

REGULAR MEETING MINUTES

Oceanport, New Jersey
August 11, 2005

REGULAR MEETING: The Regular Meeting of the Oceanport Mayor and Council was called to order on August 11, 2005 at 8:00 P.M. with Mayor Gatta stating the meeting had been properly advertised in accordance with law.

MEMBERS PRESENT: Councilpersons Kahle, Johnson, Gallo, Chaump, Sharkey, Briscione and Mayor Gatta.

OFFICIALS PRESENT: Borough Clerk, Kimberly A. Jungfer and Borough Attorney, Martin A. McGann.

INVOCATION: Borough Chaplain Berry gave the invocation.

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

As copies of the minutes from the workshop meeting held on July 19, 2005 had been made available to the members of the Governing Body, Councilwoman Chaump moved to waive the reading of same and approve the minutes as presented by the Borough Clerk. It was seconded by Councilwoman Johnson with the Clerk calling the roll and all members in attendance voting in the affirmative.

At this time the Mayor requested to hold the regular meeting of July 21, 2005 because of some omissions that need to be inserted.

CLERK'S REPORTS:
None.

COMMITTEES:

COUNCILWOMAN KAHLE: Councilwoman Kahle started with regard to the Municipal Building, the feasible study on the modernization is pretty much on schedule. She reported that Eric Wagner met with administration that day to look at the building and is meeting next week with the library and is still working with the police and the public works building.

Councilwoman Kahle then reported on the Old Wharf Senior Building. She reported that the builder was there along with the demolition man and architect and they've been to the site to begin the preliminary work. They have been made aware of the floor elevation problem and they'll be discussing that with Walter Joyce of the Building Department.

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Councilwoman Kahle reported that the Water Watch Committee received two new members this week. Both are eighth graders, interested in the environment and take classes at Shore Regional High School. She extended an invitation to anyone who would like to become a member.

Councilwoman Kahle reported that there have been complaints about the garbage collection. Since changing to a new company, the trucks are noisier and in some areas waking people up at 6A.M. They have been asked to rotate the route so not everyone has a six o'clock wake up call and she will speak to the owner of the trash company to see if there is anything else they can do.

COUNCILWOMAN JOHNSON: Councilwoman Johnson stated that there were fourteen calls for the month of July for the fire department. The Hook and Ladder did not have a meeting this month. The circus will be held August 17th through the 19th. She asked everyone to participate in that.

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COUNCILMAN GALLO: Councilman Gallo reported that the First Aid will be sponsoring its Annual Fund Drive and asked the residents of Oceanport to support them. There is also a thermometer at the First Aid Building, which will show the proceeds for their building fund. He asked the residents to be generous in supporting the First Aid.

Councilman Gallo reported that the Shade Tree Committee is hoping to complete some of the projects that they started.

COUNCILWOMAN CHAUMP: Councilman Chaump asked the Clerk to read resolution **R-05-82** in support of Route 71 and Wyckoff Rd. intersection improvements after which she moved to approve the same. Councilwoman Johnson seconded the motion followed by the Clerk calling the roll and all members voting in the affirmative.

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Councilwoman Chaump reported on the Department of Public Works stating that the department has addressed the potholes throughout the town, the utility mark outs have been done and work will begin soon to repair three catch basins at the intersection

of Colonial Drive and Revere Drive, Asbury Ave and Milton Ave and Itaska Place and Comanche Drive. The grass at the parks is still being mowed on a weekly basis, shrubs at the Old Wharf Park have been trimmed as well as at Borough Hall and Public Works yard has been cleaned up. The debris at the end of Nichol森 Drive has been removed and they are still going to make a walkway to the river. There are tree roots that have to be removed first to get to the water. They installed a snow fence at Port-Au-Peck Ave as requested by the Police Department and are keeping a closer eye on what the residents have been dumping in the recycling yard. Some illegal dumping by non-residents has occurred so it has been monitored by the police and public works. Clothing Bins by DARE cannot be removed; they will be staying where they are.

COUNCILMAN SHARKEY: Councilman Sharkey reported on the Parks and Recreation Department, stating they had a lengthy discussion on Blackberry Bay Park and how that is progressing. They took a vote and he was asked by the Borough attorney not to read that statement from the committee.

Councilman Sharkey stated that regarding Action Camp, there was an incident on one of the trips where some children got out of hand and there was concern. They were asked not to come back. The Parks and Rec Committee will follow up on that with some phone calls.

Councilman Sharkey continued that the Recreation Committee also unanimously approved to include in the capital request a \$250,000 maximum grant. They are going to use it for soccer field improvements. That is going to be a modification to their capital costs. The tennis court project is a concern. Specifically the core sample that was taken. Some of the committee members were very dissatisfied with the samples. The president of the sports foundation, Mr. Mills, wanted a status on the water fountains that have not been installed. One of the committee members volunteered one of his employees to do some of the groundwork to install the water fountains. He suggested that might be the way to go since the budget does not have money set aside for that. There was a perspective new member who attended and will be at another meeting hoping that the tennis court plan from the engineer will be available to review. The engineer had indicated it would be done by end of week and they want to look at it.

Councilman Sharkey stated there was a report about illumination of certain roads that are dark, which needs to be investigated further.

Councilman Sharkey reported that the Capital Committee is in the process of formulating their plan and meet again in September.

Councilman Sharkey said there was a fair amount of discussion on Tuesday night with regard to couple of health insurance items. There was a letter he sent to the insurance company asking them to review the borough's premiums and a copy of that letter will be given to Council. With regard to the property and casualty insurance policy which renews on January 1st the Council had the broker in back in January and announced the Borough's plans to conduct a professional bid process and they're starting to move in that direction. He spoke to the insurance broker the day before and he did get the bid specs and went to six different carriers which was not what he had asked him to do back in January and they need to address that. The insurance committee will develop a game plan shortly on that process. They want to get competitive quotes to create competition to drive down insurance prices.

Mayor Gatta asked Councilman Sharkey if he had the letters for Rosalyn Benendez of the Insurance Department and if he would share them with Council and Councilman Sharkey responded that he does have them and would share them.

COUNCILMAN BRISCIONE: Councilman Briscione asked for the introduction of an ordinance designating parking spaces on municipal property and asked the Clerk to read the proposed ordinance by title only as follows: **AN ORDINANCE CREATING AND DESIGNATING CERTAIN RESERVE PARKING SPACES FOR CERTAIN BOROUGH OFFICIALS, POLICE AND AUTHORIZED POLICE VEHICLES AND VOLUNTEER FIREFIGHTERS.**

Councilman Briscione moved to approve these ordinances on first reading. It was seconded by Councilwoman Chaump.

The Clerk called the roll:

AYES: Councilpersons Kahle, Johnson, Gallo, Chaump, Briscione and Sharkey on police and fire parking spaces.
NAYS: Councilman Sharkey on Borough Officials parking spaces.
ABSENT: None
ABSTAIN: None

Councilman Briscione moved to hold a public hearing on the proposed ordinance at the council meeting of September 15, 2005 and advertise same in accordance with the law and was seconded by Councilwoman Chaump.

The Clerk called the roll:

AYES: Councilpersons Kahle, Johnson, Gallo, Chaump, Sharkey and Briscione
NAYS None
ABSENT: None
ABSTAIN: None

Councilman Briscione asked if the Council felt they needed five minutes to read the ordinances and Councilman Sharkey said they only got them late that afternoon and didn't have a chance to review them and he did not get an answer to the conflict of issue question whether he should even vote on this ordinance.

The Clerk explained that when he left the meeting they had to do with the Sports & Exposition Authority. These ordinance relate to the zoning ordinance so there is no conflict here and Councilman Sharkey said he didn't know what the rationale was or what changes they asked for.

Councilman Briscione explained that these are essentially boilerplate ordinances for Mt. Laurel regulations and changes had to do with title number, regulation numbers, conflicting information in each one so it's basically an effort to clean up the ordinances. They will assist them in formulating and ultimately satisfy their Mt. Laurel obligations.

Councilman Sharkey suggested that they table it until he has a good chance to review them, to which the Mayor responded that the attorney had said it was very important that they at least introduce the ordinance. It is only an introduction of the ordinance. He can review it and if he is uncomfortable, he can abstain.

Councilman Briscione stated the attorney said he strongly suggested introducing these and they are just an introduction and the public will have ample opportunity to comment on them and they will have ample opportunity to change them in the next few weeks.

Councilman Briscione asked for the introduction of an ordinance providing for a Provision of Affordable Housing in the Third Cycle and asked the Clerk to read the proposed ordinance by title only as follows: **AN ORDINANCE CREATING ARTICLE X OF CHAPTER 68 OF THE CODE OF THE BOROUGH OF OCEANPORT TO FACILITATE THE PROVISION OF AFFORDABLE HOUSING IN THE THIRD HOUSING CYCLE IN CONNECTION WITH RESIDENTIAL AND NON-RESIDENTIAL GROWTH AND DEVELOPMENT.**

Councilman Briscione moved to approve this ordinance on first reading. It was seconded by Councilwoman Chaump.

The clerk called the roll:

AYES: Councilpersons Gallo, Chaump, Briscione, Johnson, and Kahle.
NAYS: None
ABSTAIN: Councilman Sharkey.
ABSENT: None

Councilman Briscione moved to hold a public hearing on the above ordinance on September 1st, 2005 and advertise same in accordance with the law. It was seconded by Councilwoman Johnson.

The Clerk called the roll:

AYES: Councilwoman Kahle, Johnson, Gallo, Chaump, and Briscione.
NAYS: None
ABSTAIN: Councilman Sharkey.
ABSENT: None

Councilman Briscione called for the introduction of an ordinance imposing mandatory affordable housing fees and establishing an affordable housing trust fund and asked the Clerk to read the proposed ordinance by title only as follows: **AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY SUPPLEMENTING CHAPTER 68 ENTITLED 'ZONING' AND IMPOSING MANDATORY AFFORDABLE HOUSING FEES AND ESTABLISHING AN AFFORDABLE HOUSING TRUST FUND.**

Councilman Briscione moved to approve this ordinance on first reading. It was seconded by Councilwoman Chaump.

The Clerk called the roll:

AYES: Councilpersons Kahle, Johnson, Gallo, Chaump, and Briscione.
NAYS: None
ABSTAIN: Councilman Sharkey.
NAYS: None

Councilman Briscione moved to hold a public hearing on the ordinance at the council meeting on September 1, 2005 and advertise same in accordance with the law. It was seconded by Councilwoman Chaump

The Clerk called the roll:

AYES: Councilpersons Kahle, Johnson, Gallo, Chaump and Briscione.
NAYS: None
ABSTAIN: Councilman Sharkey
ABSENT: None

Councilman Briscione reported that the Planning Board Council is reviewing recommended zoning changes set forth in the Master Plan Reexamination Report recently approved by the Planning Board. The Mt. Laurel sub committee met and on the advise of the attorney recommended the ordinances that were previously introduced will assist them in formulating a plan to satisfy the Mt. Laurel obligation. The committee is also working on determining their fair share obligation under Mt. Laurel.

Councilman Briscione reported that the AMA Alert Station is operational in Monmouth Park and broadcasts on 1620 AM and is currently broadcasting NOAA weather information. They appreciate the assistance and cooperation of Monmouth Park.

Councilman Briscione stated the Council is reviewing a house-numbering ordinance, which was previously requested by emergency services to help identify emergency situations.

Councilman Briscione commented with regard to Cable & technology, Comcast performed a site survey and has advised them that a line can be run to the Public Works building as they currently do not have cable access and they need it for a number of things including weather updates in the winter. The Borough Clerk is currently negotiating with Comcast to determine if additional fees are applicable.

Councilman Briscione reported that regarding Monmouth Park, the Haskell was held this past weekend and a reported crowd in excess of 40,000 people. Police worked closely with Monmouth Park as operations were performed with a closer eye with preparation for the 2007 Breeders Cup. Problems seemed to be minimal according to the chief and clean up of the parking lots and the surrounding areas seemed to be done quicker this year.

MAYOR GATTA: Mayor Gatta stated that in regards to the two ordinances that were passed with the COAH, they are available to the public if anyone would like a copy.

Mayor Gatta reported that a couple of weeks ago she received a letter from the Soccer Association, Jay Coffey, requesting a meeting with her as well as with Chief Sutton and the Superintendent of Public Works and Borough Clerk in preparation for the soccer season and how the fields by Port-Au-Peck Avenue will be utilized. They are hoping to have a very smooth and safe transition and all the departments will be working together to ensure that this happens.

Mayor Gatta reported that Haskell was held Sunday and she received word from the NJ Sports & Exposition Authority of how pleased they were with Oceanport's Police presence also with the flow of traffic. A special thank you to Captain Baldanza and the police who worked very long hours that day. Time is getting closer with the efforts in Save Fort Monmouth. On Sept. 8th the President will be giving a list of base closures and everyone is still working tirelessly to ensure that Ft. Monmouth is not going to be on the list. It's the understanding that the President can either accept the list in its entirety or reject it. There is a strong effort by the congressional representatives, state representatives to contact as many of the commissions and to continue reinforcing that this is not the time to close Ft. Monmouth.

Mayor Gatta then went on to remind everyone that the circus is coming to town. She reminded everyone that the proceeds will go to the Hook & Ladder and other Oceanport organizations. She asked everyone to support the circus as it is for a good cause.

Mayor Gatta then opened the meeting to the public for any comments or questions they might wish to make.

Dave Redeshi from the Recreation Committee to suggest or recommend to the Council that legal action be taken against the contractor who has done the Blackberry Bay Park project. The project is not finished and hasn't been finished for almost a year now and delays will cause them a missed opportunity to redo it and they will lose another year.

Mayor Gatta reported that that was a concern at the workshop meeting and Council was unanimous in moving in that direction and the Borough Attorney will be handling that.

Toni Sverapa wanted to clarify what Mr. Sharkey said in reference to the grant application. The recommendation from the committee was to request from Council to apply for the grant with matching funds of \$250.00. They have not formally changed their capital funding for the five-year plan to include that and they are requesting they apply.

Linda Tier, Allenhurst Avenue, spoke of her complaints regarding the garbage company and how early the truck comes down her street. She spoke to the Borough Clerk who has taken care of the problem of alternating the route but the neighborhood had asked her to put together a petition and she gave it to her. She recommending they change the start time to seven or eight A.M. which everyone seems to feel is reasonable and it was brought to the attention of the police department because they wanted to know what was reasonable in Oceanport. Her complaint was against the type of truck they are using and she contacted Ellyn Kahle in an effort to help her. She will continue to take signatures.

Councilwoman Kahle stated that she did report that they were changing the route and has a call out to the owner of the garbage company but she has not heard back from him yet. The only thing about changing the time to eight o'clock is if they did, and serviced another town, garbage in Oceanport would be out on the street later in the day until they came. A lot of people take in their garbage cans before they leave for work and after eight o'clock they wouldn't be able to and cans could be blowing around during winter months. So there are a couple concerns about changing the time to as late as eight o'clock.

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

Councilwoman Chaump brought it to the attention of the Council that there are still some bills that still need finance signatures. We'll do the resolution pending two signatures from the finance committee.

Councilman Sharkey stated that he refused to sign the engineering bills because of concerns over a number of reports and other concerns and recommended that Council withhold paying these bills until further review.

Councilwoman Kahle asked what the concerns were and Councilman Sharkey responded concerns regarding assessment report was not completed, concern over the tennis court report core sample report, Blackberry Bay and he suggests they review it and would like to withhold approximately \$35,000 of engineering bills.

Councilman Briscione commented on the vacant land assessment and the study that was done stating this is typically give and take. That work has been substantially completed.

Councilwoman Kahle asked if the Planning Board okay with the vacant land and Councilman Briscione said it is up to the attorney as it's an attorney /expert work product.

Councilwoman Chaump stated that the bills that they are withholding have to do with the rest of the engineering fees, which was under the bond ordinance, the engineering fees of the improvements to Sagamore and Maple Place and the Port-Au-Peck Ave improvements, which have to do with the specs that we are going out for bid. The other one is the Old Wharf Park which has to do with the grant that they received and the leaf compost facility and asked if Council is going to be holding those bills on things that are going to affect them going to bid.

Councilwoman Kahle asked if any of the bills related to Blackberry Bay and Councilwoman Chaump said no. Councilwoman Briscione suggested holding the ones relative to Blackberry Bay and Councilman Sharkey responded that he has a concern over all the engineering processes. They received it a notice from the Dept of Transportation regarding Evergreen and Councilman Briscione said it was part of the process that the engineer got the Department of Transportation involved to help put pressure on the contractor. Councilman Sharkey said there are other concerns about the road program items that are not completed that still being worked on in 2005 and he is very concerned about the late start on the 2005 Road Program and is concerned they are going to run into trouble again. Councilwoman Chaump stated they are ahead of the 2004 road program. Last year they didn't go out to bid until September. This year they

are going out to bid In August. The second thing she stated is the reason they couldn't was because they hadn't gone out for the bond ordinance and didn't have the money for that. They also did not have the DOT grant for it.

The Mayor then asked the Clerk to poll the Council if they chose to pay the engineering bills.

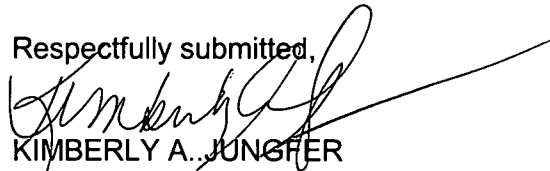
AYES: Councilpersons Kahle, Johnson, Gallo, Chaump, and Briscione.
NAYS: Councilman Sharkey.
ABSTAIN: None
ABSENT: None

Councilwoman Chaump asked the Clerk to read resolution R-05-84 approving the vouchers on the Bill List dated July 21, 2005 after which she moved to approve the same. It was seconded by Councilwoman Johnson with the Clerk calling the roll and all members voting in the affirmative

Bill Listed dated August 11, 2005. TOTAL TRUST TOTAL \$91,712.65 , DOG REGISTRY TOTAL \$68,40 ESCROW TRUST TOTAL \$3,101.25. RECREATION TRUST TOTAL: 794.25. 2004 VOUCHERS PAID \$196,779.26 2004 VOUCHERS PAID THIS MEETING \$196,779.26. 2005 VOUCHERS PAID \$11,501,942.31. 2005 VOUCHERS PAID THIS MEETING \$1,249,190.07 TOTAL 2005 VOUCHERS \$12,751,132.38. (SEE BILL LIST)

At 9 p.m. Councilwoman Chaump moved to adjourn this meeting until the next regular meeting scheduled to be held on September 15, 2005 at 8:00P.M. It was seconded by Councilman Briscione and unanimously approved by those Council members in attendance.

Respectfully submitted,



KIMBERLY A. JUNGFER
BOROUGH CLERK

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Councilman Briscione moved to approve these ordinances on first reading. It was seconded by Councilwoman Chaump.

The Clerk called the roll:

AYES: Councilpersons Kahle, Johnson, Gallo, Chaump, Briscione and Sharkey on police and fire parking spaces.
NAYS: Councilman Sharkey on Borough Officials parking spaces.
ABSENT: None
ABSTAIN: None

Councilman Briscione moved to hold a public hearing on the proposed ordinance at the council meeting of September 15, 2005 and advertise same in accordance with the law and was seconded by Councilwoman Chaump.

The Clerk called the roll:

AYES: Councilpersons Kahle, Johnson, Gallo, Chaump, Sharkey and Briscione
NAYS: None
ABSENT: None
ABSTAIN: None

Councilman Briscione asked if the Council felt they needed five minutes to read the ordinances and Councilman Sharkey said they only got them late that afternoon and didn't have a chance to review them and he did not get an answer to the conflict of issue question whether he should even vote on this ordinance.

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Councilman Briscione moved to approve this ordinance on first reading. It was seconded by Councilwoman Chaump.

The clerk called the roll:

AYES: Councilpersons Gallo, Chaump, Briscione, Johnson, and Kahle.
NAYS: None
ABSTAIN: Councilman Sharkey.
ABSENT: None

Councilman Briscione moved to hold a public hearing on the above ordinance on September 1st, 2005 and advertise same in accordance with the law. It was seconded by Councilwoman Johnson.

The Clerk called the roll:

AYES: Councilwoman Kahle, Johnson, Gallo, Chaump, and Briscione.
NAYS: None
ABSTAIN: Councilman Sharkey.
ABSENT: None

Councilman Briscione called for the introduction of an ordinance imposing mandatory affordable housing fees and establishing an affordable housing trust fund and asked the Clerk to read the proposed ordinance by title only as follows: **AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY SUPPLEMENTING CHAPTER 68 ENTITLED 'ZONING' AND IMPOSING MANDATORY AFFORDABLE HOUSING FEES AND ESTABLISHING AND AFFORDABLE HOUSING TRUST FUND.**

Councilman Briscione moved to approve this ordinance on first reading. It was seconded by Councilwoman Chaump.

The Clerk called the roll:

AYES: Councilpersons Kahle, Johnson, Gallo, Chaump, and Briscione.
NAYS: None
ABSTAIN: Councilman Sharkey.
NAYS: None

Councilman Briscione moved to hold a public hearing on the ordinance at the council meeting on September 1, 2005 and advertise same in accordance with the law. It was seconded by Councilwoman Chaump

The Clerk called the roll:

AYES: Councilpersons Kahle, Johnson, Gallo, Chaump and Briscione.
NAYS: None
ABSTAIN: Councilman Sharkey
ABSENT: None

Councilman Briscione reported that the Planning Board Council is reviewing recommended zoning changes set forth in the Master Plan Reexamination Report recently approved by the Planning Board. The Mt. Laurel sub committee met and on the advise of the attorney recommended the ordinances that were previously introduced will assist them in formulating a plan to satisfy the Mt. Laurel obligation. The committee is also working on determining their fair share obligation under Mt. Laurel.

Councilman Briscione reported that the AMA Alert Station is operational in Monmouth Park and broadcasts on 1620 AM and is currently broadcasting NOAA weather information. They appreciate the assistance and cooperation of Monmouth Park.

Councilman Briscione stated the Council is reviewing a house-numbering ordinance, which was previously requested by emergency services to help identify emergency situations.

Councilman Briscione commented with regard to Cable & technology, Comcast performed a site survey and has advised them that a line can be run to the Public Works building as they currently do not have cable access and they need it for a number of things including weather updates in the winter. The Borough Clerk is currently negotiating with Comcast to determine if additional fees are applicable.

Councilman Briscione reported that regarding Monmouth Park, the Haskell was held this past weekend and a reported crowd in excess of 40,000 people. Police worked closely with Monmouth Park as operations were performed with a closer eye with preparation for the 2007 Breeders Cup. Problems seemed to be minimal according to the chief and clean up of the parking lots and the surrounding areas seemed to be done quicker this year.

MAYOR GATTA: Mayor Gatta stated that in regards to the two ordinances that were passed with the COAH, they are available to the public if anyone would like a copy.

Mayor Gatta reported that a couple of weeks ago she received a letter from the Soccer Association, Jay Coffey, requesting a meeting with her as well as with Chief Sutton and the Superintendent of Public Works and Borough Clerk in preparation for the soccer season and how the fields by Port-Au-Peck Avenue will be utilized. They are hoping to have a very smooth and safe transition and all the departments will be working together to ensure that this happens.

Mayor Gatta reported that Haskell was held Sunday and she received word from the NJ Sports & Exposition Authority of how pleased they were with Oceanport's Police presence also with the flow of traffic. A special thank you to Captain Baldanza and the police who worked very long hours that day. Time is getting closer with the efforts in Save Fort Monmouth. On Sept. 8th the President will be giving a list of base closures and everyone is still working tirelessly to ensure that Ft. Monmouth is not going to be on the list. It's the understanding that the President can either accept the list in its entirety or reject it. There is a strong effort by the congressional representatives, state representatives to contact as many of the commissions and to continue reinforcing that this is not the time to close Ft. Monmouth.

Mayor Gatta then went on to remind everyone that the circus is coming to town. She reminded everyone that the proceeds will go to the Hook & Ladder and other Oceanport organizations. She asked everyone to support the circus as it is for a good cause.

Mayor Gatta then opened the meeting to the public for any comments or questions they might wish to make.

Dave Redeshi from the Recreation Committee to suggest or recommend to the Council that legal action be taken against the contractor who has done the Blackberry Bay Park project. The project is not finished and hasn't been finished for almost a year now and delays will cause them a missed opportunity to redo it and they will lose another year.

Mayor Gatta reported that that was a concern at the workshop meeting and Council was unanimous in moving in that direction and the Borough Attorney will be handling that.

Toni Sverapa wanted to clarify what Mr. Sharkey said in reference to the grant application. The recommendation from the committee was to request from Council to apply for the grant with matching funds of \$250.00. They have not formally changed their capital funding for the five-year plan to include that and they are requesting they apply.

Linda Tier, Allenhurst Avenue, spoke of her complaints regarding the garbage company and how early the truck comes down her street. She spoke to the Borough Clerk who has taken care of the problem of alternating the route but the neighborhood had asked her to put together a petition and she gave it to her. She recommending they change the start time to seven or eight A.M. which everyone seems to feel is reasonable and it was brought to the attention of the police department because they wanted to know what was reasonable in Oceanport. Her complaint was against the type of truck they are using and she contacted Ellyn Kahle in an effort to help her. She will continue to take signatures.

Councilwoman Kahle stated that she did report that they were changing the route and has a call out to the owner of the garbage company but she has not heard back from him yet. The only thing about changing the time to eight o'clock is if they did, and serviced another town, garbage in Oceanport would be out on the street later in the day until they came. A lot of people take in their garbage cans before they leave for work and after eight o'clock they wouldn't be able to and cans could be blowing around during winter months. So there are a couple concerns about changing the time to as late as eight o'clock.

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

Councilwoman Chaump brought it to the attention of the Council that there are still some bills that still need finance signatures. We'll do the resolution pending two signatures from the finance committee.

Councilman Sharkey stated that he refused to sign the engineering bills because of concerns over a number of reports and other concerns and recommended that Council withhold paying these bills until further review.

Councilwoman Kahle asked what the concerns were and Councilman Sharkey responded concerns regarding assessment report was not completed, concern over the tennis court report core sample report, Blackberry Bay and he suggests they review it and would like to withhold approximately \$35,000 of engineering bills.

Councilman Briscione commented on the vacant land assessment and the study that was done stating this is typically give and take. That work has been substantially completed.

Councilwoman Kahle asked if the Planning Board okay with the vacant land and Councilman Briscione said it is up to the attorney as it's an attorney /expert work product.

Councilwoman Chaump stated that the bills that they are withholding have to do with the rest of the engineering fees, which was under the bond ordinance, the engineering fees of the improvements to Sagamore and Maple Place and the Port-Au-Peck Ave improvements, which have to do with the specs that we are going out for bid. The other one is the Old Wharf Park which has to do with the grant that they received and the leaf compost facility and asked if Council is going to be holding those bills on things that are going to affect them going to bid.

Councilwoman Kahle asked if any of the bills related to Blackberry Bay and Councilwoman Chaump said no. Councilwoman Briscione suggested holding the ones relative to Blackberry Bay and Councilman Sharkey responded that he has a concern over all the engineering processes. They received it a notice from the Dept of Transportation regarding Evergreen and Councilman Briscione said it was part of the process that the engineer got the Department of Transportation involved to help put pressure on the contractor. Councilman Sharkey said there are other concerns about the road program items that are not completed that still being worked on in 2005 and he is very concerned about the late start on the 2005 Road Program and is concerned they are going to run into trouble again. Councilwoman Chaump stated they are ahead of the 2004 road program. Last year they didn't go out to bid until September. This year they

are going out to bid In August. The second thing she stated is the reason they couldn't was because they hadn't gone out for the bond ordinance and didn't have the money for that. They also did not have the DOT grant for it.

The Mayor then asked the Clerk to poll the Council if they chose to pay the engineering bills.

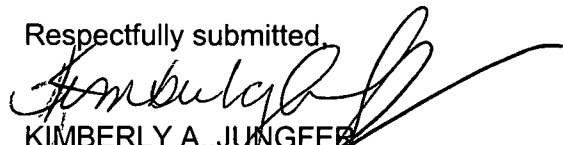
AYES: Councilpersons Kahle, Johnson, Gallo, Chaump, and Briscione.
NAYS: Councilman Sharkey.
ABSTAIN: None
ABSENT: None

Councilwoman Chaump asked the Clerk to read resolution R-05-84 approving the vouchers on the Bill List dated July 21, 2005 after which she moved to approve the same. It was seconded by Councilwoman Johnson with the Clerk calling the roll and all members voting in the affirmative

Bill Listed dated July 21, 2005. TOTAL TRUST TOTAL \$2,546, DOG REGISTRY TOTAL \$24. OPEN SAPCE \$235. 2004 VOUCHERS PAID \$196,779.26. 2005 VOUCHERS PAID \$8,573,276.25. 2005 VOUCHERS PAID THIS MEETING \$992,240.64 TOTAL 2005 VOUCHERS \$9,565,516.89. (SEE BILL LIST)

At 9 p.m. Councilwoman Chaump moved to adjourn this meeting until the next regular meeting scheduled to be held on September 15, 2005 at 8:00P.M. It was seconded by Councilman Briscione and unanimously approved by those Council members in attendance.

Respectfully submitted,



KIMBERLY A. JUNGFER
BOROUGH CLERK