

REGULAR MEETING MINUTES

Oceanport, New Jersey

August 15, 2013

The Regular Meeting of the Oceanport Mayor and Council was called to order on August 15, 2013 at 7:43 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, Johnson, Kahle, Mayor Mahon

OFFICIALS PRESENT: Administrator Philip D. Huhn, Deputy Borough Clerk, Jeanne Smith and Borough Attorney, John O. Bennett, III

INVOCATION: Borough Chaplain Robert Mills gave the invocation.

ADMINISTRATOR'S REPORT: Mr. Huhn advised that his report would be made during the Executive Session.

CONSENT AGENDA: The Clerk stated there were 8 items on the consent agenda and described 3 additional items added from Workshop and asked for a motion. Councilwoman Kahle made a motion to approve the consent agenda which was seconded by Councilman Johnson and approved by Council with the exception of Councilman Ibex whom abstained from Items 7 and 8.

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| R-13-113 | 1. | Resolution authorizing the payment of bills. |
| R-13-114 | 2. | Resolution establishing grace period for 2013 3 rd quarter tax payments |
| R-13-115 | 3. | Resolution appointing an Administrative Assistant to the Borough Clerk's Office |
| R-13-116 | 4. | Resolution supporting the <i>Drive Sober or Get Pulled Over 2013 Statewide Crackdown</i> |
| R-13-117 | 5. | Resolution authorizing a Commodity Resale Agreement with Monmouth County |
| | 6. | Approval of Fire Department member application Robert F. Black |
| | 7. | Approval of Workshop Minutes of June 20, 2013 |
| | 8. | Approval of Regular Meeting Minutes of June 20, 2013 |
| R-13-118 | 9. | Resolution authorizing the Business Administrator to review and execute Maser proposal to prepare the 2013 MC Municipal Open Space Grant application |
| R-13-119 | 10. | Resolution authorizing field use applications |
| R-13-120 | 11. | Resolution authorizing fireworks display during Summer's End Festival |

COMMITTEES:

COUNCILMAN BERTEKAP: Councilman Bertekap had no report.

COUNCILMAN GALLO: Councilman Gallo had no report.

COUNCILMAN IBEX: Councilman Ibex had no report.

COUNCILMAN IRACE: Councilman Irace reported that there would be some administration changes in the front offices – a new administrative assistant in the Clerk's Office and another appointment coming up later in the meeting.

COUNCILMAN JOHNSON:

- #917** 3. 2nd Reading and Public Hearing on the 2013 Bond Ordinance
- #918** 4. 2nd Reading and Public Hearing for 2013 Shore Regional Bond Guaranty Ordinance

Councilman Johnson 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 VARIOUS CAPITAL IMPROVEMENTS AND RELATED EXPENSES FOR THE BOROUGH OF OCEANPORT AND APPROPRIATING \$616,000 THEREFOR (INCLUDING A GRANT IN THE AMOUNT OF \$160,000 EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION) AND PROVIDING FOR THE ISSUANCE OF \$433,000 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 Ibex and seconded by Councilman Irace 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 Councilman Irace.

The Clerk called roll:

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

The Clerk stated that the motion carried.

Councilman Johnson called for the 2nd reading and public hearing of **"ORDINANCE AUTHORIZING THE GUARANTY BY THE BOROUGH OF OCEANPORT, NEW JERSEY OR PAYMENT OF PRINCIPAL AND INTEREST ON THE CAPITAL EQUIPMENT LEASE REVENUE BONDS, SERIES 2013 (SHORE REGIONAL SCHOOL DISTRICT PROJECT) OF THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY"** 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 Irace and 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 Councilman Bertekap.

The Clerk called roll:

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

The Clerk stated that the motion carried.

Councilman Johnson gave an update on FMERA items including Howard Commons.

Councilwoman Kahle commented that FMERA had cancelled the last 2 environmental meetings and that there was no opportunity for public comment and certain time restrictions and asked if anything could be done about it.

Mayor Mahon stated that internally there hadn't been anything passed through that would have been on that note.

COUNCILWOMAN KAHLE:

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| #919 | 1. 2 nd Reading and Public Hearing on an Ordinance Prohibiting Pet Shops |
| R-13-100 | 2. Resolution supporting September as Hunger Action Month |

Councilwoman Kahle called for the 2nd reading and public hearing of "**AN ORDINANCE AMENDING CHAPTER 390, ESTABLISHING A NEW SECTION 32, ENTITLED "PET SHOPS", PROHIBITING THE SALE OF DOGS AND CATS THROUGHOUT THE BOROUGH**" 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.

Councilwoman Kahle 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 Ibex.

The Clerk called roll:

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

The Clerk stated that the motion carried.

Councilwoman Kahle read a resolution supporting the FoodBank of Monmouth and Ocean Counties September as Hunger Action Month campaign and the various ways the Borough could show its support by lighting up the Borough's website with orange the symbolic color, orange bows along E. Main Street, Councilman Ibex motioned to approve a resolution in support of Hunger Action Month which was seconded by Councilman Irace.

The Clerk called roll:

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

The Clerk stated that the motion carried.

Councilwoman Kahle concluded her report by stating that September 5 was National Wear Orange Day.

MAYOR MAHON:

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| R-13-122 | 1. Resolution appointing a Municipal Clerk |
| R-13-123 | 2. Resolution appointing a Code Enforcement Officer |

Mayor Mahon read an invitation for interested students to attend Academy Day sponsored by Congressman Pallone and asked that it be posted on the Borough website and distributed to the schools.

Mayor Mahon made the appointment to fill the vacancy of Municipal Clerk and asked for a motion nominating Jeanne Smith which was moved by Councilman Johnson and seconded by Councilman Irace.

The Clerk called roll:

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

The Clerk stated that the motion carried.

Mr. Bennett administered the Oath of Office to Jeanne Smith, Municipal Clerk for a 3 year term expiring August 15, 2016.

Mayor Mahon advised that he was in receipt of a resignation by Ron Kirk, Zoning Code Enforcement Officer and then offered a resolution appointing Sal Massaro as Code Enforcement Officer which was moved by Councilman Ibex and seconded by Councilwoman Kahle.

The Clerk called roll:

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

The Clerk stated that the motion carried.

Mayor Mahon advised that there had been a meeting earlier that afternoon with FEMA representatives to discuss steps to undertake rehabilitating or rebuilding or relocating the Borough Hall building that would be discussed in greater detail with the Council during Executive Session and that there would be an item requiring Council action that would be taken publicly after returning to the regular meeting and would involve soliciting proposals for a specialized architect to handle the technical aspects of the public assistance process with FEMA.

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

PUBLIC:

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

Bill List Summary: Ad Hoc \$59.58 Capital Trust \$8,406.75 Dog Registry \$888.80 Escrow Trust \$3,678.25 Fireworks Trust \$10,645.00 Open Space Trust \$10,256.97 Other Trust \$74.91 Public Defender Trust \$200.00 Recreation Trust \$2,604.04 Recycling Trust \$1,015.00 2012 Vouchers Paid \$332,361.83 2012 Vouchers Paid this Meeting \$528.13 Total 2012 Vouchers Paid \$332,889.96 2013 Vouchers Paid \$14,187,107.38 2013 Vouchers Paid this Meeting \$1,845,834.82 Total 2013 Vouchers Paid \$16,032,942.20

At 8:02 p.m. the Clerk read a Resolution authorizing the meeting to enter Executive Session for the purposes of land acquisition, litigation and employment relationship on a motion made by Councilman Ibex and seconded by Councilman Bertekap and approved by Council.

At 9:23 p.m. the Council returned from Executive Session and re-opened the Regular Meeting on a motion by Councilman Irace which was seconded by Councilman Johnson and approved by Council.

Mayor Mahon asked for a motion to approve a Resolution authorizing the Borough Administrator to solicit Requests for Qualifications through the Professional Services exception of the bidding process from Professional Architects having a work experience with FEMA Public Assistance and to perform technical evaluation and development of costs for refit or relocation of the Borough Hall or a replacement building and a study analysis of the cost factors with a cost not to exceed \$25,000 which was moved by Councilman Ibex and seconded by Councilman Gallo.

The Clerk called roll:

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

The Clerk stated that the motion carried. **R-13-124**

As there was no further business, the meeting was adjourned at 9:26 p.m. on a motion by Councilwoman Kahle, which was seconded by Councilman Irace and approved by Council.

Respectfully submitted,



JEANNE SMITH
BOROUGH CLERK