

REGULAR MEETING MINUTES

Oceanport, New Jersey
September 16, 2010

The Regular Meeting of the Oceanport Mayor and Council was called to order on September 16, 2010 at 7:22 p.m. with Mayor Mahon stating the meeting had been properly advertised in accordance with the law.

MEMBERS PRESENT: Councilpersons Briscione, Irace, Johnson, Mayor Mahon

MEMBERS ABSENT: Councilpersons Bertekap, Gallo, Kahle

OFFICIALS PRESENT: Borough Clerk, Kimberly A. Jungfer and Borough Attorney, John O. Bennett, III

INVOCATION: Borough Chaplain Robert Mills gave the invocation.

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

PUBLIC HEARING: Monmouth County Green Acres Grant application for a \$25,000.00 for a walking trail at Maria Gatta Community Park.

1. Resolution authorizing submission of the Grant application **R-10-128**

Mayor Mahon introduced Jeff Bottger, Recreation Committee Member, who would be making a presentation for the Monmouth County Green Acres Grant application for \$25,000 for a walking trail at Maria Gatta Community Park.

Mr. Bottger presented a concept design to create a walking trail at Maria Gatta Community Park that would be used to apply for a funding from the Monmouth County Green Acres Grant program. Mr. Bottger described where the trail would be constructed, the materials that would be used in the construction and that it would have no impact on the wetland areas or on the existing soccer fields. Mr. Bottger stated the projected costs were \$50,000 exclusive of soft costs and that the grant if approved would provide 50% - \$25,000.00 and as it was a matching program the Borough would match that amount with funds from the Borough's Open Space Trust Fund. Mr. Bottger concluded the presentation with a timeline of the process and the feasibility of approval.

Councilman Johnson asked about a portion of the trail along Port Au Peck Avenue and whether or not it could be paved instead of cinder base, although more expensive, but would work with the Borough's plan to have sidewalks from Wolf Hill School.

Mr. Bottger explained why they proposed a gravel surface versus a paved surface was longer term so that future improvements to the park as planned would have less of an investment impact. Mr. Bottger stated that it was possible to pave that portion but was not sure if the \$50,000 would cover that but wanted to proceed with it as presented to see how they do and that it was certainly possible to amend later.

Councilman Briscione asked Councilman Johnson if that was what he was asking or was he asking for sidewalks in addition. Councilman Johnson answered that he would prefer concrete for that portion of the trail. Mr. Bottger provided two choices – the Grant application as it was or make a decision to increase the requested amount to cover that but was more inclined to leave it as was and as it moves along they could investigate those suggestions.

Councilman Johnson stated that he would defer to Mr. Bottger's experience and recommendation.

Councilman Briscione asked if he had an estimate of the soft costs. Mr. Bottger answered the engineering costs for a trail would be less than \$10,000 and probably a soils permit. Councilman Briscione

stated that he thought they had agreed that they would do parks from start to finish which was not the plan for this park and asked if Mr. Bottger thought this would be a Phase I. Mr. Bottger answered that they are labeling it Phase I and that in the 10 year Park Improvement Plan the improvements for Gatta Park was proposed in 2 phases. Councilman Briscione asked if the trail was a part of a design phase. Mr. Bottger commented that it was and that it would provide a start towards the ultimate goal.

Councilman Irace commented that during a Parks and Recreation Committee meeting he attended there was a number of ideas tossed around and that due to the economy and though the money was available from the Open Space Tax Fund that Recreation wanted to start with something small and look forward to the big picture and take as many phases as necessary to finish the park.

Mayor Mahon stated that they should keep in mind that they had committed earlier in the year to reconstruct the Blackberry Bay Park pavilion and that also requires a portion of the dedicated trust fund for that match and that he thought with this economy they be conservative and that they would love to do all of it but needed to be conservative.

Mayor Mahon asked Ms. Jungfer when they would have a decision on the grant application for the Blackberry Bay Park project. Ms. Jungfer answered next Wednesday at the Community Development meeting.

Mayor Mahon continued that he thought the walking paths would be very popular and echoed Councilman Johnson's comments regarding the portion of the path be like sidewalk and that asphalt on the portion of the land that Monmouth Park owns be wide.

Councilwoman Kahle asked how many miles was the path. Mr. Bottger answered if you went around 3 times it was about 2 miles or 3500 linear feet and that one loop was about 2/3 of a mile.

PUBLIC:

As no one from the public wished to be heard Mayor Mahon asked for a motion to close the Public Hearing which was made by Councilwoman Kahle and seconded by Councilman Irace and approved by Council.

Councilman Irace made a motion to approve the Resolution authorizing submission of the Grant application which was seconded by Councilman Kahle.

The Clerk called roll:

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

CONSENT AGENDA

1. Resolution authorizing the payment of bills. **R-10-129**
2. Resolution authorizing redemption of Tax Sale Certificate #08-0009. **R-10-130**
3. Resolution authorizing redemption of Tax Sale Certificate #07-0005. **R-10-131**
4. Resolution authorizing an assignment and release agreement with Birdsall Engineering. **R-10-132**
5. Resolution authorizing an assignment and release agreement with Birdsall Engineering. **R-10-133**
6. Resolution adopting policies for Best Practices as part of the Governor's Toolkit. **R-10-134**
7. Resolution requiring elected officials to attend courses on their responsibilities. **R-10-135**
8. Approval of the workshop meeting minutes of September 2, 2010
9. Approval of the regular meeting minutes of September 2, 2010.
10. Approval of the Fire Department membership application of Justin J. Trout.
11. Approval of the Fire Department membership application of Randy A. Thorne.

12. Resolution Appointing School Crossing Guard **R-10-136**

The Clerk stated that from the Workshop Meeting there were some changes to the Workshop Meeting Minutes and stated what they were. The Clerk also described an additional item that had been added to the Consent Agenda making it 12 items and asked for a motion. Councilman Johnson made a motion to approve the Consent Agenda which was seconded by Councilwoman Kahle and approved by Council with the exception of Councilwoman Kahle whom abstained from Items 8 and 9.

CLERK/ADMINISTRATOR REPORT: No report

COMMITTEES:

Mayor Mahon stated that Councilmen Bertekap and Gallo were attending a convention.

COUNCILMAN BRISCIONE: No report

COUNCILMAN IRACE:

1. Resolution and affidavit of review of the 2009 Audit

Councilman Irace stated that the Resolution and affidavit review of the 2009 audit had been pulled and that he had no additional report.

COUNCILMAN JOHNSON:

1. Second reading and public hearing of an ordinance amending the Salary Ordinance **#885**
2. Introduction of an amendment to the Fee Ordinance regarding Tax Collector Fees.
3. Resolution Authorizing Bond Refunding **R-10-137**
4. Introduction of Refunding Bond Ordinance
5. Resolution Authorizing issue of general obligation bonds **R-10-138**

Councilman Johnson 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 PAST AND APPROVED MARCH 16, 1939"** 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.

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: Briscione, Irace, Johnson, Kahle
NAYES: None
ABSTAIN: None
ABSENT: Bertekap, Gallo

Councilman Johnson called for the introduction of **AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 205 OF THE CODE OF THE BOROUGH OF OCEANPORT ENTITLED FEES TO AMEND AND SUPPLEMENT ARTICLE IV ENTITLED TAX COLLECTOR FEES** and then asked the Clerk to read the proposed Ordinance by title only, after which Councilman Johnson moved to approve the Ordinance upon first reading and to hold the public hearing on the proposed ordinance at the Council meeting of October 7, 2010 and to advertise same in accordance with the law and was seconded by Councilman Irace.

The Clerk called roll:

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

Councilwoman Kahle asked about the fee ordinance drawing back on a discussion where they discussed updating the fees for food inspection and the Board of Health's inspection.

Mayor Mahon answered that they would be doing that as there had been other recommended changes to the fees.

Councilman Johnson stated that the next item was a **RESOLUTION OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (THE "LOCAL UNIT") AUTHORIZING THE LOCAL UNIT'S PARTICIPATION IN THE BOND FINANCING PROGRAM OF THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY AND AUTHORIZING APPLICATION TO LOCAL FINANCE BOARD FOR ITS CONSENT TO ISSUE REFUNDING BONDS** and asked the Clerk to read the resolution by title only.

Councilman Johnson made a motion to approve the resolution which was seconded by Councilwoman Kahle.

The Clerk called roll:

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

Councilman Johnson called for the introduction of **REFUNDING BOND ORDINANCE OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF THE BOROUGH'S GENERAL OBLIGATION, SERIES 2002, HERETOFORE ISSUED TO FINANCE CAPITAL IMPROVEMENTS, APPROPRIATING AN AMOUNT NOT EXCEEDING \$582,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$582,000 GENERAL OBLIGATION REFUNDING BONDS OF THE BOROUGH OF OCEANPORT FOR FINANCING THE COST THEREOF** and then asked the Clerk to read the proposed Ordinance by title only, after which Councilman Johnson moved to approve the Ordinance upon first reading and to hold the public hearing on the proposed ordinance at the Council meeting of October 7, 2010 and to advertise same in accordance with the law and was seconded by Councilwoman Kahle.

The Clerk called roll:

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

Councilman Johnson stated that the next item was a **RESOLUTION OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (THE "LOCAL UNIT") AUTHORIZING THE LOCAL UNIT'S PARTICIPATION IN THE BOND FINANCING PROGRAM OF THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY AND AUTHORIZING APPLICATION TO LOCAL FINANCE BOARD FOR ITS CONSENT TO ISSUE GENERAL OBLIGATION BONDS** and asked the Clerk to read the resolution by title only.

Councilman Johnson made a motion to approve the resolution which was seconded by Councilman Irace.

The Clerk called roll:

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

COUNCILWOMAN KAHLE: No Report

MAYOR MAHON: Mayor Mahon gave a Proclamation declaring September as National Alcohol and Drug Addition Recover Month.

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

PUBLIC:

Chief Sutton advised everyone of the Borough's participation again this year in Operation Take Back NJ and that the program was for the collection of unused or expired medicines and gave details.

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

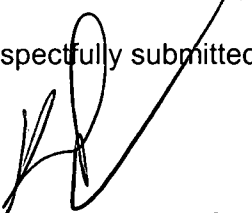
Bill List: Capital Trust \$37,665.12. Escrow Trust \$2,700.00 Fireworks Trust \$2,550.00. Trust Other \$1,015.00. Water Watch Trust \$198.00 2009 Vouchers Paid \$379,345.24. 2009 Vouchers Paid this Meeting \$20,700.00 Total 2009 Vouchers Paid \$400,045.24. 2010 Vouchers Paid \$15,447,857.03. 2010 Vouchers Paid this Meeting \$120,456.06. Total 2010 Vouchers Paid \$15,568,313.09

At 8:41 p.m. the Clerk read a Resolution authorizing the meeting to enter Executive Session for the purposes of personnel and contractual items on a motion made by Councilwoman Kahle and seconded by Councilman Johnson and approved by Council.

At 9:10 p.m. the Council returned from Executive Session and re-opened the Regular Meeting on a motion by Councilwoman Kahle which was seconded by Councilman Johnson and approved by Council.

As there was no further business, the meeting was adjourned at 9:11 p.m. on a motion by Councilman Johnson, which was seconded by Councilwoman Kahle and approved by Council.

Respectfully submitted,



KIMBERLY A JUNGFER
BOROUGH CLERK