REGULAR MEETING MINUTES

Oceanport, New Jersey
June 19, 2008

The Regular Meeting of the Oceanport Mayor and Council was called to order on June 19, 2008 at 8:00 P.M. with Mayor Mahon stating the meeting had been properly advertised in accordance with the law.

MEMBERS PRESENT: Councilpersons Briscione, Ibex, Irace, Johnson and Mayor Mahon

MEMBERS ABSENT: Councilpersons Gallo, Kahle

OFFICIALS PRESENT: Deputy Borough Clerk, Jeanne Smith, Borough Attorney, John O. Bennett, III, Borough Engineer William H.R. White, III

INVOCATION: Deacon Wes Whalen gave the invocation.

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

Mayor Mahon stated that Councilman Gallo and Council President Kahle are attending their children's graduation from Shore Regional High School that evening and were absent for that reason along with the Borough Clerk, Kim Jungfer.

Mayor Mahon announced that the first item on the Agenda was a presentation to Mrs. Kristen Gillette which was going to be presented in conjunction with recognition that was going to be presented by Assemblyman Declan O'Scanlon who sent his regrets that he could not be present that evening. Mayor Mahon presented on behalf of the Borough a Certificate of Commendation to Kristen Gillette in recognition of her work for the Kortney Rose Foundation. Ms. Gillette expressed her appreciation for the Borough's support and provided an update on a Bill she submitted to claim May as Brain Tumor Awareness Month for the State of New Jersey.

CONSENT AGENDA

1. Resolution Authorizing the Payment of Bills. **R-08-93**
2. Resolution authorizing the hiring of temporary help in the Public Works Dept. **R-08-94**
3. Resolution renewing the liquor license of Oceanport Spirits. **R-08-95**
4. Approval of the workshop minutes from June 5, 2008
5. Resolution opposing COAH Bills A-500 and S-1783 **R-08-96**

The Deputy Borough Clerk stated that per the Work Shop meeting there was 1 addition to the Consent Agenda which had been made available to Council and to the public, Item #5 and read what the item was. Councilman Briscione moved to approve the Consent Agenda with the additional item, which was seconded by Councilman Johnson and approved by the Council.

CLERK'S REPORT:

COMMITTEES:

COUNCILMAN BRISCIONE: No report

COUNCILMAN GALLO: Absent due to graduation.

COUNCILMAN IBEX: No report

COUNCILWOMAN KAHLE: Absent due to graduation.

COUNCILMAN IRACE:

1. Resolution in support of the Horse Training Facility. **R-08-97**

Councilman Irace made a motion to approve a resolution in support of the Horse Training Facility that is under consideration for the 400 area of Fort Monmouth property in lieu of some of the housing development which was seconded by Councilman Johnson and approved by the Council.

Councilman Irace also extended his thanks to Kristen and Rich and Casey and their organization and what they've done for the Borough to bring them all together.

Mayor Mahon also recognized Sheri Amador who is one of the Board members of the Kortney Rose Foundation for her help.

COUNCILMAN JOHNSON: Councilman Johnson called for a motion to table the second reading public hearing of the **Cell Tower Ordinance** to the July 17, 2008 meeting, which was motioned by Councilman Briscione, which was seconded by Councilman Ibex.

The Clerk called roll:

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

Councilman Johnson called for the introduction of an amendment to the **Fee Ordinance** regarding fees for field usage, 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, which was seconded by Councilman Irace.

The Clerk called roll:

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

Councilman Johnson made a motion to hold the public hearing on the proposed ordinance at the Council meeting of July 17, 2008 and to advertise same in accordance with the law and was seconded by Councilman Irace.

The Clerk called roll:

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

MAYOR MAHON: No report

PUBLIC:

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

Wes Whalen, 30 Branch Avenue, commented on the portion of the Tower Communications Ordinance under Section 1, 3(c) that because the item would be on Borough property couldn't the Council add that the Borough be able to take it over after a year. Mr. Bennett responded they could and that it would be their option if it were going to be removed. Mr. Whalen stated he would be concerned that the Borough would be stuck with having to remove it when the Borough could take over its operation. Mr. Briscione compared it to a situation where the leaseholder improvements in a commercial building becomes the landlord's right when the tenant leaves but in a situation such as this if the cell tower is going to be vacated then it would have no value. Mr. Bennett responded that all of the discussed items are things that would be part of a lease agreement with the Borough and that the Ordinance allows the Borough to enter into a lease for the purpose of having a cell tower.

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

Bill List: Dog Registry $43.20. Public Defender $200.00. 2007 Vouchers Paid $161,234.00. 2007 Vouchers Paid this Meeting $0.00. Total 2007 Vouchers Paid $161,234.00. 2008 Vouchers Paid $9,203,640.79. 2008 Vouchers Paid this Meeting $413,789.39. Total 2008 Vouchers Paid $9,617,430.18.

At 8:12 p.m. the Clerk read a Resolution authorizing the meeting to enter Executive Session and after a correction on the date, on a motion made by Councilman Ibex and seconded by Councilman Irace and approved by Council.

At 9:05 p.m. the Regular Meeting was re-opened on a motion by Councilman Irace which was seconded by Councilman Briscione and approved by Council.

Mr. Bennett read a Resolution pertaining to the Zolofra litigation which Councilman Johnson made a motion to approve and a request that a copy be provided to the Planning Board's attorney which was seconded by Councilman Briscione and approved by Council.

As there was no further business, the meeting was adjourned at 9:06 p.m. on a motion from Councilman Briscione, seconded by Councilman Irace and approved by Council.

Respectfully submitted,

Jeanne Smith

JEANNE SMITH
DEPUTY BOROUGH CLERK