

**REGULAR MEETING AGENDA
MAYOR AND COUNCIL
February 6, 2014**

Meeting called to order.

Statement of Compliance with Open Public Meetings Act.

This meeting complies with the Open Public Meeting Act by publication of this location, date and time in the Asbury Park Press and the LINK News on January 9, 2014 and by the posting of same on the municipal bulletin board and Borough Web Site.

Flag salute.

Invocation.

Roll call.

CONSENT AGENDA

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|------------------|-----|--|
| #2014-046 | 1. | Resolution authorizing the payment of bills. |
| #2014-047 | 2. | Resolution authorizing redemption of Tax Sale Certificate #13-00015 |
| #2014-048 | 3. | Resolution declaring surplus property |
| #2014-049 | 4. | Resolution awarding a contract for mold remediation in the Community Center |
| #2014-050 | 5. | Resolution awarding a contract for replacement windows in the Community Center |
| | 6. | Approval of the Workshop Minutes of December 19, 2013 |
| | 7. | Approval of the Regular Meeting Minutes of December 19, 2013 |
| | 8. | Approval of the Executive Session Minutes of December 19, 2013 |
| | 9. | Approval of the Workshop Minutes of January 16, 2014 |
| | 10. | Approval of the Regular Meeting Minutes of January 16, 2014 |
| | 11. | Approval of the Executive Session Minutes of January 16, 2014 |

ADMINISTRATOR'S REPORT:

COMMITTEE REPORTS:

COUNCILMAN BERTEKAP (Parks & Recreation)

COUNCILMAN GALLO (Public Works & Engineering)

COUNCILMAN IRACE (Public Safety)

COUNCILWOMAN KAHLE (Health & Human Services)

COUNCILMAN LYNCH (Finance & Administration)

COUNCILMAN PAGLIA (Planning & Development)

- | | | |
|-------------|----|--|
| #927 | 3. | 2 nd Reading and Public Hearing on an Amendment to the Salary Ordinance |
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MAYOR MAHON:

Petitions from the public

Executive Session: *Contract Negotiations for Shared Services with Monmouth County Sheriff's Office*
Adjournment.

REGULAR MEETING MINUTES

Oceanport, New Jersey
February 6, 2014

The Regular Meeting of the Oceanport Mayor and Council was called to order on February 6, 2014 at 8:23 P.M. with the Statement of Compliance with the Open Public Meetings Act given by Mayor Mahon.

"Adequate notice of this meeting has been provided by notice to the Asbury Park Press and The Link News on January 9, 2014, and by the posting of same on the municipal bulletin board and Borough Web Site."

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

MEMBERS PRESENT: Councilpersons Bertekap, Gallo, Irace, Kahle, Lynch, Paglia and Mayor Mahon

OFFICIALS PRESENT: Borough Clerk, Jeanne Smith, Borough Administrator John O. Bennett, Borough Attorney, Scott Arnette

Mayor Mahon advised that there would be 2 additional items from Workshop that would be taken separately after the Consent Agenda.

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The Clerk stated there were 11 items on the consent agenda and asked for a motion. Councilwoman Kahle requested that Item #11 be removed. Councilman Lynch requested that Items 6, 7 and 8 be removed. Councilman Irace made a motion to approve Items 1-5, 9 and 10 which was seconded by Councilman Gallo and approved by Council.

The Clerk asked for a motion on Item #6 which was moved by Councilwoman Kahle and seconded by Councilman Irace and approved by Council with the exception Councilpersons Bertekap and Lynch whom abstained.

The Clerk asked for a motion on Item #7 which was moved by Councilwoman Kahle and seconded by Councilman Irace and approved by Council with the exception Councilpersons Bertekap and Lynch whom abstained.

The Clerk asked for a motion on Item #8 which was moved by Councilwoman Kahle and seconded by Councilman Irace and approved by Council with the exception Councilpersons Bertekap and Lynch whom abstained.

The Clerk asked for a motion on Item #11 which was moved by Councilman Irace and seconded by Councilman Paglia and approved by Council with the exception Councilwoman Kahle whom abstained.

The Clerk described Item #12 added from workshop authorizing installation of wiring and phone system in the Old Wharf House which moved by Councilwoman Kahle and seconded by Councilman Bertekap and approved by Council.

Mr. Arnette read a resolution authorizing the purchase of space planning and office furnishings for the Old Wharf House which was moved by Councilwoman Kahle and seconded by Councilman Gallo. There was discussion on the motion concerning the amount authorized which was for the lower quote. The motion stood and was approved by Council.

ADMINISTRATOR'S REPORT: Mr. Bennett stated his items would be reported in Executive Session.

COMMITTEE REPORTS:

COUNCILMAN BERTEKAP: Councilman Bertekap had no report.

COUNCILMAN GALLO: Councilman Gallo thanked the Public Works staff for a great job on the snow storm.

COUNCILMAN IRACE: Councilman Irace stated the balance of his report would be in Executive Session.

COUNCILWOMAN KAHLE: Councilwoman Kahle thanked Congressman Pallone for his attention on the issues at Fort Monmouth.

COUNCILMAN LYNCH: Councilman Lynch had no report but advised there would be Finance Committee meeting on February 10th. Mayor Mahon stated that Councilman Paglia would be attending that meeting on his behalf.

COUNCILMAN PAGLIA:

#927 3. 2nd Reading and Public Hearing on an Amendment to the Salary Ordinance

Councilman Paglia called for the 2nd reading and public hearing of **"AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX AND DETERMINE THE SALARIES OF CERTAIN BOROUGH OFFICIALS"** and then asked the Clerk to read the affidavit of publication by title only.

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

Michael Bell, Gooseneck Point Road, asked what the amendments entailed to which Ms. Smith read from the resolution the details. Mr. Bell asked for confirmation that the Borough Administrator's compensation was salary only and no pension or health benefits were included and was advised that was correct.

As no one from the public wished to be heard Mayor Mahon closed the public portion on a motion by Councilwoman Kahle and seconded by Councilman Irace and approved by Council.

Councilman Paglia then made a motion to adopt the Ordinance on second and final reading and advertise same in accordance with the law, which was seconded by Councilwoman Kahle.

The Clerk called roll:

AYES: Bertekap, Gallo, Irace, Kahle, Lynch, Paglia
NAYES: None
ABSTAIN: None
ABSENT: None

The Clerk stated that the motion carried.

MAYOR MAHON: Mayor Mahon commented great job to Public Works and all the volunteers for emergency services that stayed on call through the storm and looked forward to spring coming soon. Mr. Bennett added that the Chief of Police and officers stayed overnight as well.

Ms. Smith gave an update on the acquisition of a sound system to address previous comments.

PUBLIC:

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

Michael Bell, Gooseneck Point Road, petitioned the Council to take steps to have other internet services available as his street doesn't have FIOS from Verizon as the municipality licenses the franchise and can make that stipulation.

Mr. Bell also commented on the recent action taken to finance the construction of the Blackberry Bay Park Pavilion and expressed his disagreement with the Council's decision to proceed with the project. Additional discussion ensued on the development of the project, the reason for the costs including the location's flood elevation requirement and NJDEP permitting requirements, available financing including a county grant and the Borough's Open Space Trust Fund.

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

At 8:37 p.m. the Clerk read a Resolution authorizing the meeting to enter Executive Session for the purposes of matters required by law to be confidential, litigation, negotiations and attorney client privilege and employment relationship on a motion made by Councilwoman Kahle and seconded by Councilman Gallo and approved by Council.

At 9:27 p.m. Council returned from Executive Session and re-opened the Regular Meeting on a motion by Councilwoman Kahle which was seconded by Councilman Gallo and approved by Council.

Mayor Mahon requested a motion authorizing the Borough Administrator to make formal notification to the Borough of West Long Branch with regard to the anticipated cancellation of inter-local service agreement for dispatch services between the 2 Boroughs with an effective date in accordance with the contract of 6 months which was moved by Councilman Irace and seconded by Councilwoman Kahle.

The Clerk called roll:

AYES: Bertekap, Gallo, Irace, Kahle, Lynch, Paglia
NAYES: None
ABSTAIN: None
ABSENT: None

The Clerk stated that the motion carried.

Mayor Mahon requested Council consent for Administrative approval to make notification for the hiring of police candidates and for the Chief of Police to make notification to the following individuals – Class A Patroman, John Weir; Class II SLEO Gary Grimes and Alexander Fay which was moved by Councilman Irace and seconded by Councilwoman Kahle and approved by Council with the exception of Councilman Lynch whom abstained. **#2014-051**

As there was no further business, the meeting was adjourned at 9:31 p.m. on a motion made by Councilman Irace seconded by Councilwoman Kahle and approved by Council.

Respectfully submitted,



JEANNE SMITH
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING PAYMENT OF BILL LIST FOR FEBRUARY 6, 2014**

**RESOLUTION #2014-046
02-06-14**

WHEREAS, the Governing Body of the Borough of Oceanport has reviewed the vouchers submitted in support of the bill list dated February 6, 2014.

WHEREAS, the Governing Body has determined that the bill list as prepared comports with the vouchers submitted by various vendors; and

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of February 6, 2014.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oceanport hereby authorizes payment of all bills on the bill list dated February 6, 2014 subject to the Borough's Chief Financial Officer certifying there is sufficient funds for the payment of same.

Motion: *Shau*

Second: *Gallo*

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Bertekap	(<i>/</i>)	()	()	()
Gallo	(<i>/</i>)	()	()	()
Irace	(<i>/</i>)	()	()	()
Kahle	(<i>/</i>)	()	()	()
Lynch	(<i>/</i>)	()	()	()
Paglia	(<i>/</i>)	()	()	()

I certify this to be a true copy of Resolution #2014-046 approved by the Oceanport Borough Council at the Regular Meeting held February 6, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

**BOROUGH OF OCEANPORT
BILL LIST**

FEBRUARY 6 2014

PAYEE

AMOUNT

PAYROLL ACCOUNT

\$ 89,603.51 3rd Pay

2014 EXPENDITURES

AD HOC TRUST TOTAL

\$ 450.48

DOG REGISTRY TOTAL

\$ 481.40

ESCROW TRUST TOTAL

\$ 2,775.00

OPEN SPACE TRUST TOTAL

\$ 315.00

TRUST OTHER TOTAL

\$ 439.39

UNEMPLOYMENT TRUST TOTAL

\$ 3,643.16

2013 VOUCHERS PAID

\$ 205,419.25

2013 VOUCHERS PAID THIS MEETING
TOTAL

\$ 36,618.26
\$ 242,037.51

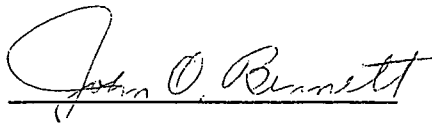
2014 VOUCHERS PAID

\$ 2,278,961.73

2014 VOUCHERS PAID THIS MEETING
TOTAL

\$ 2,088,069.22
\$ 4,367,030.95

I CERTIFY THAT THE ABOVE ITEMS ARE TRUE AND CORRECT AS PRESENTED
TO THE MAYOR AND COUNCIL FOR PAYMENT



John O. Bennett

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #13-00015 FOR
BLOCK 117, LOT 27.236 ALSO KNOWN AS 120 CARRIAGE LANE**

**Resolution #2014-047
02-06-14**

WHEREAS, at the Borough Tax Sale held on November 15, 2013, a lien was sold on Block 117 Lot 27.236 CW236, otherwise known as 120 Carriage Lane; and

WHEREAS, this lien, known as Tax Sale Certificate 13-00015 was sold to US Bank cust for BV001 Trust at an interest rate of 0% and a premium of \$900; and

WHEREAS, the owner, has redeemed certificate 13-00015 in the amount of \$ 4,206.21.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of \$4,206.21 payable to US Bank cust for BV001 Trust, 50 South 16th St Suite 1950, Philadelphia PA 19102 for the redemption of Tax Sale Certificate 13-00015.

BE IN FURHRER RESOLVED, that the CFO be authorized to issue a check in the amount of \$900 (Premium) to the aforementioned lienholder.

Motion: <i>nae</i>	Second: <i>Gallo</i>			
ROLL CALL	YES	NO	ABSTAIN	ABSENT
Bertekap	(<i>✓</i>)	()	()	()
Gallo	(<i>✓</i>)	()	()	()
Irace	(<i>✓</i>)	()	()	()
Kahle	(<i>✓</i>)	()	()	()
Lynch	(<i>✓</i>)	()	()	()
Paglia	(<i>✓</i>)	()	()	()

I certify this to be a true copy of Resolution #2014-047 approved by the Oceanport Borough Council at the Regular Meeting held February 2014



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
DECLARING AND AUTHORIZING SURPLUS PROPERTY FOR DISPOSAL**

**Resolution #2014-048
02-06-14**

WHEREAS, certain equipment owned by the Borough of Oceanport is no longer required for the operations of the Borough; and

WHEREAS, N.J.S.A. 40A:11-36 requires approval of the Governing Body for the sale of personal property belonging to the Borough; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that the Borough Administrator be and is hereby authorized to dispose of the items of personal property listed below in accordance with law.

1. 1986 Chevy Pick-up, VIN #1GBHD3414GF397767
2. 1986 Chevy Blazer, VIN #1G8ED18J8GF177569
3. 2004 Dodge Durango, VIN #1D4HB38N74F218666
4. 1994 Leaf Vacuum Trailer, VIN#1294-1769
5. 2002 1-Tan Trailer S Green, VIN#SG050202TCMPRS016
6. 2001 12' Lawnmower Hustler
7. 2006 72" Lawnmower Grasshopper (destroyed in Sandy)
8. 2008 72" Lawnmower Grasshopper (destroyed in Sandy)
9. FEMA Trailer

Motion:	<i>Hau</i>	Second:	<i>Hallo</i>	
ROLL CALL	YES	NO	ABSTAIN	ABSENT
Bertekap	(<i>/</i>)	()	()	()
Gallo	(<i>/</i>)	()	()	()
Irace	(<i>/</i>)	()	()	()
Kahle	(<i>/</i>)	()	()	()
Lynch	(<i>/</i>)	()	()	()
Paglia	(<i>/</i>)	()	()	()
Mahon	()	()	()	()

I certify this to be a true copy of Resolution #2014-048 approved by the Oceanport Borough Council at the Regular Meeting held February 6, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AWARDING A CONTRACT FOR MOLD REMEDIATION SERVICES
IN THE OCEANPORT COMMUNITY CENTER**

**RESOLUTION #2014-049
02-06-14**

WHEREAS, the Community Center building experienced broken water pipes in the walls between the restroom facilities; and

WHEREAS, during the restoration process it was determined that mold was present requiring remediation services; and

WHEREAS, the Borough has determined that the cost to perform such services would be below the public bidding threshold of Thirty Six Thousand (\$36,000.00) Dollars, as provided by law with a Qualified Purchasing Agent (N.J.S.A. 40A:11-3); and

WHEREAS; the Borough solicited three (3) proposals for performance of said work; and

WHEREAS, the Borough has received proposals from AMS Asbestos and Mold Services, Synatech, Inc. and IRS Insurance Restoration Specialists; and

WHEREAS, the recommendation of the Borough Engineer after review was to award to IRS Insurance Restoration Specialists as they provided the most comprehensive services and certifications; and

WHEREAS, the said contract sum is below the statutory threshold amount and therefore there is no requirement to publicly advertise for bids as provided in the Local Public Contracts Law (N.J.S.A. 40A:11-3); and

WHEREAS, there is no negative history associated with the contractor, which would necessitate the reasons not to award said contract to IRS Insurance Restoration Specialists.

WHEREAS, funds are available in the 2014 temporary budget established for buildings and grounds.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport, County of Monmouth and State of New Jersey that the contract for mold remediation and cleaning services of the Oceanport Community Center in the total sum of Seven Thousand Nine Hundred Sixteen Dollars (\$7,916.00) be awarded to IRS Insurance Restoration Specialists, Inc.

BE IT FURTHER RESOLVED that the Borough Administrator and Borough Clerk are hereby authorized to execute any documents necessary to effectuate this resolution.

Motion:	<i>Shaw</i>	Second:	<i>Mallo</i>	
ROLL CALL	YES	NO	ABSTAIN	ABSENT
Bertekap	(✓)	()	()	()
Gallo	(✓)	()	()	()
Irace	(✓)	()	()	()
Kahle	(✓)	()	()	()
Lynch	(✓)	()	()	()
Paglia	(✓)	()	()	()
Mahon	()	()	()	()

I certify this to be a true copy of Resolution #2014-049 approved by the Oceanport Borough Council at the Regular Meeting held February 6, 2014



JEANNE SMITH, RMC
BOROUGH CLERK

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AWARDING A CONTRACT FOR THE ACQUISITION AND INSTALLATION OF
REPLACEMENT WINDOWS FOR THE OCEANPORT COMMUNITY CENTER**

**Resolution #2014-050
02-06-14**

WHEREAS, the Borough of Oceanport has determined that there is a need for certain repairs at the Community Center more specifically the replacement of windows; and

WHEREAS, the Borough has determined that the cost to perform such services would be below the public bidding threshold of Thirty Six Thousand (\$36,000.00) Dollars, as provided by law with a Qualified Purchasing Agent (N.J.S.A. 40A:11-3); and

WHEREAS; the Borough solicited three (3) proposals for performance of said work; and

WHEREAS, the Borough has received a proposal from Prownes in the amount of Six Thousand Eight Hundred Twenty Dollars (\$6,820) with proposals from Mike Murray Construction and Energy Aid to be supplied; and

WHEREAS, the said contract sum is below the statutory threshold amount and therefore there is no requirement to publicly advertise for bids as provided in the Local Public Contracts Law (N.J.S.A. 40A:11-3); and

WHEREAS, funds are available in the 2014 temporary budget established for buildings and grounds.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport, County of Monmouth and State of New Jersey that the contract for the replacement and installation of windows in the Oceanport Community be awarded to the low quote in an amount not to exceed Six Thousand Eight Hundred Twenty Dollars (\$6,820) and subject to the availability of funds.

Motion: <i>Man</i>	Second: <i>Hallo</i>			
ROLL CALL	YES	NO	ABSTAIN	ABSENT
Bertekap	(✓)	()	()	()
Gallo	(✓)	()	()	()
Irace	(✓)	()	()	()
Kahle	(✓)	()	()	()
Lynch	(✓)	()	()	()
Paglia	(✓)	()	()	()
Mahon	()	()	()	()

I certify this to be a true copy of Resolution #2014-050 approved by the Oceanport Borough Council at the Regular Meeting held February 6, 2014



JEANNE SMITH, RMC
BOROUGH CLERK