

REGULAR MEETING MINUTES

Oceanport, New Jersey
February 21, 2008

The Regular Meeting of the Oceanport Mayor and Council was called to order on January 3, 2008 at 8:00 P.M. with Mayor Mahon stating the meeting had been properly advertised in accordance with the law.

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

MEMBERS ABSENT: Councilman Ibex

OFFICIALS PRESENT: Borough Clerk, Kimberly A. Jungfer, Borough Attorney, John O. Bennett and Borough Engineer, William White.

INVOCATION: Borough Chaplin Robert Mills gave the invocation.

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

CONSENT AGENDA

1. Resolution authorizing the payment of bills. **R-08-36**
2. Resolution appointing Birdsall Engineering special engineer/planner for COAH matters. **R-08-37**
3. Resolution authorizing a tax refund for duplication of payment. **R-08-38**
4. Resolution appointing the Registrar. **R-08-39**
5. Resolution for CDBG Block Grant prohibiting the Use of Excessive For and Lobbying. **R-08-40**
6. Resolution authorizing the Mayor and Clerk to execute the CDBG project agreement. **R-08-41**
7. Approval of the Workshop minutes from January 17, 2008.
8. Approval of the Regular minutes from January 17, 2008.
9. Approval of a 50/50 on Premise Raffle of the Monmouth Park Charity Fund on August 22, 2008
10. Approval of a 50/50 on Premise Raffle of the Monmouth Park Charity Fund on May 3, 2008.

The Borough Clerk stated there were 10 items on the Consent Agenda. Councilman Johnson moved that the Consent Agenda be approved as presented. Councilman Irace seconded the motion, which was approved by the Council members present.

CLERK'S REPORT: The Clerk stated she was in receipt of the Police Report for January 2008, which had been distributed and would be posted.

The Clerk stated she had a second item that did not appear on the agenda. That afternoon, longtime Oceanport teacher, Mrs. Jeffrey, showed her a copy of New Jersey Monthly magazine. There was a feature article about the 100 best towns to live in New Jersey. She proudly stated that Oceanport was rated the 4th in the State and was number 1 in the County.

COMMITTEES:

COUNCILMAN BRISCIONE: Councilman Briscione reported that Public Works salted primary and secondary roads in the storm of February 12th, and used about 60 tons of salt. Due to the good weather and the ground not being frozen, Public Works has installed about 124 of the 184 posts for the new street signs.

Councilman Briscione stated that the Borough Engineer has prepared cost estimates for the 2008-2009 Capital Road Program which will be discussed in Committee and then make recommendations to the Council.

Councilman Briscione reported that with regard to Buildings and Grounds, the decorative lighting along East Main Street are being installed by Hovnanian. The streetscape is a mandatory requirement for development in the village center zone. The lighting will continue past Oceanport Gardens, the

Senior building, late this year or early next year as a result of the Community Development Grant the Borough received last year.

Councilman Briscione stated that he received a copy of the New Jersey Monthly and summarized the results ranking Oceanport 4th in the State as best towns to live in the State and described for the Council the criteria that were used to determine results.

COUNCILMAN GALLO: No report

COUNCILMAN IBEX: Mayor Mahon reported that Councilman Ibex is traveling out of town but in his stead requested that the Police Study to come under the next Work Shop meeting on March 6th for the Council to discuss at that time.

COUNCILWOMAN KAHLE: Councilwoman Kahle reported that the Environmental Commission is discussing a change to the Ordinance that provides for 4 members and that they would like to add 2 more and she will be petitioning the Council to amend the Ordinance to increase the members to 7.

Councilwoman Kahle stated that the Environmental Advisory Committee had a walk thru over at Fort Monmouth to review some of the trouble spots. Frank Barricelli represented Oceanport and she asked him to provide a copy of the report on what was found when ready and she will distribute it to the Council.

Councilwoman Kahle then reported that the Monmouth Park permit that the DEP issues is coming due that month and she had requested that Water Watch review and she will be meeting with the Mayor to discuss their recommendations before that moves forward.

Councilwoman Kahle lastly discussed the Environmental Commission's 3 year Plan for the geese abatement program which will be distributed to Council but that most importantly was the finances to support some border collies for Old Wharf Park.

COUNCILMAN IRACE: Councilman Irace reported that the Finance Administration Committee has been meeting weekly and discussing the budget for 2008 and will be having their last meeting with the full Council to present an effective budget that limits tax increases and adds a few things to the road program and to the capital budget including the meeting room's sound system and hope to introduce the budget at the March 6th Council meeting.

COUNCILMAN JOHNSON: Councilman Johnson called for the introduction of an **Amendment to the Environmental Commission**, and then asked the Clerk to read the proposed Ordinance by title only, after which he moved to approve the Ordinance upon first reading, which was seconded by Councilwoman Kahle.

The Clerk called roll:

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

Councilman Johnson made a motion to hold the public hearing on the proposed ordinance at the Council meeting of March 6, 2008 and to advertise same in accordance with the law and was seconded by Councilwoman Kahle.

The Clerk called roll:

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

Councilman Johnson stated he wanted to nominate for appointment to the Economic Development Committee Gerald Bertekap to fill the current vacancy on that Committee. He stated that Mr. Bertekap, who is an ex-Fire Chief, currently serves on the Fort Monmouth Economic Revitalization Planning Authority Emergency Services Advisory Committee. He detailed Mr. Bertekap's participation in a number of the borough's services and programs.

Councilman Briscione asked a question of the Mayor as to the procedure for appointments and if there would be public advertisement / circulation and look for the best person or if it will only be an appointment made by the Mayor. Mayor Mahon responded that yes it is in the best interests of the Borough to seek out the best qualified person to serve on the Borough's boards and to also provide newer individuals the opportunity to participate. There was discussion on what the policy should be and the Mayor agreed that the invitation to apply for any position could be extended.

Councilman Johnson made a motion to nominate Gerald Bertekap to the vacancy currently on the Economic Development Committee which was seconded by Councilman Irace.

The Clerk called roll:

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

Councilman Johnson then reported that Oceanport would be hosting the final charrette at Maple Place School on March 4th and that a letter would be sent out to residents.

MAYOR MAHON: Mayor Mahon reported that Councilman Briscione participated on his behalf in a January 23rd conference call that pertained to the COAH issues and the third round rules as they relate to the Fort Monmouth redevelopment which is timely as the Borough is in the process of redoing their plan as the result of litigation. He reported on a meeting that he attended along with several representatives at Brookdale Community College for a Fort Monmouth Roundtable discussion with Governor Corzine on the subject of work force development and how to retain the skilled workforce that's at Fort Monmouth currently in similar industries in this areas as the base closes.

Mayor Mahon stated that on February 7, 2008 he participated in a meeting where the Planners for Oceanport and a committee he selected along with the Borough Attorney sat down with representatives from FMERPA where they reviewed the FMERPA plan and the Oceanport conceptual plan and that they were surprisingly similar. Mayor Mahon said that he also participated in a conference phone call on February 19th regarding EDAW and their plan and described for the Council the issues discussed as to the continuing process.

Councilwoman Kahle stated she wanted to recognize Chief Sutton before the public portion. Chief Sutton stated that he and his traffic safety officers had a meeting with the administration at Wolf Hill School regarding complaints about traffic and safety at both schools in the Borough. He stated he wanted the Council to know that the school would be sending out a letter from him to the parents strongly urging them to use the buses or to walk if they are in walking distance rather than driving their children to the school because it has become a serious safety issue for the kids. He stated they are trying some options, i.e., education and enforcement, and if that doesn't work what they will implement to resolve the concerns.

Councilwoman Kahle introduced Frank Baricelli to give his report. Mayor Mahon stated for the public that Mr. Baricelli is a citizen member on a couple of committees related to FMERPA and that he is pleased that Oceanport has volunteers who are involved and this was a perfect time to report back.

Mr. Baricelli reported on the results of the Environmental Committee's tour of Fort Monmouth. Mr. Baricelli described the purpose of the tour, the location of various landfills that were open at one time on Fort Monmouth and the potential uses for future uses. It was his recommendation that all of the landfill sites should only be used for passive recreation and finalized by stating that Fort Monmouth is a fairly

clean army post.

Councilwoman Kahle asked Mr. Baricelli if there was any discussion regarding groundwater testing of the landfill sites as they were not sealed. There was discussion on the monitoring program and that there are some sites that are actively undergoing remediation and that some of the sites have received DEP approval as clean sites. He offered to meet with the Environmental committee members to go over the details at their convenience. He also stated that the information is readily available at the eastern branch of the Monmouth County library.

PUBLIC:

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

Joe Lombardo, Oceanport First Aid, stated that last week they went to the bank to try and reduce the mortgage rate. Mayor Mahon interjected that the Council would be returning to the Workshop where that matter would be discussed as an add on to the Workshop agenda and that any questions might be better asked there. Mr. Lombardo agreed.

Mike Tober, Horicon Ave, commented to the Council regarding the installation of the new street signs and that previously he heard that there may be sailboats or some design on them and stated his opinion about the quality of the signs and that he was disappointed that the final design was so plain and that in the future his thought was that the cheapest course shouldn't be chosen but what will improve Oceanport's appearance.

Frank Baricelli, Port-au-Peck Avenue, commented that he thought he was a member of the Economic Development Committee and expressed his thoughts on the Fort Monmouth Vision Plan and that the Committee never had the opportunity to present their thoughts and plans that they worked very hard on and that it became a political issue that has left many of the members unhappy. He expressed his frustrations as a volunteer that spent a lot of time on the vision plan only to be left out of the final decision and he fears that some of the decisions that were made were not in the best interest of Oceanport and that they as a committee did the best they could.

Roseann Letson, 37 Morris Place, requested an update on the Builder's Remedy lawsuit. Mr. Bennett responded that the Borough's Special Counsel was handling that matter however, he summarized where the matter was at in the courts and the reasons for those decisions and that papers have been filed on behalf of the Borough to request a lesser remedy. There was discussion about the status of any hearings to be scheduled on the matter.

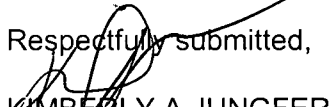
Lenny Altomare, 43 Avon Avenue, stated that he takes Pemberton Avenue to the school which is also a bus route and the street is not wide enough for both which presents a problem. He also commented that another problem is the ban on overnight parking and the appearance of the neighborhood when people pull their cars up onto front lawns and make driveways where there isn't one is worse than just allowing people to park on the street but in the event of snow to pull it off the street or be issued a ticket. Mayor Mahon stated this was a matter that is on an upcoming Workshop agenda.

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

Bill List: Open Space 235.00. 2007 Vouchers Paid \$81,280.18 2007 Voucher Paid this Meeting \$14,440.87. Total 2007 Vouchers Paid \$95,721.05. 2008 Vouchers Paid \$3,821,220.06. 2008 Vouchers Paid this Meeting \$128,183.88. Total 2008 Vouchers Paid \$3,949,403.94.

At 8:40 p.m. there was a motion to adjourn from Councilwoman Kahle, seconded by Councilman Johnson and approved by the Council members present.

Respectfully submitted,


KIMBERLY A JUNGFER
BOROUGH CLERK