

REGULAR MEETING MINUTES

Oceanport, New Jersey
June 21, 2012

The Regular Meeting of the Oceanport Mayor and Council was called to order on June 21, 2012 at 8:11 P.M. with Mayor Mahon announcing that the meeting had been properly advertised in accordance with the law.

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

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

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

INVOCATION: Borough Chaplain Robert Mills gave the invocation.

CLERK/ADMINISTRATOR REPORT: Ms. Jungfer stated there were 8 items on the consent agenda and asked for a motion. Councilwoman Kahle made a motion to approve the Consent agenda which was seconded by Councilman Ibex and approved by Council. Mayor Mahon added for clarification on the resolution authorizing the police vehicles purchase from Winter Ford who have the State Contract, however, the vehicles would be 2013 Dodge chargers.

CONSENT AGENDA

1. Resolution authorizing the payment of bills. **R-12-98**
2. Resolution authorizing tax refunds due to overpayment. **R-12-99**
3. Resolution appointing Jake Pascucci a permanent Police Officer. **R-12-100**
4. Resolution authorizing Housing Trust Fund monies for Administrative Fees. **R-12-101**
5. Approval of the Workshop meeting minutes of June 7, 2012.
6. Approval of the Regular meeting minutes of June 7, 2012.
7. Approval of the Executive Session minutes of May 17, 2012.
8. Approval of the Executive Session minutes of June 7, 2012
9. Resolution authorizing the purchase of two police vehicles per State Contract **R-12-102**
10. Resolution authorizing field usage permit for Maria Gatta Park **R-12-103**
11. Resolution authorizing tax lien for property maintenance **R-12-104**
12. Resolution authorizing application for fire grant **R-12-105**

COMMITTEES:

COUNCILMAN GALLO: No report

COUNCILMAN IBEX: No report

COUNCILMAN IRACE: No report

COUNCILMAN BERTEKAP: No report

COUNCILMAN JOHNSON:

1. 2ND reading and public hearing of an amendment to Chapter 64 of the code: Vehicle and Traffic. **#906**
2. Introduction of an amendment to Chapter 267 of the code: Noise
3. 2ND reading and public hearing of an amendment to the Police Ordinance **#907**

Councilman Johnson called for the 2nd reading and public hearing of **"AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 64 SECTION 34 SCHEDULE II 'NO STOPPING,**

STANDING OR PARKING CERTAIN HOURS” OF AN ORDINANCE ENTITLED VEHICLE AND TRAFFIC OF THE CODE 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: Gallo, Ibex, Irace, Bertekap, 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 **“AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 78-6(A) “POSITIONS AND APPOINTMENTS” OF CHAPTER 78 ENTITLED “POLICE DEPARTMENT” OF THE CODE 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: Gallo, Ibex, Irace, Bertekap, 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 **“AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 267 OF THE CODE OF THE BOROUGH OF OCEANPORT ENTITLED “NOISE” TO AMEND AND SUPPLEMENT SECTION 267-1.E”** 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.

Councilman Johnson made a motion to amend the proposed hours for Sundays to be from 11:00 am to 7:00 pm. which was seconded by Councilman Irace. There was discussion amongst the Council on the proposed amendment to the initial amendment introduced which provided extended hours for residents only on Monday through Friday from 8:00 am – 8:00 pm and Saturdays and Sundays from 9:00 am – 6:00 pm. Discussion centered around the 9:00 am start time on Sundays and its impacts on quality of life. Councilwoman Kahle commented that she thought the hours should be limited so that residents can enjoy their backyards without a neighbor doing loud yard work with a blower or mower. Councilman Gallo commented that 9 am people might be sleeping in but did agree that it should be more limited such as 9-1pm. Councilman Ibex thought 9-1pm was restrictive for those that worked on Saturdays and agreed with

the 11am-7pm. Councilman Irace said 9 am was too early. Councilman Bertekap agreed with 11am-7pm and suggested asking the Police Chief how many complaints are received for Sundays.

Mayor Mahon asked Chief Sutton who was present on complaints received. Chief Sutton advised that very few complaints were received for Sundays as most people don't know that it's not allowed on Sundays.

A motion and a second for the amendment to the proposed Ordinance on the floor with the following roll call:

The Clerk called roll:

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

The Clerk stated that the motion carried.

COUNCILWOMAN KAHLE: No report

MAYOR MAHON: Mayor Mahon spoke about correspondence received by the NJDEP on its release of the Administrative Order for Monmouth Park Racetrack as they had satisfied all the requirements and that they would be having a follow up walk through. Councilwoman Kahle added that she had been in touch with John Duffy, NJSEA Engineer for the project and that they would be scheduling a date. Mr. Bennett said he would like to be present. There was some discussion on a good time and who else would attend including Water Watch and Environmental Commission.

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

PUBLIC:

Steve Murphy, 31 Serand Avenue, commented that he was someone who worked 6 days a week and that he was able to have a lawn service but said that he thought one should be neighborly on Sundays but that it was good to allow for those that did work 6 days a week.

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

Bill List: Capital Trust \$14,256.25 Dog Registry \$71.40 Escrow Trust \$1,880.00 Open Space Trust \$108,513.43 Recreation Trust \$2,000.00 2011 Vouchers Paid \$320,019.19 2011 Vouchers Paid this Meeting \$0.00 Total 2011 Vouchers Paid \$320,019.19 2012 Vouchers Paid \$10,424,832.65 2012 Vouchers Paid this Meeting \$536,831.52. Total 2012 Vouchers Paid \$10,961,664.17

At 8:30 p.m. the Clerk read a Resolution authorizing the meeting to enter Executive Session for the purposes of property acquisition, personnel matters and litigation on a motion made by Councilman Ibex and seconded by Councilman Johnson and approved by Council.

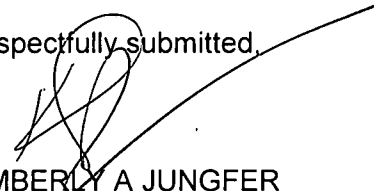
At 10:06 p.m. the Council returned from Executive Session and re-opened the Regular Meeting on a motion by Councilman Ibex which was seconded by Councilman Irace and approved by Council.

Councilman Irace made a motion to authorize salary increases in accordance with recommendations of the Finance Committee which were agreed upon during the Executive Session which was seconded by Councilman Ibex and approved by Council with the exception of Councilwoman Kahle who voted no on the motion.

As there was no further business, the meeting was adjourned at 10:08 p.m. on a motion by

Councilwoman Kahle, which was seconded by Councilman Irace and approved by Council.

Respectfully submitted,



KIMBERLY A JUNGFER
BOROUGH CLERK