REGULAR MEETING MINUTES

Oceanport, New Jersey
May 6, 2004

REGULAR MEETING: The Regular Meeting of the Oceanport Mayor and Council was called to order on May 6, 2004 at 8:00 P.M. with Mayor Gatta stating the meeting had been properly advertised in accordance with law.

MEMBERS PRESENT: Councilpersons Kahle, Mahon, Holden, Chaump, Johnson, Briscione and Mayor Gatta.

OFFICIALS PRESENT: Borough Clerk, Patricia L. Varca and A/Borough Attorney, Martin A. McGann.

INVOCATION: Borough Chaplain Berry gave the invocation.

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

Mayor Gatta stated for the record that the Governing Body had gone into Executive Session during the workshop meeting with regard to contract negotiations.

As copies of the minutes from the regular meeting held on April 15, 2004 had been made available to the members of the Governing Body, Councilman Mahon moved to waive the reading of same and approve the minutes as presented by the Borough Clerk. It was seconded by Councilwoman Chaump and approved by Council.

CLERK'S REPORTS:

1. Police report for the month of APRIL, 2004 and a copy will be posted on the Bulletin Board.

2. Raffle applications made by the following:

A} Lupus Foundation of America, Inc., NJ Chapter, to be held 7/18/04, 50/50 cash off-premise raffle and an on-premise silent auction.

The Clerk advised that all required fees had been paid on the raffle applications and all paperwork was found to be in order, after which Councilwoman Chaump moved to approve same. It was seconded by Councilwoman Kahle and unanimously approved by Council.

B} Visiting Nurse Assn. of Central Jersey, to be held on 8/28/04, 50/50 cash off-premise raffle.

The Clerk advised that all required fees had been paid on the raffle applications and all paperwork was found to be in order, after which Councilwoman Johnson moved to approve same. It was seconded by Councilwoman Kahle and unanimously approved by Council.

C} Phil Daly Hose Co. #2, to be held on 8/01/04, 50/50 cash off-premise raffle.

The Clerk advised that all required fees had been paid on the raffle applications and all paperwork was found to be in order, after which Councilwoman Chaump moved to approve same. It was seconded by Councilwoman Kahle and unanimously approved by Council.

D} Monmouth Pk. Charity Fund, to be held 9/03/04, prize is a mink coat.

The Clerk advised that all required fees had been paid on the raffle applications and all paperwork was found to be in order, after which Councilwoman Kahle moved to approve same. It was seconded by Councilwoman Chaump and unanimously approved by Council.

E} Monmouth Pk. Charity Fund, to be held 9/04/04, 50/50 cash off-premise raffle.

The Clerk advised that all required fees had been paid on the raffle applications and all paperwork was found to be in order, after which Councilwoman Kahle moved to approve same. It was seconded by Councilwoman Chaump and unanimously approved by Council.

F} Monmouth Pk. Charity Fund, to be held 9/05/04, off premise multi-prize raffle.

The Clerk advised that all required fees had been paid on the raffle applications and all paperwork was found to be in order, after which Councilwoman Kahle moved to approve same. It was seconded by Councilwoman Chaump and unanimously approved by Council.

G} Monmouth Pk. Charity Fund, 50/50 cash on-premise raffles to be held on 5/31/04; 6/16/04; 7/04/04; 7/25/04; 8/08/04; 8/21/04 and 8/27/04.

The Clerk advised that all required fees had been paid on the raffle applications and all paperwork was found to be in order, after which Councilwoman Kahle moved to approve same. It was seconded by Councilwoman Chaump and unanimously approved by Council.

COMMITTEES:

COUNCILWOMAN KAHLE: Councilwoman Kahle asked for a motion to authorize the Borough Engineer to prepare plans and specifications for the collection of garbage and trash, as well as an alternate included for curbside recycling pick-up and to advertise and receive bids for same. It was moved by Councilwoman Chaump, seconded by Councilwoman Johnson and unanimously approved by Council.

Councilwoman Kahle commented that over the weekend there was a problem with the air conditioning unit causing the Borough Hall offices to fill with smoke and it was replaced the very same day and she wanted to thank both the First Aid and Fire volunteers for their quick response to this situation.

Councilwoman Kahle advised that the Committee regarding the building space issues recently met and we have added Joe Lyons as a member of this Committee who did a lot of work on the proposed expansion of the Library and she felt he would be an asset.

Councilwoman Kahle reported that Rick Gallo from Foggia's Florist will be planting the window boxes at Borough Hall to get ready for the Memorial Day events.

Councilwoman Kahle reported that in April the Fire Department responded to four alarms for a total of 45 ½ hours.

Councilwoman Kahle also advised that the Explorer's Post would be holding a car wash as a fund raiser for equipment for the Hook & Ladder on May 15th from 10 a.m. to 3 p.m. and urged everyone to try and support this event.

COUNCILMAN MAHON: Councilman Mahon asked the Clerk to read resolution **R-04-41** requesting approval from the Director of the Division of Local Government Services to insert items of revenue into the 2004 budget, after which he moved to approve same. It was seconded by Councilwoman Kahle and unanimously approved by Council.

Councilman Mahon asked the Clerk to read resolution **R-04-42** accepting the 2003 municipal audit after which he moved to approve same. It was seconded by Councilwoman Kahle and unanimously approved by Council.

Councilman Mahon then moved to hire Daniel Finucan as a Helper in Public Works at an annual salary of $25,000 effective May 10, 2004. It was seconded by Councilwoman Johnson and unanimously approved by Council.

Councilman Mahon reported under Finance & Administration we are going to be looking at the newly proposed purchasing guidelines and will approve them formally at the next meeting.

Councilman Mahon stated that he, Mayor Gatta and Councilman Holden are part of the Committee regarding the Shore Regional High School budget, which was defeated and commented that Mayor Gatta will be reporting further on this subject during her report.

Councilman Mahon advised that the Public Works Department has been struggling with staff shortages due to one workmen's compensation injury and another non-work related injury and he complimented Tom Crochet and his crew for doing a great job under very difficult circumstances and tonight we have hired another full time employee and we will be hiring a part time employee very shortly.

Councilman Mahon stated that during our workshop meeting we were discussing the 2004 road program and will continue that discussion following this meeting.

Councilman Mahon informed everyone that the pre-construction meeting on Gooseneck and Cayuga would be held tomorrow at 10 a.m. in the Borough Hall and that project should begin very shortly.

Councilman Mahon stated under the Cable and Technology Committee, Joseph Foster has found a competitive phone service for the Borough to consider which gets connected to the computer systems and as soon as things get settled down a bit, he will be coming in to make a presentation to the Governing Body.

Councilman Mahon also advised that the Mosquito Commission has been notified of some additional work that they need to address on Driveway and along Myrtle Avenue in the wooded property in the northbound side as well as some work on Burnt Mill Circle.

Councilman Mahon stated we have authorized the Engineer to prepare specifications and advertise and receive bids for garbage and trash collection and we are also looking receiving

information from Sea Bright as to what they are doing since they have a new contractor and we will also be looking at the possibility of sharing services

Councilman Mahon also commented that one of the other matters the Council will be looking into to is having a portion of the Borough Hall roof, re-roofed and some other roof work at the Community Center.

Mayor Gatta asked if he had prepared anything with regard to the utility trenches, to which he stated that Tom Crochet has compiled a spreadsheet of the openings made by the various utility companies and there are also letters that have gone out to address some of the conditions. He stated that he is setting up a 90, 180 and 365 day check in order to make sure the trenches are holding up and he will be able to keep track of them using this system and having a regular time to check the locations. He also commented that the trench that is west of the railroad tracks on Port-au-Peck is an opening made by Verizon and they have been notified that repairs are needed.

Mayor Gatta noted that our Borough Engineer, Tom Rospos, was very helpful in getting us a contact person at Verizon regarding that opening.

COUNCILMAN HOLDEN: Councilman Holden noted that the Police Report for April shows that the Dispatchers received 845 calls of which 535 calls were responded to by Officers and 131 summonses were issued. He also stated that Patrolman Ciani completed the course in Shotgun Instruction and Sgt. Tagerty participated in the State's Annual D.A.R.E Training Conference and completed a course in Financial and Cyber-Crime Investigation and was awarded a Certificate of Service from the NJ D.A.R.E. Program for his participation over the past five years.

Councilman Holden announced that the Capital Improvement Committee will be conducting its initial meeting the 4th Thursday of the month and we will be having two committees a month come in each month to present their five-year plans.

COUNCILWOMAN CHAUMP: Councilwoman Chaump reported there are two vacancies on the Recreation Committee and although they have two names they are not being appointed this evening because the Council has not had a chance to discuss the proposed names.

Councilwoman Chaump reported that there was an on-site summer camp registration held and 161 children were registered under K-6th grades and 11 youths for the new program were registered and the Committee is interviewing for a Camp Director.

Councilwoman Chaump stated that the First Aid Squad received 49 calls in March for a total of 617 hours and they thanked Kathy Maida for her years of assistance with the Holiday Bazaar and are now looking for someone to Chair that event.

Councilwoman Chaump reported under the Coast Alliance they are in the process of filing for the grant for 2005-2007 time frame. She also advised that she attended the Volunteer Recognition Dinner on April 21st in observance of National Volunteer Week and the 14th Anniversary of the Alliance to Prevent Alcoholism and Substance Abuse and added that 116 people attended and certificates were given out by certain Alliances showing their appreciation and she received one and had one for Mayor Gatta from the Coastal Alliance.

Councilwoman Chaump further reported that yesterday, May 5th, the County Board of Alcohol and Drub Abuse Services meeting was hosted by the Coastal Alliance at Shore Regional and the Board has spoken with Senator Karcher about updating the formula for funding because they are

using an old formula and if it is updated, they will most likely receive more money and they also voted to support Senate Bill #264 which is asking municipalities to pass a resolution about the Clean Indoor Air legislation which she will be speaking to the Council about in our workshop meeting.

Councilwoman Chaump stated that there were also six students from Shore Regional SAD Program that spoke about programs that work and they would like to see more programs, which would be very helpful when we are going out to do our grant programs.

Councilwoman Chaump reported under the Board of Education that she, Councilwoman Kahle and Mayor Gatta have been meeting with the Oceanport Board of Education to discuss their budget, which was defeated.

COUNCILWOMAN JOHNSON: Councilwoman Johnson reported that there is construction going on at Blackberry Bay Park with the new well and she had some concerns since there was no fencing around the site and after speaking with the Borough Engineer, that will be addressed and snow fencing will be installed around the site tomorrow.

COUNCILMAN BRISCIONE: Councilman Briscione reported in our continuing effort to reduce Borough expenses we are having our telephone line charges and usage reviewed b y a consulting group and they will prepare a report and meet with us to discus our options and based upon their preliminary review, we can expect potential savings of at least 25%.

Councilman Briscione reported under the Planning Board that the NJ Sports & Exposition Authority introduced their application for preliminary and final site plan approval for the Village Center development which is a proposed mixed use residential and retail use and the next scheduled meeting for this application is May 26th.

Councilman Briscione stated with regard to Monmouth Park, the casino purse supplementation money has been authorized by the Atlantic City Casino Committee and there remains some issues that are being negotiated between the NJ Thoroughbred Horsemen's Association and the NJ Sports & Exposition Authority so that is still not finalized. He also commented that he and the Mayor met with the Police Chief about the reallocation of the State Police presence at Monmouth Park and the Chief had some suggestions about manpower requirements at the facility and he has contacted Assemblymen Morgan and Panter's Office and they are reviewing the information that he provided. Councilman Briscione continued that they are also trying to arrange a meeting with Bruce Garland of the Sports & Exposition Authority to express our concerns about this issue.

Councilman Briscione stated that he has recently been asked quite a few questions about a possible revaluation, and he would like to make a few comments and correct some misconceptions. He stated it is not up to the Borough to decide when a revaluation should be implemented. But that the Monmouth County Board of Taxation mandates when revaluations are done and this typically happens when the ratio of assessments to fair market value falls below 70%, and the coefficient of deviation exceeds 15 %. He continued that the last revaluation in Oceanport took place in 1990 and the State Division of Taxation conducts an annual sales survey, investigating property transfers that occur within the town. He explained that every sale is compared individually to every assessment to determine the average level of assessment in a town and an average ratio is then developed from a two-year sampling of property sales to represent the assessment level within the town. Councilman Briscione stated in any year, except a revaluation year, the common level of assessment is the average ratio of the municipality and is used by the county tax board in determining the fairness of an individual assessment.

Councilman Briscione stated that during strong real estate markets the appreciation of residential real estate results in rapidly declining ratios and typically commercial and industrial property does not appreciate at the same rate as residential property, but since an average ratio is utilized, a disparity usually exists between the different classes of real property. He continued that this disparity usually creates inequality and results in tax appeals by the affected class of properties, usually commercial and industrial and the purpose of a revaluation is to assess all property at 100% of value as of October 1st of the pretax year and this is accomplished by hiring a private firm to inspect and value all properties using mass appraisal techniques.

Councilman Briscione advised that the neighboring towns of Long Branch, Sea Bright, Rumson, Fair Haven, Shrewsbury, and Little Silver have all completed revaluations and Monmouth Beach has been ordered to complete a revaluation for 2005 and Eatontown for 2006. He explained as the ratio in Oceanport is currently at 57.25% and expected to fall considerably in 2005, an order for revaluation would be likely for 2006 or 2007. He also commented that revaluations do not necessarily mean an increase in taxes and a rule of thumb in the industry is that one third of the properties experience an increase, one third stay the same, and one third experience a decrease in taxes. He continued the differences exist because different areas of the town appreciate at different levels between revaluations and, also, newer homes and homes that have had extensive renovations are often assessed at a ratio of assessment to market value that is higher then the average ratio in town. He stated that these are homes that would likely experience a decline in taxes due to a revaluation and conversely, homes that are assessed at a ratio of assessment to market value that is lower then the average ratio are homes that would likely see an increase in taxes and homes that are assessed close to the average ratio are likely to have similar tax liability. He stated that as cap laws govern annual budgets, the municipal budget will go up incrementally each year and after a revaluation the tax rate will go down nearly proportionate to the increase in assessment.

Councilman Briscione also explained that residents will have numerous avenues to insure that assessments and property records are accurate and once the revaluation is complete, the revaluation firm will conduct informal hearings in the municipal building and this is an important step to ensure the accuracy of the field inspection and the valuation. He noted that if a resident is dissatisfied with the result of the informal hearing, a tax appeal can be filed by April 1st of the tax year to the Monmouth County Board of Taxation and, if a resident is dissatisfied with the decision of the Board of Taxation, an appeal can be filed with the Tax Court of New Jersey within 45 days of the decision of the County Board.

Mayor Gatta stated she has asked Councilman Briscione to include this information in the Bulletin because she felt it is a concern of many of our residents and suggested that if any of our residents have any questions on this subject to contact him directly.

Mayor Gatta asked Councilman Briscione to comment on the letters recently sent to the Representatives in relation to the host fees, to which Councilman Briscione commented that although the Stake holder's Group has not met again because the enabling legislation is not moving, there has been some talk about slot machines and VLT's, so initially we had sent letters to our local Representatives in this Legislative District, but recently we decided to send correspondence to Senator Cody and Senator Roberts, who are heads of their respective Committees in the Senate and Assembly. He stated we have asked that if these bills move forward on the slots and VLT's that Oceanport be considered for a host fee similar to the host fees that are in the Pennsylvania Legislation and more recently in the New York Legislation in Sullivan County.

MAYOR GATTA: Mayor Gatta reported that on the update on the bridge construction on East Main Street and stated she is in weekly contact with the County Engineer, Ted Gianchinni and initially we were told that August was the completion date and after advising them that was not an acceptable timetable, it changed to July 10th and now it has be changed to July 2nd with the Engineer advising her that there will be a bonus amount to the contractor if he completes the job by the July 2nd date and it will cost him $250 per day for every day it takes past that timeframe. She also advised that she spoke to him regarding concerns raised with the River Plaza make shift bridge being completed ahead of schedule and he assured her that this did not impact the Borough's work being done on the bridge in Oceanport. She stated he explained that the River Plaza is only a temporary bridge until they are ready to work toward the completion of that bridge.

Mayor Gatta reminded everyone that the Oceanport Lion's Fair is opening on Tuesday, May 25th through Sunday, May 30th and she hoped everyone would come out and support this event.

Mayor Gatta stated with regard to our school budgets, both the local and the regional budgets were defeated and presently we are moving forward as a Council with the timelines and as Councilman Mahon stated earlier, she and both Councilmen Holden and Mahon attended a meeting on Monday night at Shore Regional with the three other municipalities and further work is being examined on the budgets and we will be meeting again as a group made up of the 4 municipalities and ready to discuss this issue next Thursday. She commented that a meeting had also been tentatively scheduled for Monday, May 10th but she does not think there will be enough information available for the Council to meet so we will move our meeting, which we also advertised, to the May 13th date at 7:00 p.m.

Mayor Gatta reported that on Tuesday, she and Councilwomen Kahle and Chaump met with the three board members and the Administration at Wolfhill Administrative Offices and we will be speaking about bringing in an independent person to review the budget and this will be discussed in workshop after this meeting.

Mayor Gatta explained that whatever resolution we come to as a Governing Body, must be passed by May 19th at the latest so we have also advertised for a Special Meeting during our regular workshop meeting scheduled to be held on Monday, May 17th if needed.

Mayor Gatta stated that during the past two weeks she attended both a Mayor's Conference in Atlantic City and last Friday she attended a Tax Summit with Councilman Briscione in Trenton and every municipality in attendance voiced the same concerns that status quo is not acceptable any longer and on a municipal level have to be the leaders to push legislators for tax reform. She stated that she would very much like Oceanport to be on the forefront of that issue and she will be talking to the Council as how we can, as a Governing Body, together with citizens as partners, school boards, etc. petition our Legislators to move forward to take the necessary steps that have not been taken.

Mayor Gatta advised that we received a call from Senator Karcher's Office for a list of items that we as a municipality would like them to include in their budget, so we have used the items that we have made requests for in the past such as a new siren system, record management, etc. and we are hoping that some of our requests will be addressed.

Mayor Gatta commented that on this past Thursday she and the majority of the Council went to Maple Place School to kick off Student Government Day with the 7th Graders and it was very productive and the kids came up with some great questions and they are now in the process of electing their Mayor and Council and she urged everyone to come to their meeting on May 20th at 7:00 p.m. and watch them take over the duties of the Governing Body and other officials.

Mayor Gatta asked all the residents in the Borough to play it safe and lock your doors since there was an article in the newspaper regarding some concerns in the Borough with entry being made into homes that had un-locked doors.

Mayor Gatta stated in the newspaper last week one of our young Oceanport father's being sent to Cuba with his National Guard Unit for a year and she forwarded him a letter on behalf of the Borough Governing Body and residents wishing him well and a safe return.

Mayor Gatta wanted to also express her thanks to our firemen and first aiders for their quick response to the alarm at Borough Hall on Saturday morning and we appreciate their quick response.

Mayor Gatta then opened the meeting to the public for any comments or questions they might wish to make.

Ed Ryan, 24 Willow Court asked if anything has been done about the sirens at the Hook & Ladder Fire House or at the Community Center since they are not working and he stated that for two days in a row there have been problems with our radios and there are no sirens working on his side of town and you cannot hear the Wolfhill siren from his area. He stated we need these sirens to be working because we are missing calls and we need a back up which is what the siren is for and he wanted to know what is going on with this matter.

The Clerk advised that she recently spoke with Capt. Sutton who informed her that the Community Center siren was working to which Mr. Ryan stated someone he knows who lives over in that area did not hear the siren go off to which Mayor Gatta stated she would look into this matter.

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

Councilman Mahon moved to approve the vouchers on the Bill List dated May 6, 2004. It was seconded by Councilwoman Kahle and approved by Council. Councilman Holden abstained from voting on invoices from Pasquale Menna and Phil Daly Hose Co. Councilman Mahon abstained from voting on the invoice from the Phil Daly Hose Co.. CAPITAL TRUST TOTAL $6,825.44. TOTAL DOG REGISTRY $54.00. TOTAL ESCROW TRUST $1,308.50. 2003 VOUCHERS PAID $64,404.01. 2003 VOUCHERS PAID THIS MEETING $5,378.00. TOTAL 2003 VOUCHERS $69,782.91. 2004 VOUCHERS PAID $5,536,948.78. 2004 VOUCHERS PAID THIS MEETING $853,409.71. TOTAL 2004 VOUCHERS $6,390,358.49. (SEE BILL LIST)

At 9:00 p.m. Councilwoman Johnson moved to adjourn this meeting until the next regular meeting scheduled to be held on May 20, 2004 at 8:00 P.M. It was seconded by Councilman Briscione and approved by Council.

Respectfully submitted,

Patricia L. Varca

PATRICIA L. VARCA
BOROUGH CLERK