

REGULAR MEETING MINUTES

Oceanport, New Jersey
March 4, 2004

- REGULAR MEETING:** The Regular Meeting of the Oceanport Mayor and Council was called to order on March 4, 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, Apruzzi, 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.

As copies of the minutes from the regular meeting held on February 19, 2004 had been made available to the members of the Governing Body, Councilwoman Chaump moved to waive the reading of same and approve the minutes as presented by the Borough Clerk. It was seconded by Councilwoman Johnson and approved by Council.

Mayor Gatta then advised that this evening we are going to present the certifications of graduation to those individuals who have completed the necessary requirements for the CERT Program and asked Captain Harold Sutton to come forward and present the certificates of graduation.

Captain Sutton advised that this evening we have asked the Mayor and Council to allow us to do our first graduation at the Council meeting of Oceanport's first CERT Team and explained that this stands for Community Emergency Response Team and it's a group of volunteers who have been trained to help out in disasters. He continued that when there is a disaster, people come out who want to help and the people tonight will know what to do because they have been trained and they have been very active in this program and have all done a good job and they will be available whenever we have a disaster in our town and they have been trained to take care of themselves and their families, neighborhoods and then respond on an overall basis for the town. Captain Sutton explained that the goal is to relieve the emergency services by relieving some of the pressure by having them out there and we are attempting to get as many people out there to undertake this training as we can. He recommended that everyone take this training whether you want to be part of the team or just want the experience and knowledge for themselves and their families.

Captain Sutton stated that you must be eighteen years of older and he commented further that he had recommended this course to all the fire and first aid spouses as well as Police because when we have a disaster, the emergency people are out doing their job and they can do this knowing that their families are protected and know what to do.

Captain Sutton introduced Freeholder Stominski, Ed Crystal from NJ State Police Office of Emergency Management and Garret McTighe from the Monmouth County Office of Emergency

Management. He stated having these representatives here recognizes just how important this new team is going to be not only to Oceanport but to a lot of other towns and they have already been activated in other towns and it has been very helpful. Captain Sutton offered his thanks and appreciation to the people who helped instruct this course: Det. Sgt. Baldanza; Sgt. Steve Cioffi; Phil Payne, Fire Marshal; Doris Agaman and Carole Connor from the First Aid Squad.

Captain Sutton then presented certificates to the following graduates of the CERT Program:

Mayor Maria Gatta, Chris Baggot, Wendy Baggot, Bobbie Baldanza, Richard Barnes, Phil Barreca, Bill Hall, Frank Lippolis, Maggie Lippolis, Debbie Johnson, Allison Mahon, Pam Malley, Cristi Mazzarella, Charlie Pierce, Mary Sharkey, Daryl Smith, Linda Stubbington, Ronald Stubbington, Amanda Sutton and Peggy Sutton.

Freeholder Stominski congratulated everyone this evening and commented that Monmouth County is number one in a lot of different areas but its great to be number one in this particular area and we have 15 teams and we beat out every other County in this State and he felt everyone who graduated this evening should be very proud of themselves. Freeholder Stominski advised that Monmouth County is number one in acquiring open space and just became number one over Huntington County just last week and we are number one as far as our financial situation and we are only one of seventeen counties in the United States that has three triple A bond ratings so we are doing something right and it has a lot to do with our volunteers.

Ed Crystal stated on behalf of the NJ State Police Office of Emergency Management offered congratulations and Monmouth County is definitely leading the way as far as the CERT Program is concerned and we are very impressed with the program and to have the Mayor included in the first graduating class is a perfect example to set for the entire community. He continued that volunteerism is alive and well in America and the CERT Team has taken off and again noted that they should all be very proud of themselves. He advised that just to show how well Monmouth County is doing, we are actually pulling money that was slotted for other counties that aren't getting as involved that the federal government has given us for this program. He reminded everyone that their job doesn't end here but now they must all work on improving and advanced training and keeping this effort alive and going.

Mr. McTighe offered the congratulations from the Monmouth County Prosecutor's Office and stated that when we had the recent oil spill some of our CERT Teams were activated and they did sweeps along the Manasquan Inlet, the beach, Sea Girt and Spring Lake looking for any oil and dead birds or injured animals from the oil spill, so the CERT teams do many great jobs for all of us and again, congratulated all the graduates this evening.

Mayor Gatta offered her congratulations to the graduates this evening and commented that this was a commitment for the individuals wearing the green vests and we had 8 weeks of training for 3 to 3-1/2 hours each time and stated that these graduates tonight are the leaders in our community and we had a young woman 18 years old and upward and she truly appreciated the hard work and effort put forth by these volunteers in completing this course. She commented that some of us were a little squeamish in some of the first aid duties, but we learned so much dealing with emergency situations and so many people always asked what they can do when an emergency arises and becoming a CERT Team member is the first step for anyone who wants to be involved and to help out in their community. She stated we need to encourage more people to do this and if we can have neighborhoods where people can help people, this is what we need to do and this program could not have happened without the volunteers who taught the classes and acknowledged Capt. Sutton, Det.

Sgt. Baldanza, Sgt. Cioffi, First Aid members Carole Connor, Doris Agaman and Laura Hornung and Fire Marshal, Phil Payne.

Mayor Gatta stated that the greatest commitment and one of the successes of this particular program is that everyone has agreed not only to do what is being asked but to take additional courses.

Mayor Gatta asked the Clerk to read resolution **R-04-24** declaring the 2004 budget be read by title only after which Councilwoman Chaump moved to approve same. It was seconded by Councilwoman Johnson and approved by Council.

Mayor Gatta stated before opening the meeting to the public she asked Councilman Mahon who is the head of the Finance Committee to give an overview of our 2004 budget.

Councilman Mahon stated he wanted to explain some of the priorities that were done in the 2004 budget and the first is park improvements and stated that the Council has set aside \$250,000 from last year and \$282,000 from this year to finance improvements to Blackberry Bay Park and additional funds are committed to finance minor improvements to Trinity and Community Center Parks. He advised that under Public Works and road improvements, we have funded the acquisition of a pick up truck and snow plow, resurfacing of the Municipal Building rear parking area and \$200,000 has been dedicated for street improvements and in addition there is a \$300,000 grant for raising two roads and \$142,000 grant for the repaving of Burnt Mill Circle and \$15,000 has been dedicated for improvement to the recycling center.

Councilman Mahon stated in the area of Emergency Management an OEM a.m. radio station for citizen alert messages has been funded as well as an SUV for OEM and Police use as well as a satellite base station has been funded to be at the Oceanport Hook & Ladder Firehouse and a combination message/radar trailer for use by OEM and Police for use out on the roadways has also been funded and additionally some training equipment to compliment all of our emergency services in particular, the OEM Program with a projector and laptop computer.

Councilman Mahon advised under Fire Safety we again have dedicated \$78,000 for funding on the purchase of a Quint fire truck and under Public Safety we have funded in car camera systems for several police cars and under Administration we have funded a phone system for the municipal building and we have also created a "snow reserve account" which will allow this account to be funded from un-spent money already allocated to snow removal that remains at the end of the budget year rather than going into surplus. He continued that over time this reserve will offset any increased expense in bad winters by setting aside the extra funds from winters with good weather.

Councilman Mahon commented that each Department and Committee submitted requests for the 2004 budget above and beyond those which we have included in this budget and each request was examined and considered, however the final determining factor was our desire as a Council to minimize any potential tax increase.

Councilman Mahon explained that two of the items with the most significant impact include the increase in salaries, most of which is contractual and the second is the increase in insurance coverage and the increase for this year is about 19.57% however, this increase is based upon an approved line item from 2003 where in the fall of 2003 an additional amount of nearly \$30,000 had to be funded and so the combination over what was approved last March is 19.57%. He advised that there are a variety of other questions that can be answered with regard to the budget and each

Council person has a specific Committee assignment and he will ask each of them as questions are raised from the public to have the opportunity to respond to those inquiries.

Councilman Mahon stated that we also have with us tonight our Borough Auditor, Mr. Robert Hulsart and he additionally will be able to explain the mechanics of the budget and how funds are applied and any questions with regard to the Borough's surplus numbers and the Cap.

Mayor Gatta commented that this Council has been working on this budget since the first week in January and have held numerous workshop meetings where we worked very hard trying to pare down the budget as much as we could and have had numerous requests from all our Committees and organizations in town for consideration in funding this budget and had we acquiesced to everyone's requests and obviously they are all legitimate concerns, the budget would have skyrocketed. She continued that the Council had to make some tough choices and it is never easy and she advised that we continued to cut things out of the budget until we reached a point where we could not cut any further and went around the table numerous times to see if there was any place else to cut money. Mayor Gatta stated that we are cognizant of the fact that nobody wants to raise taxes in this Borough and it is something that none of us are happy with and we are not happy with the budget when it contains a tax increase and this is just the municipal portion and there will be the County and schools and our budget is only 20.97% of the actual tax rate and have tried very hard to keep the increase as low as possible but also kept in mind not to compromise the quality in Oceanport. Mayor Gatta commented that we worked on this budget and reviewed it over and over again until everyone was satisfied that we could cut no more out of this budget and this is probably one of the hardest tasks a Council gets to do and she assured everyone that this Council worked very hard in preparing this budget and felt sure they would be able to address any questions which the public might have as well as our Borough Auditor, Robert Hulsart, who is present this evening and she thanked him for coming to the meeting.

Mayor Gatta than opened the meeting to the public for any comments and/or questions on the 2004 municipal budget.

Bob Kelly, Gooseneck Point Road stated by way of introducing himself, he is an independent voter and wanted to make that clear and on a national basis, votes more republican than anything else, but to quote Tip O'Neill, "politics are local" and that is where his heart is and it is where he has lived for 30 years and personally has a lot invested in this town and has worked on committees in the town including a member of the Planning Board, Water Watch and a current member of the Environmental Commission. Mr. Kelly wanted the Council to understand that where he is coming from is not partisan and he is very concerned about raising taxes and when he first came to Oceanport his taxes were under \$2,000 a year and now they are \$16,000 and climbing. He commented that his taxes will go up \$1,000 from the proposed increase being discussed tonight and although the value of his property has increased, he pointed out that it is only true, as with money, when you spend it, so if he has a very expensive piece of property it doesn't do him any good until he sells it and he doesn't want to do that and wants to remain in the Borough and enjoy his grandchildren who have just moved here.

Mr. Kelly stated he is also very concerned about the re-assessment which he feels most of the residents are blissfully unaware of and he spoke with our Tax Assessor and she informed him that most houses in town are assessed at 68% of market value and waterfront properties are at 50%, so everyone in town is going to get a 32% increase and waterfront properties will get a 50% increase, which is going to be a big wake up call and felt that the Council has to get in front of that and brought up what happened in Little Silver where the mother of someone we are all very familiar with lives in Little Silver and she had an \$18,000 increase in her taxes, so now her house is with the bank and

she is doing a reverse mortgage, so she is now going to consume whatever money she could have left her children. Mr. Kelly continued that what is happening in Ocean Grove is catastrophic and people are being crushed by taxes there as a result of a reassessment.

Mr. Kelly commented that Council members say don't look at us about the taxes because the County passes along the taxes as well as the State and although he does understand that he is looking for a way to reduce the taxes and he complimented Mayor Gatta for putting together the Public Safety Advisory Committee and felt that was a step forward to look at ways to reduce some service costs, but that is not a lot of money from that no matter how hard you work and he continued that service agreements are not where the dollars are.

Mr. Kelly stated in closing he read something from the Asbury Park Press and he had sent them a letter to the Editor and copied the Mayor on the letter back in February and regarding tax relief and the consolidation of services and that Assemblyman David Russo of Bergen said property tax relief through consolidation of government services would be hard to achieve once people consider the impact on a municipality or school district and quoted "consolidation is a great idea said Russo; you tell me which police chief goes, which superintendent goes; its easy to say you are going to merge these things and to offer incentives to that but in practice its hard." Mr. Kelly's letter went on to say that within one mile of Oceanport we have eight separate Police Departments, Public Works Departments, Administrative Staffs in the various towns and commented that any rational person would say that the home rule system is broken and it needs to be changed. He continued that he wrote that politicians should begin looking at merging services and by attrition through retirements and normal resignations reduce the size of the municipal departments and payrolls while pursuing the economies of scale. He felt that consolidation will and should take time, but felt that we must start in order to achieve that goal and felt that all elected officials should face up to that responsibility and start moving in that direction.

Mr. Kelly stated he intends to re-build his home on Gooseneck Point which is 1926 vintage and is at an 8' elevation and he had 16" of water in his home in 1992 and the town has seen fit to approve the plans he and his wife have put forth and he is afraid to do that and it will be a benefit to the town because if he raises his home to 12' this helps the town with the flood insurance as well as all the other homeowners, but if he raises his house and then gets taxed out of it, he is no where and he is questioning whether or not to go forward with this project. He is looking forward to the future and the Council's plans for consolidating services and as a citizen, would be willing to help out in any way he can.

Scott Sirianni, Werah Place and Chief of the Oceanport Fire Department stated he was very disappointed in the budget this year with their \$1,000 increase and they had asked for a 5% increase and justified everything, met with Councilwoman Kahle and the two companies got together and are trying to work together and doing a lot better and it doesn't seem to get any where and the main issue is the morale of the Fire Department and this puts the morale right down the drain. He continued that when the preliminary budget came out we asked for it to be reviewed again and were told no and that was how it was going to be and we have not gotten an increase in two years because we had been getting some capital items on top of the Quint payment, but now we are not even getting those funds and the firemen are quite disappointed and asked that the Council take another look at their budget since many other departments got a much larger increase than they did.

Mayor Gatta stated that the Fire Department was not the only Department that was going to be disappointed with this budget and she is hoping that with the formation of the Public Safety Committee that the budget process will start sooner and putting a 5% increase on line items without actual justification and this is what we are looking for in the future and need to know exactly what the

increase constitutes, to which Chief Sirianni stated in essence what they are doing is then taking the budget from the Fire Department and giving it to the Public Safety Committee, to which Mayor Gatta stated that was not correct and that each department would be doing their own budget, but the Committee is going to be able to see where there is cost effective savings through purchasing and many different areas.

Hugh Sharkey, 39 Algonquin Ave. stated he is concerned with the budget as well and actually concerned with the audit that was done and asked Mr. Hulsart how much he would say the budget is inflated due to pay for play since it has been in the papers a number of times that pay for play inflates the cost of municipal budgets and asked if he had a factor of what he thinks that might be here, because every one of the appointed professional positions has participated in pay for play except his company, to which Mr. Hulsart stated he had no answer to that question.

Mr. Sharkey then stated that when the audit was done last year and questioned if he looked at the Financial Disclosure Forms that are filed by the individuals in town that are required by law to file them to which Mr. Hulsart commented it was just looked at to make sure the forms were filed, but would have not way of checking the accuracy of the statements made. Mr. Sharkey also looked at them and found that four out the nine members of our Zoning Board did not file their financial disclosure forms and there were a couple of other individuals who did not file, to which Mr. Hulsart stated they just do a random sampling and don't look at each and every form.

Mr. Sharkey asked if Mr. Hulsart had looked at any of the professional contracts for the Borough professionals, to which Mr. Hulsart asked in what context is he asking, to which Mr. Sharkey stated to see that they are complying with the contracts, but Mr. Hulsart explained that he felt that was more of a legal matter than the auditor's responsibility and he reviews the minutes to see that the appointments were done in accordance with law.

Mr. Sharkey commented that was his point since he has been told that there have been no contracts for professional services in this Borough for 29 years, at which point Mayor Gatta informed Mr. Sharkey that we are discussing the budget. Mr. Sharkey stated he is getting to his budget question and felt this was a serious problem and Mr. McGann is presently preparing contracts for the first time and felt that this was something that the auditor should be able to pick up since it is a serious matter.

Mr. Sharkey stated that the audit fee charged by Mr. Hulsart is \$25,000 and stated that our budget is half the size of the Board of Education and their audit fee is \$10,000 and stated that the municipality with the smaller budget is paying 2-1/2 times the amount of the Board and asked how that can be justified, to which Mr. Hulsart advised that it is justified by the amount of time it takes his firm to complete the audit and he does not know what it takes to do the Board's audit.

Mr. Sharkey commented he hoped that when the audit bill was submitted, that there would be a time sheet attached. He then stated that this budget may also be inflated since he was at a budget meeting and one of the items discussed was a Zodiac piece of Borough equipment that was missing or unaccounted for or given away to someone and he is wondering if there is in this budget replacement for Borough assets that have been given away and is this a pattern that is going on in town and that is the reason for the increase and if we have gotten the Zodiac back or received reimbursement for that equipment.

Councilman Mahon stated he would have to refer this to First Aid because that is where the boat was assigned over time and he did not know the length of time it has been absent from the inventory and that is all he knows about this equipment.

Councilwoman Johnson stated that the last thing she heard was that the Zodiac had a large hole in it and does not know where it went or if it had been given away, to which Mr. Sharkey asked if that was a common practice that Borough equipment is given away, to which Jane Ciani, Captain of the First Aid Squad stated that the boat was disposed of because of dry rot.

Councilwoman Kahle asked if we are still insuring that boat, since she missed that meeting, to which she was told that it was not being insured.

Mayor Gatta again informed everyone that this is a public hearing on the budget and not for general discussion.

John Cimala, 7 Hiawatha Ave. and introduced himself as the Managing Director of MidAtlantic Insurance Solutions which is a member of MidAtlantic Resource Group, a diversified insurance broker and commented that he said that because he is not here to solicit insurance, but is here to ask questions about one of the large line items in the budget which is insurance. Mr. Cimala asked if the insurance program has been put out to bid in the last 3 to 10 years and if it hasn't, is that something that the town should consider and if the town does consider going out to bid he felt that there are sufficient numbers of insurance professionals in this town who would be willing to give their time and effort in the evaluation process under the provision that they or their firms would not be involved in that bidding process and he volunteered his firm's services if the Council decided to undertake this process..

Mayor Gatta stated she appreciated Mr. Cimala's offer and clarified that currently this Council is looking to go out for bids for professional services and at reorganization we appointed some acting positions which when we go back into workshop we will be further discussing this issue and are presently getting more information about going out for bids for various services.

Kerin Slattery, Elliott Place, Assistant Fire Chief echoed Chief Sirianni's comments a bit earlier about the budget and we are trying to get equipment for all our members and new members that are expected and we cannot do that with this budget and the Council should be aware that we are currently down two fire apparatus from 2002 which means we are operating light right now and we are left with a 1968 Mack and a 1991 which gets all the use because it goes to every call and our five year plan had an additional truck which has been in the budget for 8 years and continually gets cut and we are now in need of two apparatus next year, which we will most likely not be able to do and advised the Council that we cannot do our job if we don't have the equipment.

Ed Ryan, 24 Willow Court stated that since the budget has come out he has received calls asking why the First Aid budget was increased and he explained that he has been on the Squad for 45 years and until about 15 years ago, was the first time the Borough started giving us funds to help run the Squad. He continued that last year we had over 800 calls and explained that we can only use most of our supplies once and then have to discard them, which means they have to be re-purchased three times over since we have three rigs. He advised that last year we needed to purchase portable chairs which cost \$2,200 each because the ones they had were over 30 years old and our Squad has never bought anything that was not needed for this town and to run the Squad and thanked the Council for the increase because every year the number of calls they respond to goes higher and higher.

As no one else from the public wished to be heard on the subject of the 2004 Municipal Budget Councilwoman Chaump moved to close the public hearing. It was seconded by Councilman Mahon and approved by Council.

The Clerk read resolution **R-04-25** amending the 2004 municipal budget to include additional State Aid, after which Councilman Mahon moved to approve same. It was seconded by Councilman Briscione and approved by Council.

The Clerk then read a resolution adopting the 2004 municipal budget after which it was moved by Councilwoman Chaump and seconded by Councilwoman Johnson.

The Clerk called the roll:

AYES; Councilpersons Chaump, Johnson and Briscione.

NAYS: Councilpersons Kahle and Mahon.

ABSENT: None.

ABSTAIN: None.

The Clerk advised the vote was three to two and the resolution to adopt the budget does not carry.

Mayor Gatta commented that she is very surprised by the vote and asked the two Council members who voted no to please explain their votes because we sat at all the budget meetings and there was never an indication, especially at the last budget workshop, when she asked if we could cut any more money out, and everyone agreed there was no other place to cut. She asked if they could explain the no vote and what solutions do they have since we want to do this publicly and not in workshop. Mayor Gatta added that when we introduced this budget it was approved unanimously and now to turn around and vote no, we really need to understand why this happened.

Councilman Mahon commented there are a couple of reasons and explained that there are different areas of the budget which he believes we need to change some of the habits we have formed over the years and again, all of the people on this Council with the exceptions of he and Mayor Gatta were not here when some of these practices took place. He advised that one of the main areas is the practice of insurance and over the last three years in particular it has been the largest source of increase in our budget and as a result, we are looking at roughly 2 cents of our tax rate is attributed to the increase in the insurance line item. He stated that during the budget hearings when we had the insurance agent here to discuss the various policies, he confirmed things that he already knew such as asking him a series of questions which were designed to learn as much as he himself could about the insurance process. He continued that what he found is that there is not a competitive bidding process and it is something that we are going to fix and applauded the Mayor for taking that stand early that we will do competitive bidding for professional services so he is aware that this step will move forward but in the meantime, he feels because that contributes so much to the tax increase that it is something that even though he may agree with the other 80% of the budget, it is a position to take because it is a place where we can make a change and he believes that we should hire a consultant on a contingency basis, who will conduct a bid process for us, acting in the interests of the Borough and go out to bid for us and right now our agent does it on a commission basis and we have no contract with the agent per se, but have a contract with the providers of insurance that he has signed us with and the competitive bidding process is his process all alone and he determines the types of coverages, etc. and we work within a much more limited context in terms of what the coverage actually entails and we do not provide the meat of the specifications for that area.

Mayor Gatta commented that this was never brought up in the workshop budget meetings and stated that this is not something we can fix in this budget because we have committed for a number

of years with one of the self-insured groups and asked the Clerk to comment, to which Mrs. Varca explained that the Borough is insured for several policies in the Statewide Fund for our workman's compensation and liability policies which is a three year commitment and the other companies that have been brought in to discuss our insurance coverage previously would not bid unless they could bid on the entire package and feels that everyone on the Council is aware of this process, to which Councilman Mahon stated he is aware of this but he also understands that we have the option of bidding new coverage and having the existing premium pro-rated when we cancel and sign up with a new company, so he did not feel we are prevented from canceling that policy prior to the three year commitment expiring and added he hoped he was not wrong on that to which Mayor Gatta stated right or wrong she did not understand why at the 11th hour this is being brought up now and not during the workshop meetings and we had asked for input from all of the Council members and for him to sit here tonight and not bring it up at a time that we could have looked into this more closely, is unconscionable.

Councilman Mahon commented that he had two pages of questions that he asked Ron Gillespie the night he was here and that is when he was bringing it up, to which the Mayor stated that he never once after the discussion that our insurance coverage was totally unacceptable and we should look for other insurance. Councilman Mahon stated he asked Mr. Gillespie specifically if he would act as our Agent and do the bid process for us for a fixed fee as opposed to taking a commission.

Mayor Gatta asked Councilman Mahon if he raised this issue to the Council during workshop meetings, to advise that he was totally dissatisfied with this issue and wanted to explore the options that he just mentioned right now, to which he replied no.

Councilman Briscione asked what is the basis for bringing in a consultant on a contingency fee to which Councilman Mahon stated there is going to be a cost involved with hiring a professional to do this work and a contingency fee basis would pay him on a percentage basis and welcomed the suggestion offered by Mr. Cimola that we have Borough residents who are professionals in that field assist us in the process. Councilman Briscione stated the reason he raised the question of the contingency basis is that the drive of the consultant would be to get the lowest possible bid so he can make the most money and didn't feel that would be in the best interest of the Borough. Councilman Mahon responded that we would be in control of the specifications of what we would be bidding as opposed to the less control that we presently experience.

Mayor Gatta stated she cannot see anyone having a problem with looking into this, but holding up the budget not for something that we could have done after spending two months of working on this budget, a few more meetings on this budget would have been possible and most of us were there for most of the meetings and felt these changes could have been achieved.

Councilman Mahon stated the other issue he has and he has raised this issue and this has been his third year working on this particular part of the budget and he wanted to mention that he is very happy with this and not the reason he is voting against the budget, is over the last three years he has taken a position that we need to do across the board salary increases because each year we have tied the salary increases that we give to the rank and file workers in Borough Hall and our employees at large, we give them the same salary increase that we attribute to the police contract and that is a me too clause that is essentially a past practice that the Borough has gone about doing over a number of years and again, not of his doing, but certainly of our continuing. He continued he is very happy about this and thanked Mayor Gatta for helping reach the compromise that we were able to go with a flat 4% increase but at the same time make adjustments where warranted because we had comparative salary basis in order to make those adjustments, so he is quite happy with that

compromise and that is one area he has been dissatisfied with and we were able to get a piece of that going forward and we were also able to commit and believes it is actually in the minutes that there is a memo going to public works that the understanding is that these adjustments are made now and that is it and we are done and from here on out, absent an evaluation procedure that gives a merit increase, we are going to stick with flat across the board increases and he has asked Mayor Gatta as early as this afternoon to help us get away from the me too clause of bringing the police increase over to the rest of the employees, because it is a road that is going to get more and more expensive if we travel down it year after year,

Councilman Mahon commented the third area of concern is with the First Aid Squad increase and he is concerned about the \$5,000 increase that is earmarked for the building and the weak spot for him is we are committing for a timeframe after August, \$5,000 that would be our contribution this year to a loan or a mortgage that the First Aid Squad would be taking to fund their building addition. He continued that he told the Mayor early on that he disagreed with the addition for a variety of reasons and did not feel it was the number one priority in comparison to the police conditions here at Borough Hall or the Public Works Department, but he could live with that, but it was his goal knowing it would pass to make it as inexpensive as possible. He stated he finds us now making an open ended commitment to a \$1,000 a month payment which the last time he looked at his mortgage, works out to \$100,000 as opposed to a \$140,000 addition of which we were going to commit to pay half which would be \$70,000 and now seems to be much larger in terms of our contribution. He is not comfortable with this issue and wanted to see us fund our commitment up front with bonding through the County Improvement Authority and somehow get it off the books so we would not be committing this Council and future Councils to a monthly payment.

Mayor Gatta stated that this concern was raised to the Council as well as raising this issue to our Borough Auditor and stated that he was asked with regard to the contribution since it was the Capital Improvement Committee's recommendation to fund the addition and Councilman Mahon had what he thought to be a solution and we then called the auditor. Councilman Mahon explained that in the paperwork that the Monmouth County Improvement Authority puts together one of the examples they promote as creative financing is the Middletown Township financing of the Fairview First Aid Squad where they essentially back the improvement so the Squad would not have to get a mortgage and it was backed by the Township and the Monmouth County Improvement Authority bonding through that outside the capital and outside the debt and that is what his suggestion was since if it can be done there, can we do it here. Mayor Gatta stated the question when we asked our auditor was the fact that we do not own that building and in Middletown the First Aid Building is owned by the municipality, to which Councilman Mahon did not think was true.

Mr. Hulsart stated that if you do not own the building you cannot bond anything for it but you could possibly guarantee something they might want to do by supporting them with some kind of contribution but you cannot bond something you don't own and Mayor Gatta reiterated that this was why that area was not pursued.

Councilman Mahon stated that these are the three reasons he has concerns with the budget and he has gotten past two of them and stated to the Mayor that his understanding is, and he hates to say this, but he wanted to take a position on the insurance here tonight not to undermine the budget process, because he respects the work everyone here has done, but the insurance issue has been festering for years and he felt it was time to take a position on that and he was unaware that Phil Apruzzi was going to resign and his seat would become vacant prior to this and it is his understanding from his class with the County regarding newly elected officials, that in budget it is the one time that we need four out of seven votes which include the Mayor as part of the budget

adoption and that this is the one time the Mayor votes not to break a tie, because you need a majority of the full governing body and a full governing body includes the Mayor.

Mr. Hulsart stated that this is not correct and the Mayor cannot vote unless there is a tie, to which Councilman Mahon stated that Mr. Hulsart's partner gave that information at the County class, to which Mr. Hulsart again stated that is incorrect and explained that you need four of the six Council members and Mr. McGann, Borough Attorney stated we can certainly research the issue.

Councilman Mahon then advised that he and Mayor Gatta discussed the surplus today and asked Mr. Hulsart if he could explain the difference in the surplus from last year to this year which is a change of about \$300,000 and asked how we can change that surplus to cover the tax increase or to cover the increase that is attributable to the insurance cost and is it possible.

Mr. Hulsart explained that the surplus is \$758,000 and we are using \$710,000 in this budget and the other \$48,000 you cannot use because it is pledged to an emergency the Borough had and that will be re-paid over five years so that is non-cash surplus and they will not allow you to use that, so basically you are using all the surplus that you can use in this budget.

Councilman Mahon asked where that is reflected in the budget document and Mr. Hulsart directed him to look on sheet 11 on the top line which shows an amount of \$710,000 is the amount of surplus anticipated as an item of revenue in this budget and last year it was \$452,000. Councilman Mahon stated his question was the difference between those two figures and asked what room is there to reduce the surplus that he is anticipating to offset a portion of this tax increase. Mr. Hulsart said the only way possible to do that is that if you cut that \$710,000 you are guaranteeing yourself an increase next year but you can do that by anticipating more of the tax collection and explained we have collected 99% and we are using a collection rate of 96.7% so the difference between those actually funds the surplus and in this particular amounted to \$412,000 so you could use additional surplus by upping that percentage but what you would do then by cutting it is guaranteeing yourself a tax increase in the following year if you don't have the \$710,000 to anticipate.

Councilman Mahon asked if we could amend the budget to move that surplus to cover the insurance increase and commit to following the process of having our insurance reviewed and out to bid which he thought we have already committed to and then reduce the tax increase by that much and again stated to the Mayor that when he spoke to her about the budget concerns, rumor has it that the school board is going to be substantial and rumor has it that the regional school is also going to be substantial and he is talking on the order of six cents when he says substantial and to echo Mr. Kelly's concerns, that kind of increase is huge and the County's increase still gets 100% of their money even though we are only collecting at a 68% or less of true market value.

Mr. Hulsart stated that was correct in that the Borough collects for everyone and we pay them dollar for dollar and whatever we don't collect, we absorb.

Councilman Mahon apologized to Mayor Gatta saying that the timing of Phil Apruzzi's absence and his misconception that she could vote tonight has jammed up the entire Council but in any case asked if we can amend the budget to cover the increase that has been created by the insurance to which Mr. Hulsart stated you could and Mayor Gatta asked what that does to next year's budget, to which Mr. Hulsart explained if you cut \$100,000 then next year you would only have \$610,000 to use, everything else being equal and he pointed out that this was a particularly good year for the Borough, but normally you would be looking at a tax increase of two cents.

Councilman Mahon asked if the \$610,000 is a reasonable percentage of our budget in terms of keeping surplus, to which Mr. Hulsart again explained it is not a question of the amount being reasonable, but a question of what you have to use in this budget as compared to what you will have to use in your next budget, is what is going to guarantee what your rate is going to be next year as opposed to this year, so no matter what the surplus was, if you are not going to produce that much next year and you are using it all and basically you are using \$710,000 in this budget, it would guarantee an increase next year, everything else being equal.

Mayor Gatta stated what Councilman Mahon is suggesting is to defer the tax increase until next year and asked if that is what he wants to do, to which he replied he thinks we have options because we are going to go and get new quotes for our insurance coverage and will reduce costs. Mayor Gatta asked the Clerk when our policies expire to which the Clerk advised they run out the end of the year, to which the Borough Attorney pointed out that this is an assumption that you are going to save money next year on insurance but rates normally continually go up and asked Councilman Mahon if he had anything else to say or if he had any amendments to make.

Councilman Mahon stated he would like to amend the surplus amount and amending the percentage anticipated for uncollected taxes and moving that percentage up to cover the increase in the insurance so that the insurance cost along is not attributable to our tax increase.

Councilwoman Chaump asked Mr. Hulsart if we were to do what is being suggested by Councilman Mahon, then in fact if we don't have that surplus next year and go with the \$610,000 if we are then already two cents on our taxes, to which he advised that was correct.

Mayor Gatta pointed out that also this is assuming that we don't have any emergency situations as we have experienced in prior years and are not budgeted for to which Mr. Hulsart agreed that it is assuming everything remains the same and he cannot answer as to what savings, if any might be realized.

Councilman Briscione asked Councilman Mahon how many meetings we have had on our budget discussions to which he said six were dedicated to budget and which Mayor Gatta felt there were more because we also discussed budget at our regular workshop meetings. Councilman Briscione asked if these issues were raised at any of those meetings to which Councilman Mahon stated he raised the issues of the insurance, First Aid contribution and the salaries, but Councilman Briscione stated he was asking if he spoke not being happy with the budget and why bring them up tonight and stated he was at those meetings and recalls Councilman Mahon asking questions but does recall him giving any statement that he was against the budget and the reasons why.

Mayor Gatta added that we had additional meetings scheduled for budget discussion but once she asked the Council if they were satisfied with the budget and everyone agreed that they were, we certainly could have met more but this was not brought up when we went around the table and she felt that was most unfortunate.

Councilwoman Kahle stated as everyone is aware that during the budget meeting she was never happy with the fire budget and felt that they did comply with everything we asked of them and gave us a copy of their tax return and they justified every line item and she was never happy and voiced that at the meetings. Mayor Gatta asked if Councilwoman Kahle provided the Council with what each line item increase was for and explained, to which Councilwoman Kahle stated she did. She continued that the other item that she had brought up at the budget meetings was that the Public Safety Committee should be allowed to do its work with the First Aid addition and felt they should have been looking at that addition and when it was brought to the Council the First Aid said they were

going to have an office for OEM but OEM is going over to the Hook & Ladder and she cannot see us going forward with something that we don't know what exactly it is and she does not want to commit us to years of paying for an addition and although she feels they do need an addition but what kind and since we are paying for it we should have some say in this and with some of this money she thought we could use that \$5,000 for tax relief and also for this Borough Hall and her budget is already half way shot and we need chairs and the people who are working here every day and she did bring this up and she was always planning on not going forward with this budget and she did not know that Councilman Mahon was not going to vote for this budget.

Mayor Gatta stated that Councilwoman Kahle never once said she was not voting for this budget and Councilwoman Kahle responded that she said she was never happy with the fire budget to which Mayor Gatta asked if Councilwoman Kahle thought anyone here was happy with this budget to which Councilwoman Kahle stated she thought so. Mayor Gatta asked if she is looking for any amendments in this budget and she responded that she would like to take that \$5,000 out of the First Aid budget and not be committed to the Squad's addition until it is looked over by the Public Safety Committee and then we can move forward because she is not happy with that \$5,000 being committed to an addition that she has had no say in or that the Council had any say in and don't know exactly what is going to be over there. Councilwoman Kahle stated she would also like to amend the fire budget and Mayor Gatta stated we will bring this up in workshop and requested that Councilwoman Kahle bring the documentation to the meeting to support those positions.

Mayor Gatta asked if Councilwoman Kahle had any other solutions to the budget problems to which Councilwoman Kahle stated that she had looked into the insurance last year because she also felt that we were just really moving along with the insurance and we had a consultant and he was going out for bids for us and she did have the Monmouth County JIF come in to take a look at our insurance to see if we could save money and join in a group like surrounding towns rather than always doing things ourselves and she got the answers that were given that we are already committed until 2005 and all those JIF companies in particular do not want to look at our Borough until we are free and clear to go into those kinds of commitments for all of our insurance so she knew that even though she did think there has to be a better way then the way we are doing it with our insurance and she would like to pursue that but she did find that out with the JIF.

Mayor Gatta asked if anyone else on the Council would like to make a comment.

Councilwoman Chaump commented that as far as First Aid, at the meeting which she attended and pointed out that Councilwoman Kahle was also there, the \$5,000 was put into the budget with the assumption that the Public Safety Committee was going to look at the building and then decide whether or not we were even going to use it and if we didn't use it, it was going back into surplus and she remembered when we went around the table and everyone agreed that it was going to be reviewed by the Public Safety Committee and it was not a done deal. Councilwoman Kahle commented that but with it in our budget it is a done deal and Mayor Gatta pointed out that it is not going to be spent if the addition is not approved and that it would go into surplus and this was a commitment of this Council.

Mayor Gatta stated for the record that we will research to see if we need to re-advertise to try and adopt our budget at the next Council meeting scheduled to be held on March 18, 2004. She continued that in her opinion it is a shame that we have wasted the bulk of February and the fact that we could have sat down and discussed the concerns brought up this evening at a workshop as we did when we started the first week in January and to use this public forum to her, while she recognizes everyone's frustration with this budget and for anyone to say that any of us are happy with this budget is not true because number one we know to have any tax increase hurts all of us in this

Borough, hurts our seniors and everyone sitting in this room and this is not anything that all of us embrace but it is a position that the whole Council worked collectively together and somewhere along the line the working of the Council together broke and she felt that we are all accessible enough to know that we can certainly sit and agree to disagree and not be blindsided here tonight.

Councilman Mahon stated he disagreed with that characterization to which Mayor Gatta stated that is his opinion and this was hers. Councilman Mahon stated he has found the budget process to be extremely difficult in the three cycles that he has gone through and each and every time we raise taxes there is a huge impact and he feels it personally as we all do and he also told her early on in the year that one thing he was going to commit himself to do, which he has not seen the Councils he has served on in the last two years do and that is that we take positions on different issues in the back room and we discuss it and we go around the table and whatever the vote is, when we come out front on the same matter, whether we have agreed or disagreed, we vote unified and if you look through the history of the Oceanport Council votes, you will see that everything is 6-0, to which Mayor Gatta commented then shame on those people. Mayor Gatta stated in their conversation this afternoon her response to this very conversation was that if he felt that strongly about something then you should come out and vote no and he felt that we have an obligation to do that and he felt that his vote out front will reflect the position he has taken in the back room and he felt this is important to do this, just like the process you see happen with the Supreme Court, there is dissenting viewpoints and he felt that these viewpoints should be articulated as a matter of record. He has been told that this is the only vote that counts and he apologizes to the Mayor and the Council members but Mayor Gatta stated that he is not practicing what he is preaching since he never told the rest of the Council that he was going to vote against the budget.

Mayor Gatta stated that she certainly respects Councilman Mahon's vote on whatever position you take and we should agree to disagree and if you had told the rest of the Council that you were not going to vote for the budget, she would not have a problem with it, but she has a problem with the fact that in workshops he never gave any indication that he was going to vote no nor did Councilwoman Kahle and then coming out here, voting no.

Mr. McGann, Borough Attorney asked Mr. Hulsart about several ordinances we have on the agenda this evening with regard to a bond ordinance for some capital projects as well as the salary ordinance and asked if we should move them tonight or hold off to which Mr. Hulsart stated that there is no reason to hold off because we have the down payment.

Mayor Gatta thanked Mr. Hulsart for coming tonight for the budget public hearing.

CLERK'S REPORTS: No Reports.

COMMITTEES:

COUNCILWOMAN KAHLE: Councilwoman Kahle moved to approve the annual request from the Monmouth County Mosquito Commission to continue their aerial spraying program for mosquito control during 2004. It was seconded by Councilman Mahon and approved by Council.

Councilwoman Kahle reported under Waterwatch that they are continuing to monitor our waterways and the next sampling will be done on March 13th and the committee is looking for new members and anyone interested should contact Dr. Kaloss, Chairman.

Councilwoman Kahle reported that the Environmental Commission will again be conducting their annual poster contest and this year's theme is Birds in the Oceanport environment and the contest runs through March with the winning entries displayed at the Memorial Day Parade.

Councilwoman Kahle also commented that there was an article recently with regard to forming a regional commission with regard to the storm water regulations being imposed by the State down in South Jersey and the Mayor will be speaking to the Two Rivers Council of Mayors about this since the new regulations are going to cost both time and money since we will have to sweep our streets monthly and will have to clean out our storm drains twice a year and from our Public Works Department we have learned that we will need a new truck at a cost of \$165,000 and more man power in order to adhere to these regulations if we were to undertake this ourselves, so we will also be looking at shared services with the Mosquito Commission, Sewer Authority and regionalization between the Environmental Commissions to try and share services.

Councilwoman Kahle reported that the Fire Department is moving together as we had hoped with the formation of the Fire Committee and Chief Scott Sirianni is doing a good job to a more open communication process between the two houses and they are reviewing their policies and procedures and enacted a new policy regarding the use of alcohol and illegal substances before responding to a fire call or fire training and they may not participate if they have consumed any alcohol four hours prior to a fire call coming in she commended him for this and for getting the Fire Department in compliance with the State so that we can re-apply for a new evaluation of our ISO rating and if it gets better it will bring down insurance costs for the town.

Councilwoman Kahle advised that the Hook & Ladder is continuing with their Explorer's Program, which is growing in numbers and this is a great program for budding firefighters in town and she thanked Joe Wolf for getting this program off the ground.

Councilwoman Kahle stated the Fire Department reported that for the month of February the total volunteer hours were 167 by an average of 14 firefighters which included two drills and two ice water rescues. Councilwoman Kahle offered the congratulations of the entire Governing Body to the firefighters of the year, Jim Gallo and Kerin Slattery.

COUNCILMAN BRISCIONE: Councilman Briscione called for the second reading and public hearing of the bond ordinance for various improvements and asked the Clerk to read the Affidavit of Publication and the ordinance by title only as follows: **BOND ORDINANCE APPROPRIATING \$484,228 AND AUTHORIZING THE ISSUANCE \$460,016 OF BONDS OR NOTES OF THE BOROUGH FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF OCEANPORT IN THE COUNTY OF MONMOUTH, NEW JERSEY.**

Mayor Gatta opened the meeting to the public for comments and/or questions on this subject only, but on hearing none, Councilwoman Chaump moved to closed the public hearing. It was seconded by Councilman Briscione and approved by Council.

Councilman Briscione the moved to adopt this bond ordinance on second and final reading and to advertise same in accordance with law. It was seconded by Councilwoman Johnson.

The Clerk called the roll:

AYES: Councilpersons Kahle, Mahon, Chaump, Johnson and Briscione.
NAYS: None.

ABSENT: None.
ABSTAIN: None.

Councilman Briscione called for the second reading and public hearing of an amendment to bond ordinance #761 and asked the Clerk to read the Affidavit of Publication and the ordinance by title only as follows: **ORDINANCE AMENDING BOND ORDINANCE #761 ENTITLED "BOND ORDINANCE APPROPRIATING \$661,560 AND AUTHORIZING THE ISSUANCE OF \$628,482 BONDS OR NOTES OF THE BOROUGH FOR VARIOUS IMPROVEMENTS OR PURPOSES TO BE UNDERTAKEN BY THE BOROUGH OF OCEANPORT IN THE COUNTY OF MONMOUTH, NEW JERSEY."**

Mayor Gatta opened the meeting to the public for comments and/or questions on this subject only, but on hearing none, Councilwoman Chaump moved to closed the public hearing. It was seconded by Councilwoman Kahle and approved by Council.

Councilman Briscione the moved to adopt this bond ordinance on second and final reading and to advertise same in accordance with law. It was seconded by Councilman Mahon.

The Clerk called the roll:

AYES: Councilpersons Kahle, Mahon, Chaump, Johnson and Briscione.
NAYS: None.
ABSENT: None.
ABSTAIN: None.

Councilman Briscione called for the second reading and public hearing of an amendment to the salary ordinance regarding 2004 salaries and asked the Clerk to read the Affidavit of Publication and the ordinance by title only as follows: **AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX AND DETERMINE THE SALARIES OF CERTAIN BOROUGH OFFICIALS" PASSED AND APPROVED ON MARCH 16, 1939.**

Mayor Gatta opened the meeting to the public for comments and/or questions on this subject only, but on hearing none, Councilwoman Chaump moved to closed the public hearing. It was seconded by Councilman Briscione and approved by Council.

Councilman Briscione the moved to adopt the salary ordinance on second and final reading and to advertise same in accordance with law. It was seconded by Councilwoman Chaump.

The Clerk called the roll:

AYES: Councilpersons Kahle, Mahon, Chaump, Johnson and Briscione.
NAYS: None.
ABSENT: None.
ABSTAIN: None.

Councilman Briscione called for the second reading and public hearing of an ordinance establishing the Safety Advisory Committee and asked the Clerk to read the Affidavit of Publication and the ordinance by title only as follows: **AN ORDINANCE ESTABLISHNG THE PUBLIC SAFETY ADVISORY COMMITTEE OF THE BOROUGH OF OCEANPORT.**

Mayor Gatta opened the meeting to the public for comments and/or questions on this subject only.

Bob Kelly, Gooseneck Point Road asked if there is a sundown on this ordinance or is this a Committee that goes on forever to which Mayor Gatta advised that every year it is a newly appointed Committee since the positions are there, but the people change.

As no one else wished to be heard on this subject Councilwoman Chaump moved to closed the public hearing. It was seconded by Councilwoman Kahle and approved by Council.

Councilman Briscione the moved to adopt this ordinance on second and final reading and to advertise same in accordance with law. It was seconded by Councilwoman Kahle.

The Clerk called the roll:

AYES: Councilpersons Kahle, Mahon, Chaump, Johnson and Briscione.
NAYS: None.
ABSENT: None.
ABSTAIN: None.

Councilman Briscione reported that at the February 25th Planning Board meeting the Board continued hearing testimony for the Jockey Club Estates which plan calls for 46 age restricted homes at the intersection of East Main St. and Port-au-Peck Ave. He continued that the NJ Sports & Exposition Authority concluded their testimony on that matter and it will be continued at the meeting of March 17, 2004 and anyone interested should attend.

Councilman Briscione reported that on the subject of Monmouth Park, a public hearing on the issues affecting Monmouth Park presented by Assemblyman Panter, Bruce Garland from the NJ Sports & Exposition Authority and the Monmouth Park Stake Holder's Committee and he and Mayor Gatta attended as part of the Stake Holder's Committee and the entire Borough Council was in attendance. He advised that general information was presented as to the state of the racing industry in NJ and as he has previously discussed there have been declines in handle and attendance at the tracks owned and operated by the Sports Authority and surrounding States have allowed or are about to allow slot machines and VLT's into racetracks and unless something is done in NJ to supplement purses to remain competitive, further declines are likely.

Councilman Briscione also advised that as discussed at a previous meeting, an agreement is very close between the NJ Sports & Exposition Authority, the horsemen and the casinos to fund purses in the amount of \$90 million over the next four years. He continued that according to Mr. Garland this will allow the Sports Authority to provide a fixed schedule of racing days and a fixed amount for purse money over this time period and will maintain a position of Jersey tracks in the Mid Atlantic region for at least the next two years and a decision has been made by the Sports Authority to explore the possibility of entering into a lease with a private operator and at this hearing there was a lot of discussion about VLT's and slot machines. He stated that the consensus among the audience seemed to be that if the tracks were given the right to operate slot machines or VLT's they wouldn't be a need to sell or lease them. He further stated that he again brought up the matter of host fees for Oceanport if slots were to come to Monmouth Park and Mr. Garland stated again that no request for proposals had been sent out and the Sports Authority is waiting on enabling legislation which will allow them to lease the tracks and transfer the rights to operate off track betting parlors to the lessee. Councilman Briscione reported that several residents from Oceanport were in attendance and several made comments.

Councilwoman Kahle asked if there has been any discussion about the length of that contract with the casinos instead of having it for 4 years, only have it for 2 years, to which Councilman Briscione stated he didn't understand the question. She explained from what she understood from the meeting was that if slot machines or VLT's come here or to any of the parks, and we get a host fee, we would get money from that if the casinos fund and if we get the host fee the town will get money.

Mayor Gatta advised that we need to have the legislation and we do not even know if this is in the legislation.

Councilman Briscione stated there is no legislation yet, but Councilwoman Kahle stated that they said within the next year there would most likely be legislation already passed within the next year, to which Councilman Briscione stated that was not correct and the legislation to be passed is to enable the track to be leased and has nothing to do with the slot machines and these are two separate issues and the only legislation that the Sports Authority is concerned with right now is enabling legislation to allow them to lease the racetrack and transfer their rights to off track betting parlors to the lessee and that legislation has nothing to do with slot machines.

Councilman Briscione further explained there is only discussion about VLT's and slot machines but no legislation yet and all we have asked is if there is legislation we want a host fee to be included to protect the Borough.

Mayor Gatta reminded Councilwoman Kahle that at the very last work shop meeting we talked about this and we drafted a letter because the current legislation talked about three race tracks in NJ in which there were no host fees associated and while Oceanport did not take a stand on whether or not we want slots at Monmouth Park, we just petitioned Senator Karcher to include in that bill the ability for us to have host fees as similar to what they have in Pennsylvania, so we don't know if it has been included and certainly there is still testimony being taken on this type of legislation.

Councilman Briscione commented that the current legislation in Pennsylvania calls for 2 to 3-1/2% of the gross to the host fee to the town in which the track is located.

Councilman Mahon stated the basis for Councilwoman Kahle's question, since she had explained it to him several days ago, is this: has there been discussion within the scope of that arrangement with the casinos to pay \$90 million over a four year period, has there been any consideration given where instead of it being a four year agreement, that it would be less than four years since that would then, if they are going to have slots, that would speed up the moment in time when Oceanport would realize the host fee, to which Councilman Briscione stated that would be part of their negotiations.

Councilman Briscione commented that the whole issue of slots is that you are fighting the casino industry that does not want them and this is really blood money to keep them out of the racetracks and continue operating them only in the casinos. He continued that the issue with Atlantic City is that if Maryland gets them and Pennsylvania and New York get them, their business is going to be eroded and we're going to be four years down the road without them, so that is what is going on but there is strong opposition to slots in any of the racetracks.

COUNCILMAN MAHON: Councilman Mahon asked the Clerk to read resolution **R-04-26** refunding an overpayment of property taxes for Block 108, Lot 8 in the amount of \$3,210.16. It was seconded by Councilwoman Johnson and approved by Council.

Councilman Mahon then asked the Clerk to read resolution **R-04-27** awarding the bid to Angelo's Paving Inc. for improvements to the rear parking lot after which he moved to approve same. It was seconded by Councilwoman Kahle and approved by Council.

Councilman Mahon stated that we are presently working on some new guidelines and procedures under Finance and Administration and they are being reviewed by the Committee and will be approved at an upcoming meeting.

Councilman Mahon reported that Public Works employees are waiting for winter to be over and have begun to work on the baseball fields and the soil was delivered this past week and a tentative date for spring clean up of leaves is scheduled to begin on March 29th.

Councilman Mahon advised that as referenced in the resolution just approved, the rear parking lot is going to be repaved as soon as the weather allows and the steel plate that is on Port-au-Peck Avenue will be addressed in the next two to three weeks.

Councilman Mahon reported that bids have been received for the Gooseneck/Cayuga flood alleviation projects and we should be approving a resolution awarding a contract at our next meeting contingent upon DOT approval.

Councilman Mahon stated that the Cable/Technology Committee is scheduled to meet on March 23rd and we will be discussing a Borough internet policy, our web site, Borough communications issues and begin work on the cable franchise renewal and the Flood Mitigation Committee is scheduled to meet on March 30th where we will be reviewing outstanding issues and our repetitive loss updates. He also advised he will be meeting with the Borough Engineer, Public Works Superintendent and Councilwoman Kahle regarding relocating the containers at the recycling center and new fencing, which is included in our 2004 capital budget for that area.

Councilman Mahon reported that under Buildings & Grounds, security lights will be installed on the exterior of the Community Center building and we are getting a quote from our electrician for that to happen.

Councilman Mahon advised that the Municipal Building Modernization Committee has agreed that we need to have some things done and the Council approved it this evening and we have requested a foundation inspection of this building, an asbestos survey, a wetlands delineation letter and an elevation certificate to be prepared by the Borough Engineer and the estimate was provided and agreed upon by the Council. He continued that the Departments are preparing information on the space needs for the employees which is being coordinated by Tina Carnavale who has volunteered her time to the Committee.

Councilman Mahon thanked and congratulated the new members of CERT Team and the OEM organization for a job well done in this area.

Mayor Gatta commented that with regard to the Cayuga/Gooseneck project, she is happy to say that the bids came in below the actual grant amount of \$297,000 and pending the review of the bid documents by our Borough Attorney, we are hoping to award the contract at the next meeting. Mayor Gatta also stated that we were told that the work will commence in May with a month to a month and a half duration for both projects.

Mayor Gatta stated that as far as the Building Committee is concerned, she has received a resume and requests from two residents who would very much to be part of that Committee and she will pass those names on to him.

Councilman Mahon lastly wanted to just go over the Superintendent of Public Works month Activity Report and advised that pot holes are under control presently and Crescent Place needed extensive repairs and the Department spend 2 days on that street alone repairing pot holes and this was an issue last year about this street and in the Superintendent's opinion, this road must be repaved this year whether we receive grant money or not because of the terrible condition. He also commented that this matter has been raised with regard to control of that road with Monmouth Park and the office building located there since this road serves as an egress road for them as well as the improvements proposed for the Wolfhill Farm Recreation Area with the County because their property is on both sides of the road and essentially there is a joint concern that this road remain accessible and be improved and hopefully we can reach out to those individuals in the future.

COUNCILWOMAN CHAUMP: Councilwoman Chaump reported that pull out shelves were installed at the Library for the DVD's and she thanked Tom Crochet for taking care of that project.

Councilwoman Chaump reported on the Board of Education that direction signs to Maple Place School have already been put up on Port-au-Peck Avenue and they will be installed shortly on Shrewsbury Ave. and we are just waiting for mark outs from the utility companies before Tom Crochet installs them.

COUNCILWOMAN JOHNSON: Councilwoman Johnson moved to appoint Patrick Shaffery as a full time Police Dispatcher due to a recent vacancy due to the resignation of Mike Johnson. It was seconded by Councilwoman Kahle and approved by Council.

Councilwoman Johnson held up an award which the Borough received as a 2003 honorable mention for claims control in recognition for loss control and safety program compliance and claim improvement and was presented by the Statewide Insurance Fund this February.

Councilwoman Johnson reported that the annual Health Screening, being held in conjunction with Monmouth Medical Center, will be held on April 3, 2004 beginning at 8:00 a.m. at the First Aid Building and the cost will be \$61 and the screening will include various screenings including skin cancer, body fat, foot screening and several others and we are hoping to also include an eye screening as well. She continued that pre-registration will be held on Wednesday, March 31, 2004 between the hours of 3:30 – 5:00 p.m. and 7:00 – 8:00 p.m. here in the Borough Hall.

Councilwoman Johnson advised that she walked around Wardell Circle today with several members of the Shade Tree Committee and they are going to be planting sixteen trees and they did all the mark outs today and it should look quite nice when they are done and this will begin as soon as the ground thaws.

MAYOR GATTA: Mayor Gatta advised that we are shy a Council member and the process that is undertaken is that a letter will be sent from the Democratic Chairperson of Oceanport to the Borough Clerk with the names of three people who are hoping to fill the position complete with resume and this will be circulated to the Council members prior to the next Council meeting and she is hopeful that this vacancy will be filled at the March 18th meeting.

Mayor Gatta stated that former Councilman Apruzzi also served as Council President, therefore, she asked that someone move to nominate Councilwoman Chaump as Council President

for the remainder of 2004. It was moved by Councilwoman Johnson, seconded by Councilman Briscione and approved by the remaining member of Council with both Councilpersons Kahle and Mahon voting no.

Mayor Gatta reported that at the last Council meeting she had advised the public that she had been in contact with Ted Giannchiini who is the County Engineer and he informed her that within the following week the signs for the businesses would be put up informing the public that they were open and the striping would be done for the two lefts off of Port-au-Peck Ave. She continued that the signs have been put up but the striping did not occur and she has again spoken with him and they have begun the work today and should be completed by Monday barring any rain.

Mayor Gatta advised that she had attended a meeting with Congressman Holt with the Mayors of his district and one of his requests was to have requests for projects that the municipality was trying to put forth sent to him for possible assistance in providing funding and she alerted the Council of this as well as our employees and we have submitted requests from Harry Sutton with regard to a new siren, one from the Police Chief for some additional equipment, one from Tom Crochet for the three in one truck and one from the Administrative Offices for updating our record keeping facilities for the Borough and although there are no guarantees, she felt it better to be in the game, then not. She was hoping for more requests than just these four, but she is appreciative to those Departments that took the time to fill out the questionnaires in order to submit them within the time restraints.

Mayor Gatta stated some of our surrounding municipalities have received a fire grant which we had also applied for but did not receive and she again spoke with Congressman Holt because she would like to know why we didn't get it and has faxed over the application for his review and comments especially in light of the fact that we are again applying for this grant again this year.

Mayor Gatta reported we will be conducting our town meeting on Thursday, March 11th at 7:30 p.m. and it is still not too late to have any items put on the agenda for that meeting and we welcome everyone's participation.

Mayor Gatta commented that this Council is looking to move forward on some kind of pay for play ordinance as well as looking to go out for bids for professional services and we will be discussing this further in our work shop meeting.

Mayor Gatta advised that we will be going out for bids for the Blackberry Bay project in April with the alternates included and these alternates will not slow down any of the project.

Mayor Gatta congratulated Jimmy Gallo and Kerin Slattery for being selected as Firemen of the Year and they are wonderful volunteers as are all our volunteers and applaud them for this recognition.

Mayor Gatta also thanked the residents in the audience this evening who are willing to assist the Council and looked forward to sitting down and speaking with each and every one who has offered to help the Council and advised that her office hours in the Borough are Tuesday evenings, 7:00 p.m. and Thursday mornings from 9:00 a.m. to approximately 1:00 p.m. Mayor Gatta commented that the ultimate responsibility lays with the Council but any input in working together for the common good of Oceanport is most important. She stated that she was very appreciative of the residents who have come forth this evening offered to help, she asked that they come work with her and she will be happy to sit down with them and discuss the issues.

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

PETITIONS FROM THE PUBLIC:

Stu Briskey, 46 Werah Place stated he concurred with the statements made by Mr. Kelly earlier because taxes are getting out of control on every level in this State and the only thing stopping the consolidation of services is that there is no politician that has the guts to make it happen and we are always saying that Oceanport is unique, so perhaps we should start that here. He also commended Councilpersons Mahon and Kahle for voting no on the budget because he has been coming to Council meetings regularly since 1991 and it has just been a rubber stamp and as Fire Chief twice, everybody gets that budget and just bumps it up and when we are giving employees of this town 47% which is above the consumer price index, the volunteers deserve at least the same.

Peter Dellera, Sr., 1262 Turf Drive stated with regard to taxes he is against this budget too but he knows you need a budget and he doesn't want to see his taxes get raised but stated in his opinion, there is no one better than Mr. Hulsart and he and his father have been with this Borough for a long time and they know the answers and felt that his firm would never do anything to hurt this town and these are the things that really count.

Mr. Dellera stated when he was on Council he had insurance and he went to three different agents and had them review the policies and told them what we wanted and were looking for as far as coverages were concerned and got three separate bids and brought them back to the Council for review and we saved money.

Mr. Dellera stated he was here at the last meeting and spoke about the boat launching ramp and he was happy that the Engineer was here tonight and he also spoke with Councilman Briscione and he did not do any research into lowering the concrete ramp itself and agreed with the Engineer that there are only two ways to address the problems with the concrete section, either cutting the grades down or cut the concrete out and extend it or leave it as is. He stated he never came in for any of that but strictly to help all the boaters get in and out of their boats safely.

Mr. Dellera advised that we also discussed the baseball fields at the last meeting and we had a meeting with the County scheduled, but that was called off and he did speak with Freeholder Stominski several days ago with regard to giving the children a place to play as well as the fireworks and he felt that we should include these two events together in a letter. He stated that the Freeholder was unaware of our fireworks problem so he felt that the Mayor should be forwarding the letter. He also advised that he has made contact with Fort Monmouth and gave the Mayor the name and address of the contact and stated what we are going to have to give them is a basic schedule of the games and incorporate that into our request for use of the fields. He also suggested that the Mayor contact George Zoeffinger of the NJ Sports & Exposition Authority and explain our situation, although he did feel that the fireworks would be a problem at Monmouth Park because of the horses. Mayor Gatta asked that Mr. Dellera bring this information back to the Recreation Committee for their review and recommendations.

Glenn Miller, 94 Gooseneck Point Road commented that as far as the fireworks are concerned he offered an alternative and explained that he owns barges and would be more than willing to donate a barge to shoot the fireworks from and Mayor Gatta thanked him for his offer and suggested that he advise the Recreation Committee of his offer for them to consider them.

Mr. Miller stated that about a year ago there was an investigation about putting flood gates up similar to what the Army Corps of Engineers did and he has been trying to pursue what the outcome was and there were two proposals, one at the Sea Bright drawbridge and one at the Atlantic Highlands Bridge and he cannot find any information on this and felt this would be a great benefit to our town as well as the other surrounding towns if we could find out what the results were and pursue this plan, since this would greatly affect our overall flood plain.

Mayor Gatta stated she will contact Congressman Pallone who was instrumental in that program and once she has some information, will get back to Mr. Miller.

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

Mayor Gatta commented she had one more item she wanted to read from the Police Department and it read in part that over the last several weeks our Police Dept. has received numerous complaints in regard to parking violations at the Wolfhill School and the complaints are being made about parents picking up their children at the two dismissal times and the Officers have made random checks during these dismissal times and have issued several warnings. She continued that the School has also sent home written warnings about the problem and she advised that our Police are working with the Superintendent however, from now on when picking up children at the Wolfhill School and visitor parking is filled, parents must park on either Pemberton Ave. on both sides of the street or on the north side of Branch Ave. and any cars parked in the no parking areas or in any of the fire zones as vehicles will be ticketed and towed away at the person's expense. She asked everyone to please cooperate with this because it is a dangerous situation and have received many letters of concern about this matter.

Councilman Mahon moved to approve the vouchers on the Bill List dated March 4, 2004. It was seconded by Councilwoman Kahle and approved by Council. TOTAL CAPITAL TRUST \$1,994.75. AD HOC \$52.28. TOTAL DOG REGISTRY \$319.20. TOTAL ESCROW TRUST \$1,429.00. 2003 VOUCHERS PAID \$52,853.49. 2003 VOUCHERS PAID THIS MEETING \$4,243.70. TOTAL 2003 VOUCHERS \$57,097.19. 2004 VOUCHERS PAID \$3,274,026.75. 2004 VOUCHERS PAID THIS MEETING \$616,399.09. TOTAL 2004 VOUCHERS \$3,890,425.84 (SEE BILL LIST)

At 10:25 p.m. Councilwoman Chaump moved to adjourn this meeting until the next regular meeting scheduled to be held on March 18, 2004 at 8:00 P.M. It was seconded by Councilwoman Johnson and approved by Council.

Respectfully submitted,



PATRICIA L. VARCA
BOROUGH CLERK