

REGULAR MEETING MINUTES

Oceanport, New Jersey
April 21, 2011

The Regular Meeting of the Oceanport Mayor and Council was called to order by Mayor Mahon on April 21, 2011 at 7:44 P.M. with Mayor Mahon stating the meeting had been properly advertised in accordance with the law.

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

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

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

CONSENT AGENDA

1. Resolution authorizing the payment of bills **R-11-71**
2. Resolution authorizing a tax lien for property maintenance. **R-11-72**
3. Resolution authorizing a lien redemption: Block 139; Lot 8.01. **R-11-73**
4. Resolution authorizing a lien redemption: Block 1, Lot 19. **R-11-74**
5. Resolution authorizing a one day paper shredding event with Monmouth County. **R-11-75**
6. Approval of the Workshop meeting minutes of April 7, 2011.
7. Approval of the Executive Session minutes of April 7, 2011.
8. Approval of the Regular meeting minutes of April 7, 2011.

The Clerk stated there were 8 items on the consent agenda and asked for a motion. Councilwoman Kahle made a motion to approve the Consent agenda which was seconded by Councilman Johnson and approved by the Council with the exception of Councilman Gallo whom abstained from Items 6, 7 and 8.

CLERK/ADMINISTRATOR REPORT: No report

COMMITTEES:

COUNCILMAN BERTEKAP: No report

COUNCILMAN IBEX: No report

Mayor Mahon, with Council consent, took the Agenda out of order.

COUNCILMAN GALLO: No report

COUNCILWOMAN KAHLE: Councilwoman Kahle gave an update on the improvement project at Monmouth Park, what work had been accomplished and what work remained to be performed, the impacts of the weather on the starting of the pumps.

Mayor Mahon turned the meeting over to Councilman Irace and the rest of the Finance and Administration Committee for the 2011 Budget Presentation.

COUNCILMAN IRACE:

1. 2011 Budget Presentation
2. Resolution authorizing Borough Examination of the 2011 Budget. **R-11-76**
3. Resolution amending the 2011 Budget. **R-11-77**
4. Resolution adopting the 2011 Budget. **R-11-78**

Councilman Irace gave mention to the members of the Finance and Administration Committee – Councilman Ibex, Councilman Johnson, Clerk/Administrator Kim Jungfer, CFO Greg Mayers and Auditor Bob Oliwa.

Councilman Irace presented the 2011 municipal budget using a PowerPoint presentation explaining the budget process, what the budget entails, the commitment to stay under the 2% cap including some items that were outside the cap providing a true 2% cap, how much more the budget could have increased if they had taken advantage of items permitted outside of the cap, and that the results of the fiscal responsibility of the Governing body and partnership with the Borough's employees, the public would see a .9 increase, less than a penny, would be the tax increase for 2011.

Councilman Irace continued with the presentation with additional information including the 4 taxing authorities, the breakdown by percentage of the tax levy for each authority and that nearly 70% of the tax levy was for local and regional school budgets and the county budget, the purposes of the budget, and that the only way to see a reduction in a budget was through a reduction in services or personnel or shared services. Councilman Irace also explained how the 24% of a resident's tax bill was used – police protection, dispatch, contributions to emergency services, trash removal, snow removal, park maintenance, public information, property maintenance issues, code enforcement and planning. The budget presentation also included a 5-year budget history 2009 – anticipated 2012 and 2013, a 5-year revenue history 2007-2011 which also detailed the significant reduction in State aid over the 5-year period, as well as a number of items that the Borough has done to minimize the tax increase for 2011 including additional shared services agreements.

Councilman Irace concluded by thanking the Finance Committee, especially Mr. Mayers and Ms. Jungfer for their hard work and for the Borough employees who seem to suffer the brunt by doing more with less.

Mayor Mahon asked if the Council had any questions for the Committee or if there were any other comments.

Mr. Oliwa added that another important factor of the budget was the Capital Improvement portion and gave a brief description and summary of that.

Mayor Mahon added that there were a couple of items that were specifically added in order to increase the Borough's level of compliance with the municipal best practices that were established by Governor Christie in 2010 – including the 5-year – 2 forward and 2 past for budget appropriations and revenues. Mayor Mahon continued that the 2011 budget slideshow would be available on the website along with the last 3 years budgets as additional compliance items for the best practices. Mayor Mahon explained that the purpose for this was that each municipality was scored points and the rank allowed them to collect up to 100% of the final State aid payment for the last quarter of 2010. He continued that the Borough had been informed that in 2011 the penalty may be applied on each quarter rather than just the last quarter and that the Borough wants to make sure there was no penalty and that they would be remiss if they had not implemented the items from the best practices to avoid ramifications on the State aid. Mayor Mahon gave a thorough explanation on what State aid consisted of including CMPTRA and what that was and how reductions in State aid were having to be made by the taxpayer.

Mayor Mahon opened the meeting for questions and comments from the public on the 2011 Municipal Budget.

PUBLIC:

Gary LaBruno, 50 Wyandotte Ave, asked questions about the anticipated savings for dispatch shared services, how the numbers were determined and the savings for each household which Councilman Irace and Ms. Jungfer responded.

Mr. LaBruno made additional comments regarding the way government produces big numbers that look like a lot such as \$147,000 savings but only amounts to a savings such as \$65 on a \$12,000 property tax bill isn't understood by the average taxpayer.

Mr. LaBruno also asked questions about the allowable tax increase and what was the \$518,000 number that was printed in the paper that day. Mr. Oliwa answered by explaining the different caps.

Mr. LaBruno expressed concern that the Borough was \$144,000 under the tax cap but had a fleet of aging vehicles for the Police Department and why hadn't they appropriated enough for a 2nd vehicle which would not have caused a big increase compared with the money to be spent to fix an aging fleet.

As no one else from the public wished to be heard Mayor Mahon closed the public hearing on the 2011 budget.

Councilman Irace made a motion to approve the resolution authorizing local examination of the 2011 budget which was seconded by Councilman Johnson.

The Clerk called roll:

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

The Clerk stated that the motion carried.

Councilman Irace made a motion to approve the resolution amending the 2011 Budget to provide for the new required line item for health insurance opt outs which was seconded by Councilman Johnson.

The Clerk called roll:

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

The Clerk stated that the motion carried.

Councilman Irace made a motion to adopt the 2011 Budget which was seconded by Councilman Johnson.

The Clerk called roll:

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

The Clerk stated that the motion carried.

COUNCILMAN JOHNSON:

1. 2ND reading and public hearing of a 2011 Bond Ordinance

Councilman Johnson called for the 2nd reading and public hearing of **AN ORDINANCE OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND RELATED EXPENSES FOR THE BOROUGH OF OCEANPORT AND APPROPRIATING \$668,500 THEREFOR (INCLUDING A GRANT IN THE AMOUNT OF \$200,000 EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION) AND PROVIDING FOR THE ISSUANCE OF \$446,000 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.

Gary LaBruno, 50 Wyandotte Avenue, questioned Item 3 "acquisition of equipment for Public Works including but not limited to a bed for a pick up truck and including all work and materials necessary therefore or incidental thereto" and asked what was the other equipment. Ms. Jungfer answered that the bed was the only planned expenditure. Mr. LaBruno asked how old was the truck. Ms. Jungfer answered that it was a dump truck with an anticipated life of another 15 years and that the only problem with the truck was the dump body had rusted through so for approximately \$12,000 the truck's life could be extended for another 15 years. Mr. LaBruno commented that that made a difference as he would question a bed for a pick up truck but if it had said a dump truck he would know that a bed for a dump truck was appropriate.

Stuart Briskey, 46 Werah Place, asked about the \$50,000 video system for the Police Department and what was it.

Mayor Mahon answered that the video system was an in-car system that was currently installed using VHS cassette and the purchase would bring it to a digital capture with automatic download just going to the next generation. However, on that item, the Council has reconsidered that appropriation and though the authorization was there, it was not their intent to proceed with that purchase at that time.

Mr. LaBruno returned and asked why was the Borough not proceeding with that purchase.

Mayor Mahon responded that they had made a couple of different choices to proceed with technology changes and software changes that are benefitting the department as they merge the dispatch system and those being priorities this item was set aside as it was not necessary to proceed at same pace and was being reserved for later.

Mr. LaBruno asked what other costs would be associated with the Enforcys system as he in his role as a police officer in Little Silver they had evaluated the video system capacity and download capacity and questioned if it could wait was told by IT department that it could bring problems. Mr. LaBruno wanted to know if it were going to be purchased next year if not purchased this year.

Mayor Mahon answered that they had established an order in terms of priorities and that the first issue has to do with the merging so that those 2 departments could operate safely and that one thing they had recently approved at their last meeting was the addition of the GIS mapping for the system as they believed that to be more of a priority for the 2 departments working together. Mayor Mahon continued that they have the authorization for the appropriation to fund the video system when they do determine to revisit it but not in the near future.

Mr. LaBruno questioned why if the funding were available from the original \$200,000 bonded last year, why the digital video system wasn't being purchased as it was a safety issue and the equipment was antiquated.

Councilman Irace asked Mr. LaBruno if he knew how often those tapes were used. Mr. LaBruno answered no.

There was additional discussion amongst Council and Mr. LaBruno about the necessity for the system, that the Borough was positioning themselves to be able to purchase it in the future, that if the funding were there why wasn't the equipment being purchased and statements by Council that although appropriated the Borough could not afford it at that time as they try to save money, why appropriate it if they're not purchasing it, and that the current system although antiquated still worked and that as a working system was not jeopardizing officer safety.

Mayor Mahon concluded the discussion on that item by stating that they appreciated Mr. LaBruno's counsel and assured him that the Governing Body repeatedly discusses issues such as that one at length and that as a body work hard to proceed with an item when there was complete consent by all members

and that their commitment at this time was to be cautious, conservative and very mindful of what was being spent at every opportunity and that the number for the video system had not matched as there was agreement on putting the appropriation in place but not agreement for proceeding at that point in time which could change.

Mark O'Neil, 55 Comanche Drive, applauded Mayor and Council for prioritizing in a way that seemed very appropriate and that he believed they were being good stewards of their tax dollars.

As no one else from the public wished to be heard Mayor Mahon closed the public hearing on a 2011 bond ordinance.

Councilman Johnson made a motion to carry the adoption of the Bond Ordinance to the meeting of May 5, 2011 pending approval of the Supplemental Debt Statement by the Director of the Division of Local Government Services which was seconded by Councilwoman Kahle and was approved by Council.

MAYOR MAHON: Mayor Mahon stated that he had already covered some of his items during the discussion on best practices but did want to remind the Council that there was a few upcoming events to be aware of including June 4th at Monmouth Park Racetrack for Armed Forces Day and a fundraiser for Hydrocephalus on June 5th with a request for all of the Governing Body to attend.

Mayor Mahon concluded with the reading of a resolution from the NJ State League of Municipalities urging that the State return the CMTRA funding to the municipalities as it was originally intended and asked Council for approval to sign the pledge in support of that resolution.

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

PUBLIC:

Chief Harry Sutton gave details on the Police Department's participation in the TakeBackNJ campaign which was for the collection of unused drugs of any kind to be turned over to the DEA and that there were 2 collection sites – one at Borough Hall and one at Oceanport Gardens.

Mayor Mahon added that the NJ Marathon was coming up on May 1st and that Monmouth Park would be hosting the Marathon's Exposition.

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

Bill List: Open Space Trust \$2,271.03 Public Defender Trust \$200.00 **2010 Vouchers Paid** \$333,580.37 **2010 Vouchers Paid this Meeting** \$8,225.02 **Total 2010 Vouchers Paid** \$341,805.39 **2011 Vouchers Paid** \$6,451,271.00 **2011 Vouchers Paid this Meeting** \$121,144.27 **Total 2011 Vouchers Paid** \$6,572,415.27

At 8:31 p.m. the Clerk read a Resolution authorizing the meeting to enter Executive Session for the purposes of personnel, litigation and property acquisition on a motion made by Councilwoman Kahle and seconded by Councilman Irace and approved by Council.

At 9:21 p.m. the Council returned from Executive Session and re-opened the Regular Meeting on a motion by Councilman Irace which was seconded by Councilwoman Kahle and approved by Council.

As there was no further business, the meeting was adjourned at 9:22 p.m. on a motion by Councilman Ibex, which was seconded by Councilman Gallo and approved by Council.

Respectfully submitted,

KIMBERLY A JUNGFER
BOROUGH CLERK