

AYES: Kahle, Johnson, Gallo
NAYES: Ibex, Sharkey, Briscione
ABSTAIN: None
ABSENT: None

The Clerk stated that there was a tie and therefore, the motion did not carry.

COUNCILMAN SHARKEY: Councilman Sharkey reported that the Water Watch testing for Saturday was cancelled and rescheduled for June. As Councilwoman Kahle reported on oiling of the goose eggs, the only comment was that it was a strange season. The library was happy that some of the maintenance items have been cleaned up over the last couple months and thanks to Public Works for jumping on some of those issues.

COUNCILMAN BRISCIONE: Councilman Briscione reported that the Planning Board approved the application for a use change for a portion of the building at Monmouth Park Corporate Center on Crescent Place. The applicant proposed a medical research facility that will be equipped to do Phase I clinical trials for pharmaceutical drug testing for drugs such as Alzheimer's, blood pressure and cholesterol. The facility provides for 24 beds that would house people for up to 10 days. No situations would occur where there would be haz mat issues, no bacterial agents and/or psychological drug testing would occur. Councilman Briscione reported that the application for a 5-unit condominium project on the site of the former Shell station was carried until June 27th.

Councilman Briscione stated that the Borough is in the process of advertising for a Planning Board Secretary to fill a vacancy.

Councilman Briscione reported on Public Works and that the debris from the Valentine's Day ice storm has been removed from the racetrack parking lot by a private contractor. Cleanup and storm damage pruning is ongoing in the Borough's parks also by a private contractor. Public Works reported a sink hole on Hedge Drive caused by the collapse of a drainage pipe. We passed a Resolution on May 21st authorizing an emergency repair of the pipe due to the danger of heavy equipment passing over. Our Borough Engineer, Mr. White, oversaw the repair, which was completed yesterday. The patches on Sagamore Avenue caused by settlement after pipe construction by Two Rivers Sewerage Authority were repaired today at the direction of our Engineer and paid for by the Sewerage Authority.

Councilman Briscione reported on Buildings and Grounds and that he had had an audit done on the lighting and electrical use on all the Borough buildings. He stated that he appreciated Marc Hunter for his assistance from Public Works. The audit is of no cost to the Borough and will outline inefficiencies, potential cost savings and rebates offered by JCP&L. Councilwoman Kahle had a similar process done a few years ago on the Borough Hall and the Fire Department, however, there have been technological changes and increased rebates that warrant reviewing this item again. The tennis courts at Blackberry have been resurfaced. The cracks and patches sealed and it has been color-coded. Our Engineer has monitored the repair and is satisfied with the work. We have a one year warranty from the date of completion.

Councilman Briscione reported on Economic Development. The 2nd charrette was held May 12th at the Maple Place School. He'd like to thank the Board of Education for accommodating this event. John Clark and Michael Sullivan from Clark, Caton & Hinz presented preliminary ideas that included a village center in the 400 area which is east of the main gate. A proposal to possibly move the transit station, a concept of medical office around the Patterson Clinic, campus offices around the McAfee Corporate Center, a riverfront resort on the north side by Parkers Creek that would have 100-150 room boutique hotel, the renovation and reuse of the historic district which has 117 residences, and the renovation and dedication of open space, especially around the parade ground. The Economic Development Committee held a meeting on Tuesday, May 22nd, which was attended by over 100 residents. Due to the turn out, John Clark and Michael Sullivan repeated an abbreviated version of the May 12th presentation. Once they have reviewed the comments from both meetings and meet with the Economic Development Committee, the final charrette will be scheduled and the Vision Plan for Fort Monmouth will be presented.

Councilman Kahle asked Councilman Briscione about the approving of the drug testing center, can that be used for anything else besides what they applied for say if they do cholesterol testing and if they decide to test for something else do they have to come before the Planning Board again or can they just change? Councilman Briscione responded that in the Lease and in the Resolution, the owner of the building testified that he has language in his lease that prohibits some of the drugs that he discussed so they are not allowed by lease to do that and the Resolution from the Planning Board will state the same thing. Its an FDA regulated facility and they have to meet with DEP guidelines on needle disposal and those types of things.

MAYOR CHAUMP: Mayor Chaump reported that 2 letters had been received from FMERPA. The US Dept of Interior will assist us in the PBC for Open Space and Recreational Facilities and US Dept of Education let us know when to apply for the Library.

Mayor Chaump reported on FMERPA stating that the meeting on 4/25/07 resulted in 8 proposals for a Master Planner Consultant. The top 2 scorers were the ones that were interviewed and appointed was EDAW to do Planning Study and Economic Redevelopment. There will be 4 charrettes with one in each town and one in the county. The meeting on 5/16/07 Executive Director and DEP Executive Director met with Congressional Delegates and will keep them aware and invite them to participate. We are in the process of hiring our attorney. There are 8 proposals. EDAW Tim Delorn gave presentation. His firm has experience with 62 out of 192 BRAC closures. The charrettes will start in June and end in July. There will be 2 surveys. One of which will be on the website.

Mayor Chaump stated that she attended the Two River Council of Mayors on May 4, 2007. She reported it was a transportation roundtable. The Chief Engineer from Monmouth County, Tom Clark from NJ Transit, and John Fuller from NJ DOT were present. They discussed traffic problems. She followed up with a phone call to the County concerning Main St. and PAP signal for turning; Myrtle Ave and Monmouth Blvd. for a no turn on red; Myrtle Ave and PAP Ave for a designated left turn lane. Mayor Chaump also stated that if 1-800-POT-HOLE it to report potholes on County roads. .

Mayor Chaump reported on BE GREEN. On June 16th. From 5:30-7:30 pm Cindy Constantarakos, an Oceanport resident, is organizing BE GREEN. It is a volunteer project to clean local rivers and parks. She has already contacted Doc Kaloss from the Environmental and Water Watch. Anyone interested please let the Mayor know.

Mayor Chaump reported that during Monday night's workshop, Marc Lower outlined their Mission, Goals and Objectives of the Blue Ribbon Panel. It will take 10 weeks and the panel has already started.

Mayor Chaump stated the Navesink and Shrewsbury Rivers Kick Off meeting was reported on by our Borough Engineer on Monday night. Also, Najarian Associates has proposed a Dredged Material and Management Plan. It will be a collaborative effort by 12 Municipalities. More information is to follow for Council to decide.

Mayor Chaump reported that a letter was received from Rep. Rush Holt on the Dept. of Justice Grant Writing workshop for policing grants. Our Chief will be attending.

Mayor Chaump reported that a letter was received from US Senator Menendez informing us of the NJ Office of Emergency Management workshops in 5 regions. Chris Baggot and Bill White will be attending that workshop for the Hazard Mitigation Grant. Oceanport is already working with Monmouth County for a Flood Mitigation Plan.

Mayor Chaump reported on the 2007 Monmouth County Board of Recreation Commissioners Award for a Special Event. The plaque was given to the Borough at the MC Dinner on 4/30/07. The award was for our 2006 Summer's End Festival which was put together in 4 months. She thanked the Chair of the event, Mike Minervini, Lee Poole and Chair of Rec, Mike Tober. It was a community event with everyone working together – the Fire Marshall, Fire Dept., First Aid, OEM, Parks and Rec Committee, Police Dept. and Public Works.

Mayor Chaump reported that we received a \$4,000 Click It or Ticket Grant for this Seatbelt Campaign.

Councilman Briscione made a motion for a recess at 9:00, which was seconded by Councilwoman Kahle and approved by Council.

Councilman Briscione made a motion to return from recess at 9:05, which was seconded by Councilman Ibex and approved by Council.

Councilman Ibex stated that it was good that there was recess because its unconscionable if we were to leave here tonight without a budget in place regardless of whether everyone is in agreement with every particular detail. There is a compromise, which should make this thing work. The monies that Councilman Briscione talked about, we're going to take that \$16,600 and put it into escrow, lock box that won't be touched until there's been a demonstrated need that we're going to need a BA. He believes that if we do that we can get a budget in place that will work. He's not going to go into the reasons why he's against the BA, but he's willing for the good of this town to get a budget that's approved and operating. Its interesting to note that we don't even have a temporary budget within a day or two to avoid shutting down if we don't pass the budget tonight which to him is unconscionable. The position that he would take is that if there's a need for the BA, the money is there. If there is no need for a BA it doesn't have to be. He's willing to take that gamble and he would fight if he had too to support either one of those positions. He then asked what do we need to move ahead. Mr. Mayers responded that we need to vote on the following: \$16,000 out of Salary and Wages, \$16,000 into Salary Investment Account, \$6,300 out of Other Expenses and then the taxation amount, all of which will actually be voted on as one amendment and will be Amendment II. Councilman Ibex stated that in effect \$40,000 will remain in the budget in two components, which Mr. Mayers and Mr. Arnette both confirmed.

Councilman Sharkey asked how does the salary adjustment account work? Mr. Mayers responded that it's a general appropriation thing within the other line item that is a non-spending appropriation. It takes the \$16,600 out of the salary and wages account and places it in the salary adjustment account. If we hire a BA or if you hire someone else, during November or December we can do a budget transfer by 2/3 vote out of the salary adjustment account into Administrative Executive or whatever other line item. We can also do a change the \$16,000 or some portion thereof by 2/3 vote to another line item. Councilman Sharkey asked for further clarification on the second action. Mr. Mayers stated that even in November he could not do anything unless the governing body were to transfer some or all of that money back into another line item. Councilman Sharkey stated then that reserves that money until November and then you'll only be able to do it at a meeting where you have a resolution by 2/3 vote and in effect could only be used for about a month and a half. Mr. Mayer stated that assuming we were to get someone sooner than in November you could do a change in title – there are other options to move those funds.

Councilman Ibex made a motion to amend the budget to move \$16,000 out of Salary and Wages, \$16,000 into Salary Investment Account and \$6,300 out of Other Expenses, which was seconded by Councilman Briscione

The Clerk called roll:

AYES: Kahle, Johnson, Gallo, Ibex, Briscione
NAYES: Sharkey
ABSTAIN: None
ABSENT: None

Councilman Johnson made a motion to adopt the budget as amended, which was seconded by Councilman Ibex.

The Clerk called roll:

AYES: Kahle, Johnson, Ibex, Gallo, Briscione
NAYES: Sharkey
ABSTAIN: None
ABSENT: None

The Clerk stated that the motion carries and the 2007 Budget is adopted. (Resolution R-07-67)

BILL LIST: Capital Trust \$18,630.79. Dog Registry \$195.40. Escrow Trust \$811.18. Firehouse Donations (Other Trust) \$125.00. Open Space Trust \$21,871.25. Recreation Trust \$448.75. 2005 Vouchers Paid \$7,800.00. 2006 Voucher Paid \$223,172.43. 2006 Vouchers Paid This Meeting \$0.00 Total 2006 \$223,172.43. 2007 Vouchers Paid \$6,683,246.90. 2007 Vouchers Paid This Meeting \$447,077.51. Total 2007 \$7,130,324.41.

PUBLIC:

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

1. Gary LaBruno, Wyandotte Avenue, commented that it amazed him that we sit here and can't even watch the majority vote together. Nobody on this dais is on the same page. You can't work together. Start working together for the betterment of this Borough. All we heard during Campaign was census thinking and bring the Council together. Councilwoman Kahle you sat here tonight and said we are doing a disservice to the taxpayers. What you did lowering the surplus, changing numbers around, that is a disservice because if next year the State comes in with a 4% cap on the increase of what you can increase your tax next year, that is what little over a penny. What are you going to cut? Because you're going to have to come up with \$45,000 plus whatever increase you have right off the top pull your Business Administrator because with smoke and mirrors you changes the Administrator's salary. Again, the majority of the people in this room that come to these meetings are against a Borough Administrator. Mr. Sickler has said on more than one occasion to bring it to a referendum. Bring it to a referendum. Let the public speak. You're here to represent the public, not represent your best interests because you want an Administrator to come in a be a hack it man. Bring it to a referendum.
2. Laura Hornung, Center Street, stated that a job description needs to be done so the other side can see and go over it. She wouldn't even advertise for the position without a job description. She also wanted to say that she was there at the Monday meeting when the salary increase were brought up. Mr. Sharkey was late. If he came on time he would know what is going on, but to sit there and say no, no, no to the budget because you don't have time to review it or it wasn't presented to you in a timely fashion. If you got yourself here on time and made your meetings you would know what's going on. But you continuously are late and continuously saying no to everything. You are very negative and your negativity is all about this Council and the Borough.
3. Bill McVitty, Eatontown Boulevard, stated that he is Vice President of Board of Education and he is insulted that the Board of Education was dragged into this. We are an a-political Board. We don't operate like this. Mr. Ibex made a presentation to the Board.

The Board decided not to go forward with it because we do have enough Administration to do what he presented by ourselves. Councilwoman Kahle responded that we don't. Mr. McVitty stated but you used our name. Correct me if I'm wrong, but Mr. Sharkey, did you not make the same presentation to the Board of Education. Mr. Sharkey stated no, not even similar. Mr. McVitty stated he's just trying to say are all things equal? Did we single Mr. Ibex out? Mr. Sharkey responded that no he hasn't and he doesn't know where Mr. McVitty is getting his facts from. The only thing he did do was make an Open Public Records Act request for information – is that what you're talking about? Mr. McVitty responded yes. Mr. Sharkey stated that's not a formal presentation to do any type of service for the Borough. Mr. McVitty finished by asking to please leave the Board of Education out of this.

4. Ron Sickler, Morris Place, stated to Councilwoman Kahle that he has a problem with her sense of what's right and what's wrong. She had an object to \$5,300 in the budget for a living wage for Borough employees and then goes ahead and defends overspending \$100,000 on a fire truck, which could be purchased for \$300,000. He doesn't know where she comes up with her rationale for this kind of stuff. The other thing he has to say is that it's evident to him and this audience that the three of you sitting there have an agenda. We're not part of your inner circle so we don't know what that agenda is as taxpayers. And we're not going to know it until it hits us in the face. Its become evident at these meetings time after time after time that you're going to push this through until we do get hit in the face with it. There is absolutely no need at this time for a temporary Borough Administrator. My question to the Attorney is, the temporary Borough Administrator, if one comes in, does he have all the powers of a full time Borough Administrator. Mr. Arnette responded that he will have all the powers that the Council gives him. It doesn't make a difference if they are part time or full time. Its whatever powers the Council gives to the Borough Administrator. If they are working 4 hours a week or 40 hours a week, they'll have the same powers. Mr. Sickler then asked, in order to give somebody power, you have to have a job description. 5 months and no job description. Now, you're just getting ready, according to you, to present something along those lines. Councilwoman Kahle responded she knows Finance and Administration were charged to do the job description. She just got one and gave it over to the Attorney months ago to see if we could move it along. Obviously Finance and Administration does not want a Borough Administrator and nothing has been done for 5 months. It's not my job description. Councilman Ibex interjected, don't misquote Finance and Administration. Mr. Sickler asked if the Council was prepared to give this person the same responsibilities as a full time Business Administrator, to hire, fire, whatever else. Councilwoman Kahle responded that we are not hiring a temporary Borough Business Administrator. That's off the table. We talked about it at the Workshop meeting and it didn't go anywhere – we're not hiring anyone. Mr. McVitty stated he was at a loss. Didn't we just have a problem with money being in the budget to hire one? Councilwoman Kahle responded for after the Blue Ribbon Panel comes back and does their study and sees exactly what we need – that's the money in there in case we need it. If we didn't do it now and they came back and said we needed a Borough Administrator, we wouldn't have the money. Mr. Sickler continued that it was his understanding that you were trying to hire a temporary Borough Administrator while this Panel is trying to make its decision. Councilwoman Kahle responded that she voted no. MrSickler stated, then the Borough Administrator, temporary or otherwise, nothing will be decided on that whatsoever until this Panel makes its decision. When this Panel makes its decision, if it goes against you, the three of these gentlemen have committed to an Administrator, will you then, the three of you drop your request for an Administrator if this Panel comes back and says you don't need one? Councilman Johnson responded that he could not abide by that. He will

listen to their comments and try to be open-minded but he can't say that. Mr. Sickler continued then they come in here and say to you no, in our opinion, we don't need a Borough Administrator, you would be willing to fight that? Councilman Johnson responded that he'd like to have a discussion. Councilman Kahle wanted to comment about the salary and that the only thing she had a problem with was they were getting a 4.25% raise. She didn't get that raise. She thinks that is a very good rate. Then to give them arbitrarily \$2,000. or, \$1500, I don't think it's the right thing to do for the taxpayer. I would think that if you were going to be saying that so and so should be making \$65,000 a year and she's only making \$50,000 for that position or whatever, that's the discussion that we should have had and we did not have that discussion. Mayor Chaump stated yes, we did have that discussion at one of our budget meetings which was on February 26th. We talked salaries and Councilwoman Kahle was not at that meeting. Councilwoman Kahle responded that she was at the meeting when we were talking about the salaries and she specifically asked the Borough Clerk if her salary was justified and was told she is making what she should be making. If you want to go over the minutes, we can go back and forth but that is really. Mr. Sickler inserted that 4.25% is a very good increase *if* it's based on a salary commensurate with the job. If somebody is making minimum wage and they get a 4.25% increase, it's not enough to live on. He is willing to get off this subject and get back to the \$100,000 extra for the fire truck. Councilwoman Kahle stated it was always \$450,000. the Fire Department came to the Capital Committee and said they wanted a fire truck for \$450,000. They had justification for it, a spreadsheet and a full committee that looked into the fire truck and it was \$450,000 and never less than that. After that, the Capital Committee said, the \$450,000, lets take \$350,000 and see if the fire department can raise their own money. The Council decided we've never done that before and you're going to ask the fire department, who need a fire truck this year because their pumper is not working, to raise a \$100,000. Councilman Briscione and Councilman Ibex stated they had never heard that. Councilman Sharkey stated this is just another example of the lack of communication on this Council. Councilman Briscione stated that what he heard was justification, was an ISO rating, that he subsequently found out we haven't had since 1995. That was the justification we were given. That we needed to replace pump capacity. He is not arguing whether we need a fire truck or don't need a fire truck. But the information he was given said we needed to replace pump capacity. Pump capacity can be replaced cheaper. If there's other justification – he hasn't heard them. Councilwoman Kahle stated we got the whole letter from that Committee we all heard it. Councilman Briscione asked then why give us information about ISO ratings that haven't been effect for 10 years. Mayor Chaump ended the discussion by stating that this has nothing to do with the budget. This is a conversation that should have been had back in January-February, not May.

5. Allan Johnson, 30 Belmar Ave, commented that for 5 months the Council has been arguing back and forth about the Borough Administrator, and like others have said and he has said at other meetings, there's been no justification but people up here are hell bent on hiring a Borough Administrator. Cramming it down the taxpayers' throat. There is money aside in the budget that could ease the tax burden of the people of the Borough and you still don't have a job description. We still have people sitting here on Council taking resumes from people to fill the position. A couple weeks ago you almost hired somebody, Jersey Management for \$15,000 to do a focus study. Then, lo and behold, if someone walked into Borough Hall they would have a part time Business Administrator. Councilman Johnson says he can't negotiate the \$40,000, well, that's because its \$50 an hour for the rest of the year. When you can get someone for \$26 or \$27. He talks about stonewalling and the Council not budging, that's ridiculous. A couple weeks ago at a meeting, Councilman Ibex gave a great option to take. Cut it \$20,000 and if the Blue

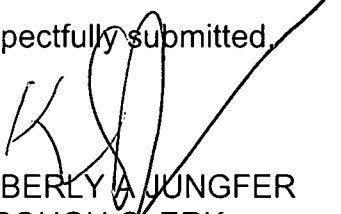
Ribbon Panel comes back and says we need a Borough Administrator. Doesn't mean you have to act this year. You can appropriate it for next year. You could advertise a nice, open and fair government and advertise for the position and take your time and be fair about it. Give everybody a shot. You could hire from within. But no, we'll take someone from outside. There was a Councilperson from the last town for this person Mr. Sharkey brought up, she caused hatred in the town. Fired people. Tried to revamp the police department. \$50 an hour – that's a \$100,000 a year. I don't make a \$100,000 a year. I don't know about anybody else in this audience. These are our taxes and he sits here and says we're stonewalling. That's ridiculous. Councilwoman Kahle – she's irresponsible. If people here that work hard for the Borough were friends and neighbors, and for months they're telling people that they're going to get their salaries raised to the same as other towns, then she goes through Borough Hall and tries to change people around to make room for a Business Administrator, calls people up and gets them all upset and then for months, this is in place, Councilman Ibex goes on vacation Councilman Gallo says ah! It's not justifiable. I'm going to cut everything \$17,000 and the girl quits and gets another job. Mayor Chaump stated that you can argue outside of this meeting. Councilman Johnson inquired of Mr. Johnson if the raises were so important they should have been done last year. Mr. Johnson asked what is your point? You people for months it was going through to elevate the employees to the surrounding towns and you led the people to believe you were going to do that. At the last minute at a Workshop meeting, you came back and said its not justified and then the people left.

6. Ed Ryan, 24 Willow Court, commented that in 1972 when we had a BA before any of you people lived in town here. They needed a BA because we had HUD coming through with a lot of paperwork. At that time, even though we had a BA, the Mayor did most of the work. We only had a BA in here to do the paperwork that had to be done. When that was finished they had no more BA. The BA issue should be stopped and put on the ballot for November for the people not everybody here that is arguing. One good thing for this Borough, he went through another school in another district to pick up his niece. He walked in, she was sitting there, she came up, he held her hand and they went out. Do you know that he was not stopped at all or asked his name. He came to pick up his neighbor's kid at Oceanport School and he had to ring a buzzer to get in. Mayor and Council and Board, they are doing a good job. He understands from the Police Department that our schools are protected.

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

At 9:30 p.m. there was a motion to adjourn from Councilman Briscione, seconded by Councilman Ibex and unanimously approved by Council.

Respectfully submitted,


KIMBERLY A. JUNGFER
BOROUGH CLERK