

REGULAR MEETING MINUTES

Oceanport, New Jersey
July 18, 2013

The Regular Meeting of the Oceanport Mayor and Council was called to order on July 18, 2013 at 7:41 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."

MEMBERS PRESENT: Councilpersons Bertekap, Gallo, Ibex (entered 8:20 p.m.), Irace, Johnson, Kahle, Mayor Mahon

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

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

CEREMONIAL SWEARING IN OF POLICE CHIEF DANIEL W. BARCUS

The Oath of Office was administered to Daniel W. Barcus for the appointment as Chief of Police of the Borough of Oceanport's Police Department. Mayor Mahon recognized members of the Chief's family, former Chiefs of Police present and various local and county officials.

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

CONSENT AGENDA: The Clerk stated there were 13 items on the consent agenda, advised that Item #6 had been moved to the Mayor's report and described 2 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 Gallo whom abstained from Items 11, 12 and 13.

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| R-13-100 | 1. Resolution authorizing the payment of bills. |
| R-13-101 | 2. Resolution authorizing the purchase price of tractor for DPW |
| R-13-102 | 3. Resolution authorizing redemption of 2011 Tax Sale Certificate, Block 44, Lot 8 |
| R-13-103 | 4. Resolution authorizing the purchase of police vehicle through State Contract |
| R-13-104 | 5. Resolution authorizing the purchase of pickup truck for OEM through State Contract |
| | 6. Resolution appointing Tax Collector to unexpired term – moved to Mayor Mahon |
| R-13-105 | 7. Resolution amending the 2013 budget to add an item of revenue: Alcohol Education & Rehabilitation Grant |
| R-13-106 | 8. Resolution amending the 2013 budget to add an item of revenue: Automated License Plate Reader System Grant |
| R-13-107 | 9. Resolution amending the 2013 budget to add an item of revenue: Clean Communities Funding |
| R-13-108 | 10. Resolution authorizing execution of paperwork in association for a Capital Equipment Pooled Lease through the Monmouth County Improvement Authority for Shore Regional High School. |
| | 11. Approval of Regular Meeting Minutes of June 6, 2013 |
| | 12. Approval of Workshop Meeting Minutes of June 6, 2013 |
| | 13. Approval of Executive Session Minutes of June 6, 2013 |
| R-13-109 | 14. Resolution authorizing Clark Caton Hintz to proceed with State Local Planning Assistance Grant Application |
| R-13-110 | 15. Resolution approving amendment to capital budget to include DOT funding. |

Ms. Smith also advised that she was in receipt of the Police Department's Report for June 2013 which had been distributed and would be posted.

COMMITTEES:

COUNCILMAN BERTEKAP: Councilman Bertekap had no report.

COUNCILMAN GALLO: Councilman Gallo had no report.

COUNCILMAN IRACE: Councilman Irace had no report.

COUNCILMAN JOHNSON:

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| #914 | 1. 2 nd Reading and Public Hearing on an Ordinance Establishing a Special Events Permit |
| #915 | 2. 2 nd Reading and Public Hearing on an Amendment to the Fee Ordinance |
| | 3. Introduction of the 2013 Bond Ordinance |
| | 4. Introduction of 2013 Shore Regional Bond Guaranty Ordinance |
| | 5. Introduction of an Ordinance – Pet Shops |

Councilman Johnson called for the 2nd reading and public hearing of "**AN ORDINANCE SETTING FORTH AND ADOPTING RULES FOR A SPECIAL EVENTS PERMIT**" 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:	Bertekap, Gallo, Irace, Johnson, Kahle
NAYES:	None
ABSTAIN:	None
ABSENT:	Ibex

The Clerk stated that the motion carried.

Councilman Johnson called for the 2nd reading and public hearing of "**AN ORDINANCE SETTING FORTH AND ADOPTING AMENDMENTS TO CHAPTER 204, ARTICLE VII ENTITLED "FEES" OF THE CODE OF THE BOROUGH OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY**" 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 Councilman Bertekap.

The Clerk called roll:

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

ABSENT: Ibex

The Clerk stated that the motion carried.

Councilman Johnson called for the introduction 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 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 15, 2013 and to advertise same in accordance with the law and was seconded by Councilman Irace.

The Clerk called roll:

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

The Clerk stated that the motion carried.

Councilman Johnson called for the introduction of an **“ORDINANCE AUTHORIZING THE GUARANTY BY THE BOROUGH OF OCEANPORT, NEW JERSEY FOR 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 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 15, 2013 and to advertise same in accordance with the law and was seconded by Councilwoman Kahle.

The Clerk called roll:

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

The Clerk stated that the motion carried.

Councilman Johnson requested that Councilwoman Kahle present the next item.

Councilwoman Kahle called for the introduction 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 proposed Ordinance by title only.

Councilwoman Kahle stated that resident Nadine Surak had made the request to protect the rights of animals something very dear to her heart and then made a motion to approve the Ordinance upon first reading and to hold the public hearing on the proposed ordinance at the Council meeting of August 15, 2013 and to advertise same in accordance with the law and was seconded by Councilman Johnson.

The Clerk called roll:

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

The Clerk stated that the motion carried.

COUNCILWOMAN KAHLE: Councilwoman Kahle reported on meetings of Environmental Commission and Water Watch Committee recently and that the Environmental Commission had requested a report on pesticide use on the Borough fields and that she would be requesting that and that they were calling for a walk through of Monmouth Park and invited Council to attend when date was set.

MAYOR MAHON:

R-13-111 1. Resolution appointing a Tax Collector for the unexpired term

Mayor Mahon requested a motion appointing Michele Narciso as Tax Collector which was moved by Councilman Irace and seconded by Councilman Johnson.

The Clerk called roll:

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

The Clerk stated that the motion carried.

Mayor Mahon reported that since last meeting the Council had been reviewing 3 options concerning Borough Hall's condition: 1) improving and elevating existing building with an addition to provide for space by police trailers; 2) relocate elsewhere in the Borough outside of flood plain by constructing new building and 3) occupy and repurpose a building located within the Borough on Fort Monmouth and that the Council would be considering information on those items being presented during Executive Session under contracts and negotiations. Mayor Mahon also advised of a 2nd item to be discussed in Executive Session with consultants Millenium Strategies who would be advising guidance and advice as to financial considerations for items related to Borough Hall. Mayor Mahon added that items also to be discussed in Executive would involve FMERA items on the marina and the former hospital site and that there may be action items taken by Council upon return to the regular meeting.

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

PUBLIC:

Helen Pfeaff, expressed concern that the Borough be involved with anything over at the Fort especially the marina site because of environmental pollution of the water at the site and exposing the public to the pollution. She also expressed concern that the newspaper was reporting that the sewer system at Fort Monmouth reportedly had to be replaced and asked Council to reconsider any involvement.

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

Bill List Summary: Capital Trust \$5,453.50 Dog Registry \$394.60 Escrow Trust \$5,064.75 Fireworks Trust \$1,500.00 Open Space Trust \$6,734.50 Other Trust \$109.80 Public Defender Trust \$200.00 Recreation Trust \$1,339.98 2012 Vouchers Paid \$329,307.12 2012 Vouchers Paid this Meeting \$3,054.71 Total 2012 Vouchers Paid \$332,361.83 2013 Vouchers Paid \$11,707,775.22 2013 Vouchers Paid this Meeting \$2,190,379.05. Total 2013 Vouchers Paid \$13,898,154.27

Mayor Mahon asked that the Clerk read a resolution to enter Executive Session. Councilman Irace interjected and asked Mr. Bennett if he had any objection to the Governing Body going into Executive Session to discuss any FMERA items to which Mr. Bennett responded correct, he had no objections.

At 8:04 p.m. the Clerk read a Resolution authorizing the meeting to enter Executive Session for the purposes of land acquisition and litigation on a motion made by Councilman Bertekap and seconded by Councilman Gallo 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.

Ms. Smith stated let the record reflect that Councilman Ibex was present having entered during Executive Session.

Mayor Mahon asked for a motion to approve a Resolution authorizing the renewal of the Agreement with Millenium Strategies continuing under the original terms of a month to month basis effective August 1, 2013 which was moved by Councilwoman Kahle and 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. **R-13-112**

As there was no further business, the meeting was adjourned at 9:21 p.m. on a motion by Councilman Gallo, which was seconded by Councilwoman Kahle and approved by Council.

Respectfully submitted,



JEANNE SMITH
DEPUTY BOROUGH CLERK