REGULAR MEETING MINUTES

Oceanport, New Jersey
July 21, 2011

The Regular Meeting of the Oceanport Mayor and Council was called to order by Mayor Mahon on July 21, 2011 at 8:16 P.M. with Mayor Mahon stating the meeting had been properly advertised in accordance with the law. .

MEMBERS PRESENT: Councilpersons Bertekap, Ibex, Irace, Gallo, Johnson, Kahle and Mayor Mahon

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

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

CONSENT AGENDA

1. Resolution authorizing the payment of bills. **R-11-111**
2. Resolution appointing two Class II Special Officers. **R-11-112**
3. Resolution authorizing a tax lien for property maintenance. **R-11-113**
4. Resolution authorizing tax refunds due to overpayment. **R-11-114**
5. Resolution extending the grace period for the 3rd quarter tax payment. **R-11-115**
6. Resolution certifying compliance with the Best Practices **R-11-116**
7. Resolution requesting fair distribution of State aid for education. **R-11-117**
8. Resolution requesting authorization for insertion of an item of revenue. **R-11-118**
9. Resolution consenting to amendments to the County Wastewater Management Plan. **R-11-119**
10. Resolution authorizing a tax sale certificate redemption. **R-11-120**
11. Resolution authorizing execution of paperwork in association for a Capital Equipment Pooled Lease through the Monmouth County Improvement Authority for Shore Regional High School. **R-11-121**
12. Resolution awarding roof replaced of rear garage at Port-Au-Peck Firehouse **R-11-122**
13. Approval of the Workshop meeting minutes of June 16, 2011.
14. Approval of the Regular meeting minutes of June 16, 2011.
15. Approval of the Executive Session minutes of June 16, 2011

The Clerk stated there were 15 items on the consent agenda and asked for a motion. Councilman Gallo made a motion to approve the Consent agenda which was seconded by Councilman Johnson and approved by the Council.

CLERK/ADMINISTRATOR REPORT: Ms. Jungfer stated she was in receipt of the Police Report for May 2011, which had been distributed and would be posted.

COMMITTEES:

COUNCILMAN BERTEKAP: Councilman Bertekap extended thanks to the Shade Tree Committee and Public Works for their efforts with the trees planted at Maria Gatta Community Park. Councilman Bertekap also thanked the Girl Scouts for their cleanup project at Old Wharf Park.

COUNCILMAN IBEX: No report

COUNCILMAN IRACE: Councilman Irace commented on the adopted resolution regarding Senator Doherty's sponsored bill for fair distribution of State aid for education and that when school aid dollars are appropriated Oceanport gets back $.01 for every $1.00 sent to Trenton and that Senator Doherty's research shows that if the income tax revenue projected for next year were distributed equally to each student it would equate to $7,481 per student. Councilman Irace continued that the State Constitution mandates that the progressive collection of taxes for property tax relief. Oceanport currently receives $170,553 in State aid and given enrollment projections adoption of the Senator Doherty plan would bring to Oceanport's district $4,122,031 which would bring meaningful tax relief to Oceanport.

Councilman Irace also advised that racing at Monmouth Park for Friday was cancelled due to heat and that Friday's card would be run on Monday and also reminded everyone that the Oceanport Stakes and the Haskell would be running on July 31, 2011.

COUNCILMAN GALLO: No report

COUNCILMAN JOHNSON:

1. Introduction of an Ordinance for Guaranty for payment of Capital Equipment

Councilman Johnson called for the introduction 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 2011 (SHORE REGIONAL SCHOOL DISTRICT PROJECT) OF THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY** 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 August 18, 2011 and to advertise same in accordance with the law and was seconded by Councilwoman Kahle.

The Clerk called roll:

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

The Clerk stated that the motion carried.

COUNCILWOMAN KAHLE: Councilwoman Kahle thanked everyone for their support of the Community Garden including the local newspapers getting the word out to the residents.

MAYOR MAHON: Mayor Mahon discussed the recent newsletter sent out by the First Aid Squad which did not advise about the Circus fundraiser scheduled for August 17 & 18 and thanked Mr. Bailey and racetrack officials for their work to allow it occur in the parking lot at Monmouth Park.

Mayor Mahon also reported that they would be attending the drawing for positions for the Haskell Invitational.

Mayor Mahon discussed a monument honoring Armed Forces Day and thanked Council for consent to place it on Borough property.

Mayor Mahon lastly advised that the FMERA minutes and documents that he had distributed to Council had one item that was pulled last minute and would be reflected in the revised minutes which would be posted on the FMERA website after the 10 day veto period expires.

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

PUBLIC:

Gary LaBruno, 51 Wyandotte Ave, stated that he read an article about the Community Garden which was a nice idea but he had not read anything about discussions on shared services with Borough of West Long Branch with regard to police services and asked why it was not public knowledge.

Mayor Mahon responded and identified for the record that Mr. LaBruno was a police officer for a neighboring municipality and that Mr. LaBruno was aware that Committees from Oceanport were authorized in that very room to speak to other communities about shared services more specifically police and dispatch and in the context of their conversation with the municipality that Mr. LaBruno worked for and was present as a member of that Committee, there were items that were shared with Mr. LaBruno that were executive

because their nature was contractual and personnel related and that those items remained executive even if they were discussed with another municipality.

Mr. LaBruno acknowledged yes there were items that had to remain executive but the fact that there were talks going on didn't have to remain executive.

Mayor Mahon stated that those talks were authorized in public and reported tonight that they occurred and that the balance of discussion would take place in executive.

Mr. LaBruno asked if there was an outside agency doing a study.

Mayor Mahon answered that the Borough of Oceanport had not authorized any study be conducted.

Mr. LaBruno asked why was it that the new police car was marked identical to that of the Borough of West Long Branch with the exception of the word Oceanport.

Mayor Mahon answered that it was the same color as Little Silver and Monmouth Beach.

Mr. LaBruno replied for the record that Little Silver took it from Monmouth Beach and asked again what the reason was for the change in marking and if he was to draw his own conclusion that Oceanport would be sharing services with West Long Branch, why was it that Oceanport's cars had to look like West Long Branch?

Mayor Mahon stated that he wouldn't reach any conclusion without having the information and that Mr. LaBruno didn't have the information and as a police officer in a neighboring municipality and speaking as a police officer tax payer he should be cautious with his comments and that if the steps were retraced for the discussions on the shared dispatch service it would be noted that they are following the same and correct procedure.

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

Bill List: Capital Trust $28,278.85 Dog Registry $281.00 Escrow Trust $3,273.25 Off Duty Trust $356.86 Open Space Trust $7,391.65 Recreation Trust $1,503.44 Shade Tree Trust $1,600.00 Water Watch Trust $324.00 **2010 Vouchers Paid** $343,516.17 **2010 Vouchers Paid this Meeting** $1,000.00 **Total 2010 Vouchers Paid** $344,516.17 **2011 Vouchers Paid** $9,853,270.84 **2011 Vouchers Paid this Meeting** $2,341,080.60 **Total 2011 Vouchers Paid** $12,194,351.44

At 8:31 p.m. the Clerk read a Resolution authorizing the meeting to enter Executive Session for the purposes of matters required by law to be confidential, matters of personnel, matters of land acquisition, and litigation on a motion made by Councilman Johnson and seconded by Councilwoman Kahle and approved by Council.

At 9:40 p.m. the Council returned from Executive Session and re-opened the Regular Meeting on a motion by Councilman Ibex which was seconded by Councilwoman Kahle and approved by Council.

As there was no further business, the meeting was adjourned at 9:41 p.m. on a motion by Councilman Ibex, which was seconded by Councilwoman Kahle and approved by Council.

Respectfully submitted,

KIMBERLY A JUNGFER
BOROUGH CLERK