

REGULAR MEETING MINUTES

Oceanport, New Jersey
December 4, 2013

The Regular Meeting of the Oceanport Mayor and Council was called to order on December 4, 2013 at 7:26 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 8, 2013, 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, Ibex, Irace, Kahle, Paglia and Mayor Mahon

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

Mayor Mahon asked if there were any objections to amending the order of the Agenda hearing none amended the order of the Agenda.

Mayor Mahon asked for a motion on a Resolution appointing Patrick Gornik to the rank of Class A Patrolman of the Oceanport Police Department which was moved by Councilman Ibex and seconded by Councilwoman Kahle.

The Clerk called the roll.

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

The Clerk stated the motion carried. **R-13-158**

The Oath of Office was administered to Patrolman Gornik. Afterwards Patrolman Gornik expressed his thankfulness to the Mayor and Council and to family and friends for their support.

CONSENT AGENDA: The Clerk stated there were 9 items on the consent agenda and described 3 additional items added from Workshop and asked for a motion. Councilman Ibex made a motion to approve the consent agenda which was seconded by Councilman Bertekap and approved by Council with the exception of Councilman Irace whom abstained from Item 1 and Councilman Paglia whom abstained from Item 2.

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| R-13-159 | 1. Resolution authorizing the payment of bills. |
| R-13-160 | 2. Resolution certifying compliance with Local Finance Board requirement of Annual Audit |
| R-13-161 | 3. Resolution approving person to person transfer of Liquor License #1338-33-001-003 Arthur & Alvina, Inc. |
| R-13-162 | 4. Resolution amending the 2013 budget to add an item of revenue: Over the Limit Under Arrest Funding |
| R-13-163 | 5. Resolution authorizing the issuance and sale of bonds through the MCIA |
| R-13-164 | 6. Resolution awarding the contract for the 2014 Borough Calendar |
| R-13-165 | 7. Resolution approving the completion of the Maria Gatta Park Perimeter Trail project |
| R-13-166 | 8. Resolution authorizing agreement with Monmouth County for "SCAT" program |
| R-13-167 | 9. Resolution authorizing Maser Consulting to perform a geotechnical investigation for Borough Hall |
| R-13-168 | 10. Resolution appointing Catherine LaPorta as Deputy Registrar |
| R-13-169 | 11. Resolution amending proposed Ordinance #925 |

R-13-170 12. Resolution rejecting bids for Blackberry Bay Park Pavilion project

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

COMMITTEE REPORTS:

COUNCILMAN BERTEKAP: Advised that Christmas Tree Lighting would be held on Dec. 8th at 5 pm.

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| #922 | 1. | 2 nd Reading and Public Hearing of a Bond Ordinance for Blackberry Bay Park Pavilion |
| #923 | 2. | 2 nd Reading and Public Hearing an Ordinance for Acquisition of Real Property Known as Block 108, Lots 11 & 12 |
| #924 | 3. | 2 nd Reading and Public Hearing of an Amendment to the Zoning Ordinance |
| | 4. | Re-Introduction of an Amendment to Chapter 284 regarding permit for solicitation |
| | 5. | Introduction of a Re-Appropriating Bond Ordinance |
| | 6. | Introduction of an Ordinance Amending the Salary Ordinance |

Councilman Bertekap called for the 2nd reading and public hearing of **"AN ORDINANCE OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, PROVIDING FOR THE CONSTRUCTION OF A BUILDING IN BLACKBERRY BAY PARK AND RELATED EXPENSES OF THE BOROUGH OF OCEANPORT AND APPROPRIATING \$700,000 THEREFOR AND PROVIDING FOR THE ISSUANCE OF \$665,000 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE BOROUGH OF OCEANPORT TO FINANCE THE SAME"** and then asked the Clerk to read the affidavit of publication by title only.

Mayor Mahon then opened the meeting to the public for anyone who wished to be heard. As no one from the public wished to be heard Mayor Mahon closed the public portion on a motion by Councilman Bertekap and seconded by Councilman Irace and approved by Council.

Councilman Bertekap 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 Councilman Irace.

The Clerk called roll:

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

The Clerk stated that the motion carried.

Councilman Ibex re-entered meeting.

Councilman Bertekap called for the 2nd reading and public hearing of **"AN ORDINANCE AUTHORIZING THE BOROUGH OF OCEANPORT TO ACQUIRE CERTAIN REAL PROPERTY KNOWN AND DESIGNATED AS BLOCK 108, LOTS 11 AND 12 ON THE OCEANPORT BOROUGH TAX MAP"** 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.

Stuart Briskey, 46 Werah Place, questioned how the purchase of the property benefited the Borough of Oceanport to which Mayor Mahon answered that the lot was surrounded by property owned by the Borough and would allow for a contiguous piece of land for the Borough to potentially use for open space. Additional discussion pursued on how to value property in Oceanport.

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

Councilman Bertekap 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 Councilman Irace.

The Clerk called roll:

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

The Clerk stated that the motion carried.

Councilman Bertekap called for the 2nd reading and public hearing of **"AN ORDINANCE OF THE BOROUGH OF OCEANPORT COUNTY OF MONMOUTH AND STATE OF NEW JERSEY AMENDING CHAPTER 390 OF THE CODE OF THE BOROUGH OF OCEANPORT ENTITLED "ZONING"** and then asked the Clerk to read the affidavit of publication by title only.

Mayor Mahon then opened the meeting to the public for anyone who wished to be heard. As no one from the public wished to be heard Mayor Mahon closed the public portion on a motion by Councilman Ibex and seconded by Councilman Gallo and approved by Council.

Councilman Bertekap 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 Councilman Gallo.

The Clerk called roll:

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

The Clerk stated that the motion carried.

Mayor Mahon explained why the item was not a 2nd reading and public hearing because of a resolution approved earlier in the Agenda that amended the proposed ordinance and was being re-introduced.

Councilman Bertekap called for the re-introduction of **"AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY AMENDING CHAPTER 284 OF THE CODE OF THE BOROUGH OF OCEANPORT, ENTITLED "PEACE AND GOOD ORDER"** and then asked the Clerk to read the proposed Ordinance by title only, after which Councilman Bertekap moved to approve the Ordinance upon first reading and to hold the public hearing on the proposed ordinance at the Council meeting of December 19, 2013 and to advertise same in accordance with the law and was seconded by Councilman Irace.

The Clerk called roll:

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

The Clerk stated that the motion carried.

Councilman Bertekap called for the introduction of **"ORDINANCE REAPPROPRIATING \$20,392.00 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR VARIOUS ROAD IMPROVEMENTS IN AND BY THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY"** and then asked the Clerk to read the proposed Ordinance by title only, after which Councilman Bertekap moved to approve the Ordinance upon first reading and to hold the public hearing on the proposed ordinance at the Council meeting of December 19, 2013 and to advertise same in accordance with the law and was seconded by Councilman Irace.

The Clerk called roll:

AYES: Bertekap, Gallo, Ibex, Irace, Kahle, Paglia
NAYES: None

ABSTAIN: None

ABSENT: None

The Clerk stated that the motion carried.

Councilman Bertekap called for the introduction 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 proposed Ordinance by title only, after which Councilman Bertekap moved to approve the Ordinance upon first reading and to hold the public hearing on the proposed ordinance at the Council meeting of December 4, 2013 and to advertise same in accordance with the law and was seconded by Councilwoman Kahle.

The Clerk called roll:

AYES: Bertekap, Gallo, Ibex, Irace, Kahle

NAYES: None

ABSTAIN: None

ABSENT: None

The Clerk stated that the motion carried.

COUNCILMAN GALLO: Councilman Gallo advised that curbside recycling on New Year's Day would be provided on the next day.

COUNCILMAN IBEX: Councilman Ibex had no report but commented that he was happy with the appointment of Patrolman Gornik.

COUNCILMAN IRACE: Councilman Irace had no report.

COUNCILWOMAN KAHLE: Councilwoman Kahle had no report.

COUNCILMAN PAGLIA: Councilman Paglia had no report but said that events like tonight made him proud to be an Oceanport resident.

MAYOR MAHON: Mayor Mahon had no additional items to report.

PUBLIC:

Mayor Mahon then opened the meeting to anyone from the public who wished to be heard and as no one from the public wished to be heard that portion of the meeting was closed.

Bill List Summary: Capital Trust \$12,732.78 Dog Registry \$600.00 Escrow Trust \$3,355.25 Open Space Trust \$10,803.24 2012 Vouchers Paid \$336,217.24 2012 Vouchers Paid this Meeting \$0.00 Total 2012 Vouchers Paid \$336,217.24 2013 Vouchers Paid \$23,102,721.85 2013 Vouchers Paid this Meeting \$1,311,604.01 Total 2013 Vouchers Paid \$24,414,325.86

At 8:18 p.m. the Clerk read a Resolution authorizing the meeting to enter Executive Session for the purposes of land acquisition, litigation and attorney client privilege, employment relationship and contract negotiations, on a motion made by Councilman Ibex and seconded by Councilman Bertekap and approved by Council.

At 9:45p.m. Council returned from Executive Session and re-opened the Regular Meeting on a motion by Councilman Gallo which was seconded by Councilman Ibex and approved by Council.

Mr. Arnette read a resolution appointing Catherine LaPorta to the position of Deputy Registrar which was moved by Councilman Irace and seconded by Councilman Ibex.

The Clerk called the roll:

AYES: Bertekap, Gallo, Ibex, Irace, Kahle, Paglia

NAYES: None

ABSTAIN: None

ABSENT: None

The Clerk stated that the motion carried.

Mr. Arnette read a resolution amending the amendment to Chapter 284 which was moved by Councilman Irace and seconded by Councilman Ibex.

The Clerk called the roll:

AYES: Bertekap, Gallo, Ibex, Irace, Paglia
NAYES: None
ABSTAIN: None
ABSENT: None

The Clerk stated that the motion carried.

The Clerk read a resolution rejecting all bids for the Blackberry Bay Park Pavilion project and authorizing the Borough Engineer to re-bid the project which was moved by Councilman Irace and seconded by Councilman Gallo.

The Clerk called the roll:

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

The Clerk stated that the motion carried.

The Clerk read a resolution authorizing salary adjustments for certain non-union employees which was moved by Councilman Irace and seconded by Councilman Gallo.

The Clerk called the roll:

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

The Clerk stated that the motion carried.

Mayor Mahon then asked for a motion authorizing the Borough Administrator to solicit bids for snowplowing which was moved by Councilman Ibex and seconded by Councilman Irace.

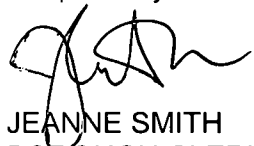
The Clerk called the roll:

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

The Clerk stated that the motion carried.

As there was no further business, the meeting was adjourned at 9:25 p.m. on a motion made by Councilman Ibex seconded by Councilman Irace and approved by Council.

Respectfully submitted,



JEANNE SMITH
BOROUGH CLERK