

REGULAR MEETING MINUTES

Oceanport, New Jersey
March 15, 2012

The Regular Meeting of the Oceanport Mayor and Council was called to order on March 15, 2012 at 8:00 P.M. with Mayor Mahon announcing that the meeting had been properly advertised in accordance with the law.

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

MEMBERS ABSENT: Councilman Ibex

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

INVOCATION: Borough Chaplain Robert Mills gave the invocation.

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

CLERK/ADMINISTRATOR REPORT:

CONSENT AGENDA

1. Resolution authorizing the payment of bills. **R-12-041**
2. Resolution authorizing a Lien Redemption, Block 8, Lot 26 **R-12-042**
3. Resolution authorizing a Lien Redemption, Block 55, Lot 4. **R-12-043**
4. Resolution authorizing a Lien Redemption, Block 142, Lot 1 **R-12-44**
5. Resolution authorizing a tax refund for overpayment. **R-12-045**
6. Resolution opposing closure of James J. Howard Marine Sciences Lab at Sandy Hook. **R-12-046**
7. Resolution authorizing the submission of an Emergency Management Preparedness Grant. **R-12-047**
8. Resolution accepting the 2011 LOSAP list from Port-Au-Peck Chemical Hose Co. **R-12-50**
9. Resolution authorizing field usage. **R-12-048**
10. Approval of the Workshop meeting minutes of February 16, 2012.
11. Approval of the Regular meeting minutes of February 16, 2012.
12. Approval of the Executive Session minutes of February 16, 2012.
13. Resolution authorizing submission of ANJEC Grant application **R-12-049**

The Clerk stated there were 12 items on the consent agenda and described a 13th item added from Workshop and asked for a motion. Councilman Irace requested that Item #8 be taken separately. Councilman Irace made a motion to approve the remaining items on the Consent agenda which was seconded by Councilman Johnson and approved by Council with the exception of Councilman Bertekap whom abstained from Items 10, 11 and 12.

The Clerk asked for a motion on Item #8. Councilman Irace made a motion to discuss Item #8 which was seconded by Councilwoman Kahle. Councilman Irace asked questions about his request last year for a procedure to be established and followed concerning the preparation and provision of the LOSAP call sheets and was a procedure being followed. Ms. Jungfer advised how and when the sheets were being provided. Mayor Mahon recommended that there be a policy established whether administratively or by resolution so that all concerned would know the expectations. With no objections from the Council it was decided that it would be done administratively as the Council had designated that authority to the Administrator.

The Mayor asked the Clerk to call the roll:

AYES: Kahle, Mahon
NAYES: Irace
ABSTAIN: Gallo, Bertekap, Johnson
ABSENT: Ibex

The Clerk stated that the motion carried.

Ms. Jungfer stated she was in receipt of the Police Reports for February 2012, which had been distributed and would be posted.

COMMITTEES:

COUNCILMAN GALLO: Councilman Gallo gave an update on projects accomplished by Public Works including cleaning up of the Borough's parks with the onset of the nicer weather, beautification of the Borough's new event sign, readiness of equipment and preparations for leaf pickup beginning in April and asked that people refrain from putting anything out until April. Mayor Mahon recommended that with the onset of warmer weather that Public Works transition sooner to the spring cleanup as the residents had.

COUNCILMAN IRACE:

1. Resolution authorizing the Budget to be read by title only.
2. 2012 Budget Introduction Resolution

Councilman Irace gave an overview of the 2012 budget figures and then made a motion to approve a resolution authorizing the Budget to be read by title only which was seconded by Councilman Johnson.

The Clerk called the roll:

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

The Clerk stated that the motion carried.

Councilman Irace made a motion to approve a resolution introducing the 2012 Municipal Budget which was seconded by Councilman Bertekap.

The Clerk called roll:

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

The Clerk stated that the motion carried and advised the public that the public hearing on the Budget would be held at the Council meeting of April 19, 2012.

COUNCILMAN BERTEKAP: Councilman Bertekap thanked the Princeton Nurseries that donated 27 trees that would be planted in the Borough's parks.

COUNCILMAN JOHNSON:

1. Introduction of an ordinance amending Chapter 64 Sections 19 and 46.
2. Introduction of the 2012 CAP Bank Ordinance
3. Introduction of an ordinance amending Chapter 29 Article III

Councilman Johnson called for the introduction of **AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 64-19 (LEFT TURN PROHIBITION) AND SECTION 64-46 (SCHEDULE XIV:LEFT TURN PROHIBITION) OF CHAPTER 64 ENTITLED VEHICLE AND TRAFFIC REGULATIONS OF THE BOROUGH OF OCEANPORT** and then asked the Clerk to read the proposed Ordinance by title only, after which Councilman Johnson moved to approve the Ordinance upon first reading and to hold the public hearing on the proposed ordinance at the Council meeting of April 5, 2012 and to advertise same in accordance with the law and was seconded by Councilman Irace. There was a brief discussion on the advertising of the amendment so that the language would indicate that school buses would be permitted.

The Clerk called roll:

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

The Clerk stated that the motion carried.

Councilman Johnson called for the introduction of **AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATIONS LIMITS AND TO ESTABLISH A CAP BANK** and then asked the Clerk to read the proposed Ordinance by title only, after which Councilman Johnson moved to approve the Ordinance upon first reading and to hold the public hearing on the proposed ordinance at the Council meeting of April 5, 2012 and to advertise same in accordance with the law and was seconded by Councilman Irace.

The Clerk called roll:

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

The Clerk stated that the motion carried.

Councilman Johnson called for the introduction of **AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING CHAPTER 29, ARTICLE 29, ARTICLE III SECTION 29-28 OF THE CODE OF THE BOROUGH OF OCEANPORT ENTITLED "RECREATION COMMITTEE"** and then asked the Clerk to read the proposed Ordinance by title only, after which Councilman Johnson moved to approve the Ordinance upon first reading and to hold the public hearing on the proposed ordinance at the Council meeting of April 5, 2012 and to advertise same in accordance with the law and was seconded by Councilwoman Kahle.

The Clerk called roll:

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

The Clerk stated that the motion carried.

Councilman Johnson concluded by wishing everyone a Happy St. Patrick's Day.

COUNCILWOMAN KAHLE: Councilwoman Kahle reminded everyone that the grand opening of the Community Garden was scheduled for Saturday and invited all to attend.

MAYOR MAHON: Mayor Mahon gave a Proclamation proclaiming March 2012 Developmental Disabilities Awareness Month.

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

PUBLIC:

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

Bill List: Capital Trust \$2,160.00 Dog Registry \$174.00 Escrow Trust \$9,753.00 Open Space Trust \$7,991.43 POAA Trust \$307.50 Water Watch Trust \$195.50 2011 Vouchers Paid \$243,587.05 2011 Vouchers Paid this Meeting \$10,814.54 Total 2011 Vouchers Paid \$254,401.59. 2012 Vouchers Paid \$4,421,031.69 2012 Vouchers Paid this Meeting \$1,368,850.71. Total 2012 Vouchers Paid \$5,789,882.40

At 8:17 p.m. the Clerk read a Resolution authorizing the meeting to enter Executive Session for the purposes of PBA negotiations, personnel, real property, property acquisition, pending litigation and PBA matter on a motion made by Councilwoman Kahle and seconded by Councilman Johnson and approved by Council.

At 10:15 p.m. the Council returned from Executive Session and re-opened the Regular Meeting on a motion by Councilman Johnson which was seconded by Councilwoman Kahle and approved by Council.

Mayor Mahon announced the first order of business was a resolution by Council authorizing the Mayor to enter into an Agreement on behalf of the Governing Body accepting the terms of an agreement with PBA Local #364 which was moved by Councilwoman Kahle and seconded by Councilman Gallo.

The Clerk called roll:

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

The Clerk stated that the motion carried. **R-12-53**

Mayor Mahon gave the details of a Resolution authorizing the offer of employment to two individuals for Class II Special in the Borough of Oceanport Candidate Leimberg and Candidate Manzo and asked for a motion. Councilwoman Kahle made the motion to approve which was seconded by Councilman Johnson.

The Clerk called roll:

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

The Clerk stated that the motion carried. **R-12-54**

Mr. Bennett described a third Resolution authorizing a settlement of the matter Johnson vs. Borough of Oceanport in accordance with the terms discussed in the Executive Session. Councilman Johnson made a motion to approve same which was seconded by Councilwoman Kahle.

The Clerk called roll:

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

The Clerk stated that the motion carried. **R-12-55**

Mayor Mahon advised Chief Sutton on the Class II appointments that the Council specifically discussed that the offer of employment would be extended if either of the first 2 candidates mentioned in the resolution were not available to meet the offer and that appointments would be made at the next Council meeting dependent on their agreement and availability.

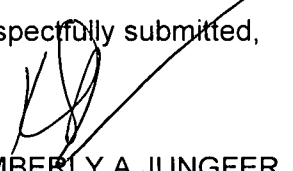
Mr. Bennett interjected that the individuals discussed were just hired by the resolution because Class II's are available subject to the need and that they could just be sworn in. Mr. Bennett read the specific language to be included in the resolution authorizing the Class II employments.

Mayor Mahon also advised Chief Sutton that the Council authorized based on his communication to the Council on the status of the Class I's, the Council authorized the advertisement of those positions to accept applicants for consideration.

Councilman Irace asked how many Class I's the Department had. Chief Sutton advised him 3 but one would be ineligible so then it would be 2.

As there was no further business, the meeting was adjourned at 10:21 p.m. on a motion by Councilwoman Kahle, which was seconded by Councilman Johnson and approved by Council.

Respectfully submitted,


KIMBERLY A JUNGFER
BOROUGH CLERK