

REGULAR MEETING MINUTES

Oceanport, New Jersey
October 18, 2007

The Regular Meeting of the Oceanport Mayor and Council was called to order on October 18, 2007 at 8:00 P.M. with Mayor Chaump stating the meeting had been properly advertised in accordance with the law.

MEMBERS PRESENT: Councilpersons Kahle, Johnson, Gallo, Ibex, Sharkey (entered at 8:07 pm), Briscione and Mayor Chaump

MEMBERS ABSENT: None

OFFICIALS PRESENT: Borough Clerk, Kimberly A. Jungfer and Borough Attorney, Scott Arnette

INVOCATION: Retired Army Chaplain Wayne Smith gave the Invocation

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

The Borough Clerk stated there were 10 items on the Consent Agenda. Councilman Ibex asked that Items 5, 8 and 10 be removed.

CONSENT AGENDA

1. Resolution for Resolution authorizing the County to perform a comprehensive needs assessment for Borough records. **R-07-105**
2. Resolution canceling overpayment of taxes. **R-07-106**
3. Resolution renewing the liquor license of Arthur and Alvina, Inc. aka the Dugout **R-07-107**
4. Resolution setting minimum standards for mandatory NIMS training **R-07-108**
5. Resolution regarding legal fees for a Council person **R-07-109**
6. Resolution for the payment of bills. **R-07-110**
7. Minutes: Regular meeting of September 20, 2007
8. Minutes: Special meeting of October 4, 2007
9. Minutes: Workshop meeting September 17, 2007
10. Minutes: Workshop meeting October 4, 2007.

Councilman Ibex moved to approve the remaining items on the Consent Agenda, which was seconded by Councilman Briscione and approved by the Council members present. Councilman Sharkey had not yet entered the meeting so therefore did not cast a vote for the Consent Agenda.

The Clerk asked for a motion on Item #5. Councilman Ibex asked for discussion on the motion. Councilman Ibex stated he read the resolution and wonders why its up for a vote tonight. He continued that it seems rather premature and it looks like some things are lacking in the resolution specifically where the money is coming from and secondly, there is no indication of any limits on the amount. Councilman Ibex suggested that the resolution be tabled for further discussion. He read the minutes from the Executive Session and it did not tell him much about the resolution and he believes the resolution is terribly lacking in what it should be saying.

Councilman Briscione asked Mr. Arnette if the matter is adjudicated and its found that the actions were intentional and deliberate, the Borough would not be responsible for paying legal fees and would the Council be in a position to be a collection agency if the bills for legal fees are paid in advance and then this decision is found, to be in a position to get back the money. Mr. Arnette responded that the information as he understood it and instructions given to him included not to include anything other than the fact that the rate would be \$145.00 per hour and his recollection is that the word used was reimbursement and that the way that paragraph of the resolution is written is for reimbursement.

Councilman Ibex asked Mr. Arnette what is the legality for committing the Borough to something that is contingent and unknown when it is unknown how it will turn out. Mr. Arnette responded that any litigated matter falls within that category as certain aspects of litigation that are beyond control including how it will be resolved and seeing the matter to fruition and used the example of the COAH matter for example. The term legality, that aspect of it, does not make it fall outside the parameters of legality although it may make it tricky for budgeting purposes. Councilman Ibex stated that that is an interesting point because there is no money in the budget for this at this point to his knowledge and asked the Clerk for confirmation. The Clerk responded not specifically for this, there are monies in legal fees. Councilman Ibex stated you got a bill for \$10,000 there's nothing in the budget to cover that and the money has to come from somewhere. Councilwoman Kahle asked the Clerk if there was money available from other places. Mr. Arnette stated there's no bill yet. Councilwoman Kahle said, right, but if there was something is there money available from other places that have not been spent? The Clerk answered probably. Councilman Ibex stated he thinks its premature and he has said what he need to say.

Mayor Chaump asked if it would also include if there is an appeal. Mr. Arnette stated that it does not address that, or a cap or anything beyond a GRC level and the Office of Administrative Law and read a portion of the resolution that specifies reimbursement is for defending any legal fees incurred defending the GRC complaint in the Office of Administrative Law. Mr. Arnette stated that his interpretation would be that the resolution would cover legal fees incurred in the Office of Administrative Law. If you appeal out of the Office of Administrative Law into the Superior Court system would be a different matter that would require a second resolution.

Councilwoman Kahle moved to approve Item #5, which was seconded by Councilman Johnson and approved by Council with the exception of Councilman Ibex who voted no and Councilman Sharkey who was absent.

The Clerk asked for a motion on Item #8. Councilman Johnson moved to approve Item #8, which was seconded by Councilman Gallo and approved by Council with the exception of Councilmen Ibex and Sharkey who abstained.

The Clerk asked for a motion on Item #10. Councilman Johnson moved to approve Item #10, which was seconded by Councilman Gallo and approved by Council with the exception of Councilman Ibex who abstained.

CLERK'S REPORT: The Borough Clerk stated she had the police report for September 2007, which have been distributed and will be posted tomorrow morning.

COMMITTEES:

COUNCILWOMAN KAHLE: Councilwoman Kahle began her report with the Police Report. There were a total of 126 motor vehicle summonses issued, total arrests of 20, 3 assault complaints, 21 code enforcement violations and a total of 203 motor vehicle stops. Councilwoman Kahle congratulated Steven Tagerty for successfully completing a course in Basic Spanish for Law Enforcement, which is needed with our Spanish population over at the track. Steven Cioffi has successfully completed the Law Enforcement Media Relations, Communications and Simulations Course and congratulated him. Michael Kelly has been certified as a Drug Recognition Expert, July 1, 2007. He completed training and preliminary training in drug evaluation and classification course and two courses and congratulations to that.

Councilwoman Kahle reported that she had not received the First Aid's report and would not be reporting on the First Aid.

Councilwoman Kahle reported that Wes Sherman, the Assistant Chief for the Fire Department was to bring her their report but has been delayed at a fire in Long Branch. She stated that there were a couple of firemen taken to the hospital and asked that everyone keep them in their thoughts and prayers.

Councilwoman Kahle stated that she attended the Polo Match on Sunday and that it was very well done and that the Oceanport Sports Foundation deserves much congratulations along with the Oceanport Fire Department and the Oceanport First Aid Squad. She continued that at first it appeared that the event wouldn't get off the ground near the end there and it actually did and it was due to the hard work of the Oceanport Sports Foundation and the firemen that were out there almost every night and that the kids of Oceanport will definitely benefit from their efforts.

Councilwoman Kahle began discussion on an article that she had read in the Hub and she was sorry that Christine Varno was not there that evening and imagine her surprise when she opened it up to read that there was a meeting between Governor Corzine, the Mayor and Councilman Briscione that the rest of Council knew nothing about. The article stated that the meeting was scheduled by Oceanport in response to the VOT study that was just released that was read about in the paper. She stated that there was a meeting on Monday. The meeting was on Friday of last week and was not discussed at the Workshop Meeting. She stated that she had a problem with the actions taken by these two individuals. She stated she would like to know 1) how can these two individuals make decisions regarding the town without consulting the governing body 2) how can these two propose a 3% host fee for VOTs at Monmouth Park without knowing what the rest of the Council feels, how does the Council feel about VOTs, how does Council feel about a host fee, is 3%, 4%, 5%, what's the percentage? The last time that the Mayor and Councilman Briscione did something like this was last year when they met secretly with then candidate Senator Menendez here at Borough Hall on a Sunday afternoon. We never got the specifics about that meeting. Councilwoman Kahle stated she is concerned about what is being said at these meetings; what kind of promises are being made at these meetings, and the last meeting regarding Fort Monmouth, everyone knows where that ended up. This meeting is now about Monmouth Park and she is concerned about where this is ending up. Councilwoman Kahle stated she did not think it was proper for 2 people to meet without discussing it with the governing body regarding their feelings on this. Councilwoman Kahle asked Mr. Arnette if they have any recourse with this. Mr. Arnette responded that he was not sure what it is she was asking. Councilwoman Kahle stated that the Mayor and Briscione met

with Governor Corzine... Councilman Briscione interrupted and stated it is *Mr. Briscione*... Councilwoman Kahle corrected herself and addressed him as Mr. Briscione, Councilman Briscione and stated they met with Governor Corzine. Mr. Arnette interjected that that is something they have a right to do. Councilwoman Kahle stated right, but also regarding what the town feels about VOTs and no one was asked. Mayor Chaump stated that that's. Mr. Arnette stopped the discussion to state that if they wanted to have an argument about this you can go and have an argument but this is a meeting being recorded and only one person should speak at a time. Mayor Chaump stated that she would give her report under her Mayor's report. Councilwoman Kahle asked Mayor Chaump why she didn't discuss it at the Council meeting when those kinds of things are discussed. Mayor Chaump responded that she would address it during her Mayor's report. Councilwoman Kahle stated fine and ended her report.

COUNCILMAN JOHNSON:

Councilman Johnson stated he had one 2nd reading for ordinances.

Councilman Johnson called for the 2nd reading and public hearing of a **Property Maintenance Ordinance** and then asked the Clerk to read the affidavit of publication.

Mayor Chaump then opened the meeting to the public for anyone who wished to be heard. As no one from the public wished to be heard, a motion was made by Councilman Johnson to close the public hearing, which was seconded by Councilman Ibex and approved by Council.

Councilman Johnson 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: Kahle, Johnson, Gallo, Ibex, Sharkey, Briscione
NAYES: None
ABSTAIN: None
ABSENT: None

Councilman Johnson stated he had a couple of comments basically echoing what Councilwoman Kahle had said. For the most part, when he walks through those doors he likes to leave politics outside but this time he can't. When the Mayor and Councilman Briscione meet privately and secretly with the Governor on issues that are so vital to the residents of Oceanport without inviting any of the other Council members or without the common courtesy to discuss the meeting at the last Workshop smacks of politics. Councilman Johnson stated that the timing of their meeting 3 weeks before Election Day is purely coincidental and he directed to the Mayor that this issue is a matter that should be tackled by the full Council regardless of political affiliation and should also be tackled year round and not just during election time.

COUNCILMAN GALLO: Councilman Gallo reported on the Recreation Department and stated that the Maria Gatta Community Park sign is in place and thanked the Rec Department that funded it last year. He also thanked Jim Foligno, Rec. Director, who was able to get the Monmouth County Sign Department to cut out the sign and lettering and also the Public Works Department, which painted the sign.

Councilman Gallo then stated he too believes it is, as important as Monmouth Park is and its future, should be discussed with the whole Council, especially that there was a pre-scheduled meeting with the Governor to talk about this issue. The Hub article spoke of options and he asked the Mayor and Councilman Briscione if they would be bringing them to the table as there was a Workshop meeting this past Monday and nothing was discussed at that time. He hopes as a Council that they hear more about this.

COUNCILMAN IBEX: No Report

COUNCILMAN SHARKEY: Councilman Sharkey stated he had no report but directed a question to the Clerk and asked if anything had been done with the health insurance. The Clerk responded yes, that she had spoken with Chuck Casagrande who will be looking into a new quote from the HIF and what information is necessary. The Clerk also stated that she had spoken with Mr. Wardell who is shopping the Borough's account with 4 different companies and she is in search of a 3rd broker that will look into the account. She contacted Rumson but they do not use a broker through State health benefits so she will be calling some other municipalities in the area to find out what brokers they are using. She stated she spoke with Councilman Ibex and Councilman Johnson and she would like to use a broker that is experienced in municipal insurance so we'll be looking for another broker. Councilman Sharkey asked, there was no advertisement for an RFP or anything? The Clerk responded no, we're not hiring a broker. We don't pay a broker we pay directly to Horizon, we pay directly to JIF and whatever compensation they give their broker is between the company and the broker, so, no, we contract directly with the insurance company and pay them directly. Councilman Sharkey stated that wasn't his question and that they talked about going out for RFPs on professional contracts as a professional service. The Clerk responded that that was talked about regarding attorneys and it was her understanding that the Borough was putting RFQ for attorneys and we would be researching a renewal for the health insurance and asked the Council if she was incorrect. Councilwoman Kahle stated that they didn't hear anything about insurance. Councilman Sharkey stated that he recommends that an RFP be done on the health insurance as well as it will get more brokers to come to the Borough and not spending time looking for them. Councilwoman Kahle asked if he was talking about an RFP for brokers or insurance. Councilman Sharkey stated for the health insurance. Mayor Chaump stated that was never discussed at Workshop how can make a decision on that. Councilman Sharkey stated they could discuss it now and does anyone have any questions. Councilman Ibex stated it should just be put on the agenda for the Workshop meeting. Mayor Chaump stated that if there is action being taken the Council should be discussing at the Workshop meeting first, that is what the Workshop meeting is for and put it on the Agenda for the public meeting. Councilman Sharkey stated he did bring it up at the Workshop to discuss going out and getting RFP's when we talked about the professionals he indicated that the insurance is a professional service contract as well and he was under the impression that Council had indicated that was going to be the process. The Clerk stated that was not how she understood it. Councilman Ibex stated that should be discussed at Workshop as he does not have that recollection. Councilwoman Kahle asked if there is any expediency to this and can it wait until November. Councilman Sharkey stated that there is an expediency because the concern is that it's a big issue as part of the PBA negotiating situation that it should be brought up and the insurance should be looked at at that time and it was the appropriate time to be having that discussion. The Clerk stated that if he listens to the minutes, she contacted Mr. Casagrande for a HIF quote and Mr. Wardell to shop, in the minutes and there was no objection to that at the meeting. Councilman Sharkey stated that there's only 2 people interested so far and more people could be interested if there is advertising. Councilwoman Kahle asked if it can wait until the November 8th meeting or no. Councilman Sharkey stated that most of these insurance companies need 60 days. The Clerk

stated that time is absolutely of the essence. Councilwoman Kahle asked if there was a downside to doing that is there a negative. The Clerk stated she would place an RFP up on the website but there's no compensation for the Broker to be sure they are understanding that. Councilman Sharkey asked the Clerk if she was putting it up on the website or putting it in the newspaper. The Clerk stated more hits were being received from the website than anything else and that she would advertise in the Press too. Councilman Sharkey stated its one of the largest expenditures for the Borough and it just makes sense to get as many opportunities as they can.

COUNCILMAN BRISCIONE: Councilman Briscione reported on the Planning Board and the application by 275 Port Au Peck Avenue Associates, for the creation of 12 building lots, also known as the Mazza property, began being heard on September 26th. The hearing was continued and will continue to be heard at the first meeting in October, which is the 10th.

Councilman Briscione then reported on Public Works which has set the leaf pick up schedule and the dates for pick up and the three zones are posted on the website. He stated Buildings and Grounds completed an audit done on all the lighting and electrical use on all the buildings in the Borough. He stated he appreciated the assistance of Marc Hunter from Public Works. The audit was of no cost to the Borough and outlines inefficiencies, potential cost savings and rebates offered by JCP&L. He stated he gave the report to Bill White, the Engineer, and asked for his input before the Council discusses it. This was done a few years ago but there have been technological changes and increased rebates that warrant looking at this again. Councilman Briscione stated that Bill White is also reviewing a building maintenance study that was done years ago. They are looking at setting up a maintenance program on all Borough buildings to avoid major unforeseen repair work and to cure deferred maintenance issues. The Council passed a Property Maintenance ordinance and the Borough should look in the mirror at buildings the Borough maintains.

Councilman Briscione then reported on Monmouth Park. He stated this may be one of the last times he discusses the Breeder's Cup or the Breeder's Cup FanFest at one of these meetings. He said it is hard to believe that in one week the world series of thoroughbred horseracing will take place in Oceanport and at Monmouth Park and he wished Monmouth Park and the Breeder's Cup much success next week. Councilman Briscione stated there have been two successful FanFest events, the Sailing Regatta which took place at the Shrewsbury Sailing and Yacht Club that took place on September 29th and on October 14th, the Colts Neck Polo Club in conjunction with the Oceanport Sports Foundation held a polo match at Maria Gatta Community Park. He thanked the Oceanport Fire Department, both houses, for their assistance in helping to irrigate the new seed on the field and that its difficult to get volunteers to get out there and their time and help was greatly appreciated. The last of the events will be held this weekend and consists of a street fair in the racetrack parking lot with amusements, vendors, NJoy, a Taste of New Jersey, with participation of 20 area restaurants and a farmer's market highlighting New Jersey produce. He was told that the NJoy event will be sold out by Saturday. On October 20th there will be a 5K road race coordinated by the Roadrunners Club. The runners will finish on the racetrack where one week later horseracing's division championships will be decided. He stated discussing these events for a year and a half has been one thing, having the events take place as they did was something entirely different. A lot of people made this possible starting with the Breeder's Cup and Jerry Zaro for believing in their ideas and ability to make these events happen and David Gruskus for his assistance on the FanFest SubCommittee. Councilman Briscione stated a lot of people have stepped up to make these events successful and help Oceanport stand out as a host committee and community. He reported that the Breeder's Cup officials have said this was the best host community since this was done at Gulfstream Park back when they had the Super Bowl there and that committee

was established for the Super Bowl and then carried on the duties for that Breeder's Cup. Councilman Briscione also extended his thanks to Captain Baldanza and the Police Department, Public Works for all their help with the banners, the Fire Department, Phil Payne, the Fire Marshall, First Aid, Fire Police and the CERT teams for their help and involvement in all these events, Kim and Scott for leading them through the permitting process which sometimes got difficult and the Oceanport Sports Foundation for accepting and embracing the idea of a polo match for a source for fundraising and as a community event. That event took a lot of hard work and time and he got to know and respect people that he hadn't really been involved with or worked with before. He stated that the best thing about all of this is that it was done for the residents of Oceanport and sports and recreation in Oceanport and hopefully this event will become an annual social event and fundraiser. Councilman Briscione continued that he had already had discussions with Monmouth Park officials to possibly coordinate and promote this event in conjunction with the stake race next year. He stated similarly, all these FanFest events will benefit Oceanport volunteer services and community groups. He stated he has already contacted and expressed his appreciation to the Long Branch Board of Education, the Long Branch Public Safety Director for their help and use of equipment. He stated he's sure he's forgotten someone and that its not intentional but thank you to everyone for their help. He said finally, the Breeder's Cup with the assistance of the host committee in conjunction with the Oceanport Board of Education sponsored an art and essay program on horseracing. Winners were chosen from each grade level and prize packages will include 4 tickets to the Breeder's Cup, Breeder's Cup jackets, signed jockey goggles, a DVD of Dreamer and Breeder's Cup apparel. The winners will be introduced on Breeder's Cup Saturday in the Winner's Circle and will be an exciting time for the children in the school system and extended his congratulations to the winners who were Leah Maul, Hannah Birdsall, Victoria Coles, Michael Barreca, Gina Mellish, Steven Lynch, Victoria Franklin, Kristen Dolan, Sabrina Barrett, Rachel Rodriguez and Natasha Toro.

Councilman Briscione stated that was the end of his report and that the Mayor would address the questions regarding the meeting with the Governor and he was available to answer any questions. Councilwoman Kahle asked Councilman Briscione about the Mazza property and whats being proposed there. Councilman Briscione answered as he read during his report, it's the application of 275 Port Au Peck Associates for the creation of 12 building lots are proposed. Councilwoman Kahle asked 12 single-family housing? Councilman Briscione responded it's a residential subdivision of 12 single-family homes.

MAYOR CHAUMP: Mayor Chaump reported that she has a Proclamation for Halloween and Mischief Night to keep our children safe and off the streets after a certain hour. As a point of reference, Linda Kelly resigned from the Planning Board due to work and she appointed Diane Chayes. She reported that the new acting Commissioner of Department of Community Affairs is Joseph Doria, Jr., the former Mayor of Bayonne. At the last Workshop meeting there were some valid concerns from the Oceanport Sports Foundation and the Parks and Recreation Committee and she wanted the public to know she appointed an Ad-Hoc Committee of the 4 sports association Presidents and 3 representatives from Parks and Recreation to update the ordinance and to also look at the fee schedule. She stated that the Borough Attorney will give it to Council first and then it will go to the Ad-Hoc Committee before it is introduced.

Mayor Chaump then reported on the Blue Ribbon Panel and at the Workshop meeting everyone received a Management Consultation Interim Report and will be receiving monthly reports.

Mayor Chaump stated that Fort Monmouth is celebrating its 90th year anniversary and the festivities will begin on November 8th 2007 at 11 a.m. and begins with the Fort Monmouth Veteran's Day Ceremony and the public is invited. Also, the RAB, Restoration Advisory Board, will be having an open house on November 3rd from 10-3pm to answer questions about the past and present environmental restoration operations that have been going on. Mayor Chaump reported she had received a letter from the West Long Branch Borough Clerk on behalf of Mayor Tucci regarding the protocol for the heli-stop at Monmouth Park Corporate Center during the Breeder's Cup.

At the Two Rivers Council of Mayors meeting on October 6th, held at the Two Rivers Water Reclamation Authority, where Michael Gianaforte discussed the sewer ban and the redesign of the system. The mayors also toured the facility. The ban is not on the construction of single-family home and office construction as long as it is less than 6,000 square feet.

Mayor Chaump then reported that remediation at 9 Monmouth Park Place was completed on October 2nd and she spoke to Mike Russo of the Whitman Companies on the next step, which will be the installation of monitoring wells and they will have to do 2 rounds of soil samples for the NJDEP. The first set of samples were clean and the second samples will be done in November with results back in December and then they will be closing out the project.

Mayor Chaump then reported that on Friday, October 12th, Councilman Briscione and she attended a meeting with Governor Corzine concerning the future of Monmouth Park racetrack and the racing industry in the State of New Jersey. They were invited to that meeting and it was not a meeting that she set up and the reason for the meeting was due to an article in the Asbury Park Press on October 11th that everyone could see was on the front page of the paper, concerning a study commissioned by the Governor. They were invited by Senator Karcher and the Governor's Chief of Staff, Mr. Abelow, was there as well as the Horseman's Association and Mayor Wilson of Freehold was also there. In a few weeks a 4-year contract ends with the casinos supplementing the purses and the Governor assured us that he is for open-space and preserving the racing industry. The Governor is expected to release a plan as a new process of negotiations and the Governor understands the seriousness of the situation but also realizes that we must be competitive with other states. Anything that was reported in the paper were her own thoughts as the Mayor which she is entitled to as an individual and the reason that Councilman Briscione was invited to the meeting was because, if everyone remembers, about 4 years ago when they were talking about night racing and also the slots, the late Mayor Maria Gatta went to visit Governor McGreevey when that first came out and Councilman Briscione was involved with that. It was not a secret meeting and she was informed on Thursday morning that it was going to be in Trenton and she was not going to be attending because she had the Maria Gatta dedication of the park and she would have been included in a conference call and then it was changed to Friday. And the reason it was not brought up at the Workshop meeting because at the Workshop meeting the Council discusses things to take action on and she was reporting on it at this meeting. Mayor Chaump stated that not one Councilperson called her after seeing that in the newspaper on October 11th and so that's why she is reporting on it now.

Mayor Chaump stated that as far as the Fort Monmouth Redevelopment Plan and Economic Revitalization Study, the general public meeting was on October 16th and the Visual Preference Study results gathered from the public meetings held in the 3 towns and county workshops from the 300 participants. EDAW answered questions from the public and explained that it was *not* a plan but only an overlay from these meetings and also stated that EDAW said they did not have the Master Plans from the 3 towns yet either. At the FMERPA meeting on

October 17th and since they have been in existence for one year now, they are going out for an RFP for an auditor and they are also waiting for a response from their letter to Patrick O'Brien for the 270 day extension. The Executive Director, Frank Conzantino, had a labor workforce study meeting with the Department of Labor in Trenton and also discussed was the NOIs. She also wanted to reiterate that as far as the Borough of Oceanport, there is no plan and the Economic Development Committee has not had their final meeting with the public for input and after the Economic Development Committee has their plan which is only a draft right now, has to go to the Planning Board and then come to Mayor and Council and become part of our Master Plan which completed her report.

Councilman Briscione stated he wanted to make comment on one more thing. He stated that there has never been any discussion about slot machines at Monmouth Park and the discussion has always been that there would be 5,000 slot machines in the Meadowlands and those slot machines would fund horseracing in New Jersey which includes 3 tracks, Freehold, Monmouth Park and Meadowlands and a 2 week meet at Atlantic City. Councilman Briscione stated that he has consistently said, and this includes the Town Meeting that was held on Monmouth Park, that if there ever were slot machines, there should be legislation that is consistent with the Pennsylvania legislation which calls for 3% of the gross revenue to go to the host town. He stated he has had conversations with the Mayor of Bensalem Township, which is the host town for Philadelphia Park, and has been told of the need for increased police and before the slot machines came on they hired 8 new policemen. However, the 3% would more than adequately compensate the jurisdiction for increased public services and would even serve as a tax reduction in that jurisdiction. Additionally, they receive additional funding for fire and emergency services. So, the 3% has been a consistent goal of his which he has reported to the Council, to the public, however, and he has never heard of any intention of having slot machines at Monmouth Park and he thinks its insulting, as he's been involved with the track since he's been on Council, to question why he should go to the meeting when he's been asked to go to a meeting. Councilman Johnson stated that they think the fact that they had the meeting and went to the meeting was noble but don't understand the secrecy around it and the excuse for not bringing it up at the Workshop was kind of lame.

Councilman Sharkey stated he would like to comment and stated that this is now the 3rd committee, that we have the Blue Ribbon panel to investigate the need for a Borough Administrator, the Mayor has just appointed an Ad-Hoc Committee to deal with this Rec issue that just came up this past week and they talked about a 4 year old committee appointed by Maria Gatta and his point is that there have been 3 subcommittees that are not under Council's oversight to deal with 3 serious and substantial issues and its now a way that can be done over and over again to take out of the Council's perview and control and put it into a subcommittee or Ad hoc or Blue Ribbon Panel that the Mayor comes up with and effectively blocks out Council's oversight of these important tasks and he doesn't think that this is important and is not the intent of why you have a Rec committee. He stated that these are important issues and as everyone on Council has indicated, the rest of them haven't been able to offer any insight and be kept abreast of what is going on and that is not the purpose of Council is for. Mayor Champ stated that the Blue Ribbon Panel gave a proposal, for which everyone on this Council voted accept for Councilman Sharkey who had his choice to vote on that and the Ad hoc committee is to solve a problem that involved the Council liaison who was Councilman Gallo to solve the problem on that and he, Councilman Sharkey, will have his final say when the Ordinance is brought to Council and he will have his vote on that and have his say then and as far as the meeting with the Governor she was asked to attend because it involves one of the tax payers that pays \$1.6 million in taxes to their tax base and she was invited to that meeting. Mayor Champ continued that as the Mayor of this Borough she is allowed to appoint committees.

Councilman Sharkey responded that he is not debating that and that she is allowed but he is making the point that there is a pattern that is developed where these committees are circumventing Council's involvement and the Rec Committee is a perfect example and why the Rec Committee can't handle that situation and why another committee is needed. Mayor Chaump answered that there are two different groups, the Oceanport Sports Foundation and there's a Rec Committee and they needed to straighten out difference. If he would like to attend that meeting he should feel free to attend. Councilman Briscione stated that they were at that Workshop and the Rec Committee and the Sports Foundation decided to get together to resolve and issue and he thinks that's common sense and the best way to resolve an issue. He stated that as far as the Blue Ribbon Panel he thinks it was a great idea and is possibly going to change the way they look at government and make government more efficient and smaller and it's also saved the Borough \$25,000 because Councilman Sharkey had previously approved hiring a consultant who was going to do business as usual, charge \$15,000 and then tell the Council they needed a Business Administrator and then charge another \$10,000 and right now they've saved \$25,000 and to him that's a good way of doing business. He continued that if worse comes to worse and the results of this Panel, and he doubts he'll be unhappy with them, the Council always has the opportunity to go outsource and he thinks they were very good ideas involving the community and citizens of the town for the benefit of all the residents.

Councilman Sharkey asked the Mayor regarding the management report that in her report she indicated it was prepared by the Blue Ribbon committee. Mayor Chaump responded, no, that if he looks at the report he will see that one is prepared by the Borough Clerk for Finance and the other was done by Public Works. Councilman Sharkey stated his point was he thought the committee members were going to prepare the report and not a Borough employee preparing them and the second item is that with the list monthly update on the Borough projects he thinks the insurance should be on there as well. The Borough Clerk said the report was done prior to however, it will be on November's report. Mayor Chaump stated that Wayne Mackenrodt was before Council he stated that the Council would be getting reports from Borough employees and that the reports were not coming from him. Councilman Sharkey stated he thought they were going to write the report. Mayor Chaump responded no, that the Borough employees were going to write the reports and that he was not doing that. Councilman Sharkey asked and that's going to be an objective report? Mayor Chaump asked what objective report? Councilman Sharkey stated how can one write an objective report on one's self and consider it objective? Mayor Chaump stated the reports are going to be updates on what's going on and if he has a question he can call Wayne and ask him. Councilman Sharkey asked didn't she think that the report should be objective and done by the person doing the study instead of the employees? Mayor Chaump stated that the report is an update of what's been accomplished.

Councilman Sharkey asked Mayor Chaump about the FMERPA meeting and two comments that were made by members. He stated that one of the gentleman, whose name he didn't catch, indicated that the plan had been out there since August 15th and that really nothing has been done in the last two months? Mayor Chaump answered that the plan was presented to the FMERPA meeting and they were setting up a meeting to give it to the public, and the public, hopefully the 300 participants, were supposed to be coming back to get it. Councilman Sharkey asked, one more time, on 8/15 the plan was ready? Mayor Chaump responded, no, on 8/15 the plan was given to the authority and they said at that August 15th meeting that they would be setting up a meeting with the public that attended all the charrettes.

Councilman Briscione stated he wanted to correct what this was being categorized as and said it was not a plan but was a visual preference study that gave back the information from the 3 charrettes that were attended by 300 people of which Oceanport had the greatest attendance

so its not any sort of plan but is a Visual Preference Study. Councilman Sharkey stated that the study was prepared by 300 individuals that had participated in it and he felt that that was not an adequate number and he wondered if anyone had discussed further that concern because the point is are 300 opinions enough of a survey to deal with this issue of 1200 acres. Mayor Chaump responded that she felt the same way and that at the second charrette and our planner was there was only about 35 people that showed up and 35 is not a large number either. There are people complaining about what's on there, however, if they do not participate she doesn't know how they can complain. Councilman Sharkey stated there was discussion about trying to put rules and regulations in place, or guidelines, with regard to video taping these FMERPA meetings and Mayor Tarantolo of Eatontown indicated that he was opposed to some of them and thought they were too restrictive. Mayor Chaump said she agreed with Mayor Tarantolo. Councilman Sharkey stated he agreed and suggested to Rick Harrison after the meeting that one of the group just video tape the meetings and take the bull by the horns and put it up on a website and his comment back was that there may be some people who do not want these meetings videotaped and that disturbed him and he is bringing this to the attention of Council who should direct the Mayor or pay a fee to have someone videotape these meetings and put it up on the Borough website so Oceanport residents can be informed and it may even open up the opportunity for more discussion and suggestions and survey. Mayor Chaump stated that she believes that has to go through the Attorney General's office because its an authority and its not the same guidelines. Councilman Sharkey stated it was his understanding that the meetings were subject OPRA and the Open Public Meetings Act. Mayor Chaump answered yes, and there are minutes and the minutes are posted on the website. Councilman Sharkey continued that one can video tape it but the Board wants to put in some guidelines which he is not opposed to having guidelines. Mayor Chaump stated they were being taped not by professionals but by individuals. Councilman Sharkey asked why can't Oceanport have a representative that goes there and tape it on behalf of the Council and residents and put it up on the Borough website? Mayor Chaump asked Councilman Sharkey if he was volunteering? Councilman Sharkey answered no, but he is bringing up this item for discussion. Councilman Briscione asked why would they pay for it when FMERPA is getting money from OEA so why doesn't Council, if that's an important things and believe that will get more people involved, make the suggestion to them to get money from OEA to put them on a website or a public access channel. Councilman Sharkey stated he didn't know how long that will take. Councilman Briscione stated that Oceanport is paying for enough stuff because of the Fort, why should they have to pay for that. Councilman Sharkey stated the Council just shelled out \$180,000 and taping a couple of meetings for a couple of hours is not a significant cost unless he's wrong, with all the money they're spending here, it's the biggest item on the Agenda and for Council to sit back and hear these comments that not enough people are participating in the process, not enough people know what's going on and not enough opinions, he's saying this is a possible solution that could help solve that problem. Councilman Briscione asked Mayor Chaump if for one of the charrettes wasn't a letter sent out to all the residents in town? Mayor Chaump answered yes, for the 2nd charrette she sent out a letter, at the suggestion of the Economic Development Committee, to every resident. Councilman Sharkey asked how much that cost? The Clerk answered for the Mayor probably roughly \$500 for printing and postage. Councilman Sharkey asked that's it and that he thought it would have been more than that. The Clerk responded that it was about \$280 for postage and \$250 for the printer to do the letters. Councilman Sharkey stated that if they do that 4 times a year to keep people up to speed that's close to \$2,000. Councilman Briscione stated that about 50 people came to that meeting after the letter went to 2200 homes. Councilman Sharkey stated he thought it would be easier to click on a website and listen to a meeting at one's convenience. Councilman Briscione stated he was not opposed to that but it should be brought up to FMERPA and let them set it up because they have the money from the government.

BILL LIST: Dog Registry \$13.20. Escrow Trust \$6,887.00. Open Space \$2,167.00. Off Duty Police Trust \$209.66. Recreation Trust: (Benches) \$89.25. 2005 Vouchers Paid \$7,800.00. 2006 Vouchers Paid \$291,592.76. 2006 Vouchers Paid This Meeting \$755.37. Total 2006 \$292,348.13. 2007 Vouchers Paid \$14,297,505.11. 2007 Vouchers Paid This Meeting \$1,979,532.01. Total 2007 \$16,277,037.12.

PUBLIC:

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

John Bonforte provided a booklet to each Councilperson and stated he represents the Horseneck Point Property Owner's Association and many other Oceanport residents. Mr. Bonforte then read a letter from the booklet addressed to the Mayor and Council. The letter discussed a request to the Mayor and Council that they eliminate the proposed train station at Horseneck Point from the plan being worked on by Oceanport planners and other requests asking that they consider various items as listed in the letter. The letter also discussed their concerns related to an incident where a train broke down at the Red Bank station and if that were to happen at the proposed station at Horseneck Point it would prevent emergency vehicles from entering Horseneck Point and would also prevent someone needing medical care from leaving Horseneck Point peninsula. He also presented a letter from Judge John D'Amico, Retired, that detailed a potential traffic nightmare and outlined the potential problems and concerns. Mr. Bonforte also discussed how the proposed train station would create physical, social and maintenance problems for the town while receiving no tax benefit as well as a 2,000 car parking lot that is contrary to the pleasing esthetics presented by FMERPA on Tuesday in their vision presentation to show what people didn't want. One of the things people didn't want was this large expanse of parking lots. He has been to many of the FMERPA meetings and one of his comments is that they have always been reasonable and responsible in their approach and he does think they have been disingenuous with some of the information that they are passing out. Mr. Bonforte stated to the Council that Mayor Chaump has been a real champion at the meetings and she should be commended for the work that she does there. Mr. Bonforte then stated that at the meeting, the vision shows 2 parking lots, one over by Highway 35 and one half way up on the Post and these are major parking lots where FMERPA the vision plan proposes that people will park and then they will bus commuters to the Horseneck Point train station. He said they're talking about thousands of people going down onto this peninsula and it doesn't make any common sense geographically and this is where the credibility comes in. He asked FMERPA why they wouldn't just bus people to the Little Silver train station if they're going to bus people and he didn't receive a satisfactory answer and therein lies the issue of good faith. He summarized again his request that the Council oppose the train station proposed on Horseneck Point and the issues behind the request.

Mr. Bonforte stated he wanted to present his own perspective on FMERPA after having attended quite a few meetings all of which Mayor Chaump was there. He discussed why he is concerned with saving Oceanport and how the Fort and its redevelopment effects that issue especially the dollars that will be involved in obtaining the land at market value and asked Councilman Briscione if his statements were fair. Councilman Briscione answered that it is a little different in this situation because this is a blank 1200 acres and from an evaluation standpoint no one can state what fair market value of that property is as fair market value for

open space is one thing but fair market value for parkland is another; housing, etc. and there is no market value to that base until a development plan is put into place. Then developers will do the calculations that Mr. Bonforte mentioned. Mr. Bonforte stated then conceptually certain parcels will have to be of high density in order and that the density is going to determine what they can pay for the land. Councilman Briscione stated that FMERPA is being set up like a Hackensack-Meadowlands development corporation and his experience with HMDC is their zoning supercedes town zoning, which is in the legislation here and Oceanport has no planning and zoning control but has planning and zoning review. Mr. Bonforte stated that Oceanport's Council, Planning Board or residents will not be able to negotiate with the developers just FMERPA will. FMERPA will ultimately decide what is going to be put there and the public did not elect FMERPA. Councilman Briscione stated there was one quirk in the law that they hadn't ironed out yet that if they come up with a plan and they come for Oceanport's zoning and planning review and its rejected, no one can answer what happens and when he asked that they responded that they would hope to be able to work this out. Mayor Chaump stated that having said that, the ultimate decision is with the Department of Defense even if the authority comes up with a plan everyone can live with, its still up to the Department of Defense. Mr. Bonforte stated that his next point was that whatever the developer doesn't pay for the taxpayers will have to and detailed for the Council an example that occurred in Long Branch and discussed how he was concerned that the same could happen with the Fort's redevelopment. He also discussed how the costs would be shared as well as the sharing of the tax revenues along with the other towns involved and concluded his comments. Mayor Chaump stated that she thought Councilman Johnson would bring back this report to the Economic Development Committee.

Councilman Briscione asked Mr. Arnette to clarify if there was a change in Oceanport's Master Plan and explain what steps are taken and how much public input goes into something like that. Mr. Arnette briefly summarized that there is significant public notice, meetings and participation and is done over the course of many meetings and what that involves.

Ed Miller, 94 Hiawatha Avenue, stated he attended quite a few of the charrettes as well and wanted to add to the comments made by Mr. Bonforte. He commented further on the proposed train station as well as the proposed residential developments and reviewed the questionnaire that was provided at the charrettes and the various types of developments listed to choose from for those completing the questionnaire. Mr. Miller then stated that nowhere in the items discussed as well as Mr. Bonforte's comments was there a "Mayor Chaump Plan" and there are innuendos going around town that there is a Mayor Chaump Plan for 1600 single family homes and nowhere tonight did he hear that and the only place that could come from would be the Economic Development Committee. Mr. Miller stated he called up Jay Coffey and Chris Widdis and they said under no uncertain circumstances is the report ready. He knows that to be true because he went to Kim Jungfer for a copy and was refused just the way he should have been. He stated he could not get the report and the two Chairpersons said there is no final report and he asked the Council where that innuendo came from. He asked Councilman Johnson as the liaison where that might have come from. Councilman Johnson responded sure, the draft that Clarke Caton Hintz provided them, its even more than 1800 homes more like 1900. Mr. Miller asked him if they were working on a lesser number of single-family homes. Councilman Johnson stated that was news to him. Mr. Miller asked if the name Mayor Chaump came into it and should there be a Willie Johnson because he is the liaison or Jay Briscione, should it be the Jay Briscione Willie Johnson plans because they are on the Economic Development Committee. Councilman Johnson answered absolutely, it is the current administration's plan. Mr. Miller stated yes, it is the current administration's plan but actually it hasn't even come to the administration yet so it's nobody's plan now. Councilman Johnson

stated that its coming to them and Mr. Miller stated its coming to them but right now there is no complete plan so why should Mayor Chaump be at the top instead of the two Councilpersons that serve on that Committee on the top. Councilman Johnson answered everyone's name is on it, Mayor and council. There was further exchange about whose name should be on the plan. Mayor Chaump stated that there is no plan because no one on Council has received the plan. Councilman Johnson stated that those plans were handed out to the public they were in Borough Hall and all one had to do is request it and from what he's hearing is that they're not being handed out anymore. The Clerk stated no, she was given the plan that they were only handed out to the Committee people as she was instructed. Councilman Briscione stated that if those plans were only for Committee people, and that plan is in revision based on the last Economic Development Committee. Councilman Sharkey stated that it was a good point and asked Mr. Arnette that if Mr. Miller asks for a copy of this plan, which is in committee isn't that subject to OPRA. Mr. Arnette stated no, that it is not a plan and there are exceptions that fall within and this is one of them as he discussed with the Clerk on a number of occasions. Councilman Sharkey asked Mr. Arnette what the exception was and Mr. Arnette answered that the record people can explain it to him. Mayor Chaump stated it's a draft. Mr. Arnette stated that it is not a final document and won't be a final document until it is submitted to Council. Mayor Chaump stated that it has to go before Planning Board first. Mr. Arnette stated that it has to go through the entire process and the question that was put to him was as a draft. Councilman Sharkey asked if they as a Council can authorize the release of that draft. Mayor Chaump asked Councilman Sharkey if he had a copy of the draft and he answered no. Mayor Chaump asked if Councilman Ibex had a copy of the draft and he answered no. Mr. Arnette stated that the Council collectively can vote and authorize all kinds of confidential personal to an individual, all information that would otherwise be not disclosed pursuant to an exception to the OPRA request or pursuant to client attorney privilege and that the Council holds that power but would have to take an action to do that. Councilman Sharkey stated for clarification that there then is all kinds of information held only by the Economic Development Committee and asked if it would help the process and the residents if they could see the stages instead of at the last minute it comes out. Councilman Briscione stated they were part of the plan, which involved out of the charrettes that were given and the same process in micro form that EDAW is doing with the 3 towns so the public did have participation. Councilman Sharkey stated that there was no document for them to review and he's just asking why those drafts couldn't be made available. Mayor Chaump stated that she thought that should be up to Economic Development Committee. Councilman Briscione stated for the record that it was stated that there wasn't a request for a revision to the plan and there is a member of the Economic Development Committee present, and there was a request to the planners to do revisions based on discussions of the Economic Development Committee so he disagrees with that comment.

Frank Baricelli, Hiawatha Avenue, asked why is everyone playing a game and that everyone knows there is a draft available on a public accessible website which somebody posted on a campaign website and they should stop arguing over a moot point when the plan is available to the public right now.

Ed Miller, 94 Hiawatha Avenue, stated that the point he is trying to make is that whoever's website its on, it is a 1) draft form; 2) it is not a Mayor Chaump's Plan for 1600 homes, it is a draft form and whoever is responsible for that, if they are adults, should quit the nonsense, make a public apology and make sure the public knows that its not Mayor Chaump's plan.

Jerry Bertekap, 121 Horseneck Point Road, Oceanport's Fire Chief, stated first that there was a fire tonight, Long Branch. He stated two firemen were hurt but they're both OK, overtaken

by a little bit of heat, one was an Oceanport fireman. Mr. Bertekap then commented about the draft plan being discussed and asked if anyone on Council knew if the draft plan had been submitted to FMERPA. Mayor Chaump stated no, not at a public meeting. Councilman Johnson stated his question was the plan presented to FMERPA. Mayor Chaump answered no. Councilman Johnson asked if it was presented to EDAW? Mayor Chaump answered not that she knows of, if it did it came out of Economic Development Committee but she's not aware of it and Councilman Johnson stated neither was he. Councilman Briscione stated that what came out of EDAW was that no Master Plans had been presented to them. Mr. Bertekap stated that the draft was presented as a PowerPoint presentation to the public here and he was able to take notes and that the draft is pretty much the same and that was never passed to EDAW? Mayor Chaump answered that she did not pass it to them and Economic Development Committee didn't. Councilman Briscione stated that he didn't know that, EDAW had a meeting with Council at some point and he doesn't know that the planners didn't give them something so he can't say for certain that they didn't. Councilman Sharkey asked what the timeline was for finishing the Oceanport plan. Councilman Briscione stated it is in for revision with the planners now. Councilman Sharkey asked if they gave a date of when they were going to come back with a final. Councilman Briscione stated that there was at first a rush to get it to EDAW, however, if EDAW is getting a 270 day extension he didn't think there was a need to rush off on it. Councilman Sharkey stated but they haven't gotten that extension yet. Councilman Briscione answered no, but other bases have received them so it doesn't appear that there will be a problem getting it. Mayor Chaump stated she must reiterate that plan that was done is not even Council's plan or even the Planning Board's. The plan is from the 35 residents that participated in the 2 charrettes. Councilman Briscione stated they had also received the UPenn plan that would help with areas in wetlands, flood areas, environmental issues that the Fort has provided to everyone and given the time constraints that they had, why recreate the wheel, those things don't change. Councilman Sharkey stated that for him this is the most discussion they've had on this in a while for this whole Fort Monmouth. Councilman Johnson stated its election time. Councilman Sharkey continued that that's not the point. He said the point is they're still going to have to live with the results after it and the discussion of where they're at with this is important and it needs to be done whether its election time or not. Mayor Chaump asked when the last charrette would be. Councilman Johnson answered that he would have to check with Mr. Widdis and Mr. Coffey as he is the liaison not the Chairman. Mayor Chaump asked when is the next meeting? Councilman Johnson said they call him as needed but perhaps Councilman Briscione knows. Mayor Chaump asked Councilman Briscione if he knew when their next meeting was. Councilman Briscione answered that he thought a meeting would be scheduled once the draft revisions are made by Clarke Caton Hintze. Councilman Sharkey stated that he's concerned that only 35 people have influenced this draft and is that adequate? Councilman Briscione said he doesn't think its been 35 people as there have been different people at the meetings and to say that this is coming out just because of elections he doesn't agree with that. He thinks residents and Mr. Bonforte have brought up some very valid concerns and things that should be taken into consideration.

John Bonforte, returned and asked Council if his letter and comments, such as regarding the proposed train station, will they be brought to Oceanport's planners and have their own opinion pro or con to exclude it. Mayor Chaump answered that Councilman Johnson and Councilman Briscione are on the Economic Development Committee and they will bring this to their next meeting. Mr. Bonforte asked if that's the Committee that interfaces with the planners? Mayor Chaump answered yes. Councilman Briscione stated he thought that the letter by the Judge was presented at one of the charrettes and that they have taken that into consideration.

Alan Johnson, 30 Belmar Avenue, asked Mr. Arnette what item #5 the resolution for legal fees for a Councilperson meant in layman's terms and he thought that normally a Councilperson would have to retain their own counsel and if cleared of charges he would be reimbursed. Mr. Arnette responded that the Resolution is available for his review and that it has already been moved on and that from what he just said, he believes Mr. Johnson has a correct understanding of it. Mr. Johnson stated that the GRC has been requesting since November that Mr. Sharkey answer this complaint and as of date two more letters and this week he has still refused to answer the GRC and now its going to the Supreme Court. Mr. Arnette stated its going to the Office of Administrative Law. Mr. Johnson stated yes, the Office of Administrative Law, which he'll ignore again and then to the Supreme Court so why should the taxpayers be burdened paying his legal fees. Mr. Arnette stated that first its going to the Office of Administrative Law, which is not the Supreme Court and secondly, a hearing will take place and there are a lot of steps before it gets to the Supreme Court and this Resolution only deals with the matter before the Office of Administrative Law. Mr. Johnson stated that if Mr. Sharkey is considered by the Office of Administrative Law to be in violation, who is going to pay for those legal fees and is the Borough going to pay for those legal fees? Mr. Arnette stated that there is a provision that deals with whether he is adjudicated or not and if he is *not* in violation there will be a reimbursement and if he *is* in violation then they will not be reimbursed. Mr. Johnson asked if in the interim is the Borough going to pay any vouchers for legal fees until the outcome. Mr. Arnette stated that as he understands it that this is a reimbursement resolution, which means it will be done at the end. Mr. Johnson asked if this sets a precedent for other Councilpersons. Mr. Arnette stated that it is no different than any circumstance whereas a statutory employee...Mr. Johnson asked then its not out of the norm? Mr. Arnette answered that it is not out of the norm for someone who is need of assistance as a consequence of actions they take in their capacity as an elected official or statutory employee to have or be able to have a reimbursement of attorney's fees so long as they are adjudicated of not to have been offended of what they are accused of.

Jim Gallo, 45 Bradley Avenue, here as a volunteer of what Councilman Briscione accredited to the volunteers for all they're hard work around town, finds it disturbing that he has received literature on his front door with a Council candidate taking credit for something he had absolutely nothing to do and its very upsetting and not right. He stated that Oceanport has had Council members on the Committee who never ever used the Sports Foundation for campaign gain when that's not what they are about and discussed what they are about. Mayor Chaump stated that he didn't think the Sports Foundation was listed in that. Councilwoman Kahle stated yes it was. Councilman Briscione stated that about the Polo Match he started in 2004 talking to Lonestar Park about activities that were done for the FanFest and he is very happy he went to the Oceanport Sports Foundation and that they were the recipient of that and they did a ton of work but the Polo Match was going to happen whether the Sports Foundation got behind it or not and he is extremely glad that they did. The Polo Match, the Regatta, the 5K race, those events were FanFest events that he worked on for 2 ½ years and was able to get the Breeder's Cup to approve it. Mr. Gallo stated that it wasn't about Mr. Briscione whatsoever. Councilman Briscione stated he is getting to that point and that he believes the literature said FanFest activities and Mr. McVitty has. When he discussed about the School Board tonight, and when Breeder's Cup came to him and ask if they could possible do an art essay contest and how would he propose doing that which he did discuss with Mr. McVitty as he is the Vice President of the school board and the literature listed *all* the FanFest activities and the literature discussed the activities not the organizations behind the activities.

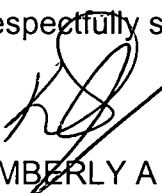
Linda Johnson, 30 Belmar Avenue, stated that she wanted everyone to know that on Mr. Sharkey's website it tells exactly how to go to the OPRA request and that in 2004 Councilman Sharkey went to the GRC and made a complaint against Oceanport Borough and cost the

Borough money back then and that its kind of sad that now he doesn't comply and now they're going to possibly pay his legal fees. Councilman Sharkey responded that they are making an allegation against him that is totally untrue and now they are costing the Borough for him to have to defend it. Ms. Johnson stated he doesn't comply with OPRA requests and he just completely ignored it and then what. Mayor Chaump stated that they could discuss it afterwards its not to be discussed in public and she is going to stop the conversation at that and she can discuss it with Mr. Sharkey after the meeting.

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

At 9:31 p.m. there was a motion to adjourn from Councilman Johnson, seconded by Councilwoman Kahle and unanimously approved by Council.

Respectfully submitted,



KIMBERLY A JUNGFER
BOROUGH CLERK