

REGULAR MEETING MINUTES

Oceanport, New Jersey
June 5, 2003

- REGULAR MEETING:** The Regular Meeting of the Oceanport Mayor and Council was called to order on June 5, 2003 at 8:00 P.M. with Mayor Gemma stating the meeting had been properly advertised in accordance with law.
- MEMBERS PRESENT:** Councilpersons Kahle, Mahon, Apruzzi, Gatta, Cooper and Mayor Gemma.
- MEMBERS ABSENT:** Councilman McGann.
- OFFICIALS PRESENT:** Borough Clerk, Patricia L. Varca and Borough Attorney, Francis A. Margalotti.
- INVOCATION:** Borough Chaplain Berry gave the invocation.
- PLEDGE OF ALLEGIANCE:** Mayor Gemma led the audience and members of the Council in the flag salute.

As copies of the minutes from the regular meeting held on May 15, 2003 had been made available to the members of the Governing Body, Councilwoman Gatta moved to waive the reading of same and approve the minutes as presented by the Borough Clerk. It was seconded by Councilman Apruzzi and approved by Council.

CLERK'S REPORTS:

1. Membership application to the Port-au-Peck Chemical Hose Fire Company made by James C. Mazzei.

The Clerk advised that the Police Department had conducted a background check and had approved the application, after which Councilman Mahon moved to approve the membership application. It was seconded by Councilman Apruzzi and approved by Council.

COMMITTEES:

COUNCILWOMAN KAHLE: Councilwoman Kahle reported that the Oceanport Water Watch Committee held a Community Clean Up day on May 17th along with the Girl Scouts and they cleaned along the waterway at Blackberry Bay and Sommers Park.

Councilwoman Kahle also advised that the Oceanport Environmental Commission ended their Poster Contest on Trees in Oceanport's Environment and they selected 15 groups of children in various age groups and 1st, 2nd and 3rd place prizes were awarded on Memorial Day at the Community Center.

Councilwoman Kahle commented that both groups just mentioned would like to remind everyone that Monmouth Museum is sponsoring an exhibition on estuaries at Brookdale Community College and its free to the public and is be there until August 31st.

Mayor Gemma interrupted the agenda at this point and recognized Peter Dellera, Jr. who is the driving force behind the Lions Club Fair, which generates wonderful times and contributes to many of the charities in the Borough and asked Mr. Dellera to come forward.

Mr. Dellera first read an article he had submitted to the local newspapers thanking and acknowledging his appreciation for all the many people who stood by him this year during the fair, which was rained on almost every night, but still, he was surrounded by people supporting him and helping out in any way possible. He then presented checks in the amount of \$500 each to the Fire Department, First Aid Squad and to the Oceanport PBA.

R-03-45

COUNCILMAN MAHON: Councilman Mahon asked the Clerk to read resolution **R-03-45** regarding the sale of Borough property known as Block 66, Lot 8 located on Shrewsbury Avenue after which he moved to approve same. It was seconded by Councilman Apruzzi and approved by Council.

Councilman Mahon stated we have been speaking over the past several months about the Borough web site and what we have learned over the past several weeks is that part of the Comcast package that was purchased by the Borough includes web site space and we have received permission to access that space and in fact, Comcast contacted him yesterday and we have all the required addresses in this regard and we will be sharing that information with Mr. Whitson who will be creating the front page templates for the Borough's use and with the help of the various department heads and the different groups within the Borough and what their interest is in posting on web pages that will be dedicated for specific purposes and they will begin compiling their information, then Mr. Whitson with the help of young Patrick Hickey, as part of his Eagle Scout project, will be able to go forward with this project.

Councilman Mahon stated he was informed by our OEM Director, Harold Sutton, that FEMA has indicated that we will be getting our reimbursement for expenses incurred during the snow storm we experienced this past winter and the rate of return will be 75% of our actual expenses.

Councilman Mahon discussed the radio tower and at the last meeting a Borough resident from across the street, Mr. Holden, was quite upset after reading an article in the newspaper and interpreting that to mean that a cell tower was being placed here behind Borough Hall to replace the existing Borough tower. He continued that this was not the intent and in any case, what we have come up with since then and he has communicated this to Mr. Holden, is that there are two alternates that we are looking into, one being to locate a repeater site at the Hook & Ladder Fire House and we had intended as part of our five year plan, to locate a base station radio at that building, so we could upgrade that to a repeater site and that would give us communications with the First Aid on that side of town. Councilman Mahon advised that the other item that Councilwoman Kahle brought up at a previous meeting was to perform maintenance on the existing tower which would extend its life span by ten years and the third element of improvement that we are undertaking, but unfortunately found out this week that it is under funded, is we are supposed to be installing a Quantar Base here in the Police Department and that would allow additional frequencies and when we lumped that into the overall police capital program this year and included the necessary computer upgrades, we do not have adequate funding for the installation for this new system and the additional antennae that would be required.

Mayor Gemma asked how much more funding are we talking about to which Councilman Mahon stated we are talking about \$3,000-\$4,000 in additional funding and the original amount should have been funded at \$14,000 and we funded it at \$11,000. Councilman Mahon further

explained that the amount used in the budget was based on State Contract Prices from last year, but they did increase the equipment after our budget was adopted.

Councilman Mahon stated that is what is going on in this regard and he stated to Mr. Holden when he spoke with him yesterday and will do so again tonight, since Mr. Holden had asked for assurances that there would be no cell tower site in Oceanport at the last meeting and he would not give him that assurance at that time, but what he has told him is that this matter is outside his control but that he would not be supporting the cell tower in Oceanport and he made that assurance to him yesterday and again this evening.

Councilman Mahon commented that there was an article in Today's Reporter and one of the items mentioned was the FEMA Fire Grant that the Fire Department has applied for and ended with the comment that the fire grant included a \$10,000 match which would be removed and he did not feel this was completely accurate and explained that the \$10,000 match amount is set up in a separate account for this purpose only and will not return to the Fire Department budget and remains as a match in a reserve account.

Councilman Mahon reported on the Reverse 9-1-1 System what we have learned is that Shrewsbury has met their capacity for their system and we cannot come in on their system for at least two years and Long Branch, which received a grant for their system, has a limitation under the grant that they cannot allow a shared service for the first two years and were not aware of that when they applied for the grant. He continued that in the meantime, our OEM Director, Harold Sutton, Steve Briskey and Buzzy Baldanza from the Police Department have been working with the Oceanport School System and Maria Parry and we are looking at an Interlocal Agreement to use the school's Reverse 9-1-1 system and it is something that the taxpayers of Oceanport have already paid for and we will just be extending the use of that system to all the residents.

COUNCILMAN APRUZZI: Councilman Apruzzi called for the 2nd reading and public hearing of an amendment to the zoning ordinance with regard to signs dealing with real estate and open house events and asked the Clerk to read the Affidavit of Publication and the proposed ordinance by title only as follows: **AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED THE "BOROUGH OF OCEANPORT ZONING ORDINANCE" PASSED AND APPROVED ON JULY 3, 1969.**

ORD.#
762

Mayor Gemma opened the meeting to the public for any comments on this subject only, but upon hearing none, Councilman Apruzzi moved to close the public hearing on this matter. It was seconded by Councilwoman Gatta and approved by Council.

Councilman Apruzzi then moved to adopt this ordinance on second and final reading and to advertise same in accordance with law. It was seconded by Councilwoman Gatta.

The Clerk called the roll:

AYES: Councilpersons Kahle, Mahon, Apruzzi, Gatta and Cooper.
NAYS: None.
ABSENT: Councilman McGann.
ABSTAIN: None.

Councilman Apruzzi commented that this ordinance is in regard to real estate signs, size and number for open houses and a copy is in the back of the room for the public.

Mayor Gemma stated as a follow up, this ordinance basically talks about the open house signs off premise and the realtors are allowed to have them, however, it is only on the day of the open house and if they do not remove it after the open house is over, for each day it remains up there will be a fine of \$100 and this is now enforceable.

Councilman Apruzzi moved to authorize the Borough Clerk to advertise and receive bids for a truck for the Public Works Department. It was seconded by Councilwoman Gatta and approved by Council.

Councilman Apruzzi announced that the memorial monument for Sept. 11th was installed today and commented that it was quite beautiful and reminded everyone that the ceremony for this is scheduled to be held on Sunday at Old Wharf Park at 2:00 p.m. and hoped everyone would come out and attend.

Councilman Apruzzi explained that we have advertised our Adopt a Tree Program for the Borough and two things have happened since we first discussed this and that is we have received over \$500 for trees and we have received a call, but at this time he cannot divulge the name of the nursery, but will do so in the near future, from a nursery who's owner is in town and will be donating a large number of trees to the Borough and he has already met with Shade Tree to discuss where best to place these trees and most of them will be in the parks and some of them will be in the right-of-way where trees have needed to be removed and we are looking at about thirty trees, which is a substantial donation to the Borough.

Councilman Apruzzi corrected a statement he made at the last meeting he made a comment that the Police had not asked for a new officer this past year and that was incorrect because a new officer had been requested. He continued that he has since met with Chief Bebout to discuss the future direction of the Police Department and how we could go about bringing an additional officer on board and we will be discussing this with the full Council in the near future.

COUNCILWOMAN GATTA: Councilwoman Gatta reported for the month of April the First Aid Squad received 60 calls, which generated 642 person hours, and for the first four months the First Aid Squad has answered 241 calls and that is an increase in the calls for this year.

Councilwoman Gatta advised that our First Aid presented a program to our Kindergartners at the Wolfhill School and showed the students the ambulance and let them look through it and it was a very good program for the children.

Councilwoman Gatta stated that our First Aid Squad is embarking on a 50/50 cash raffle and the books are in and the proceeds will be for the improvement to the building and the drawing will be held on December 13th and she would suggest that we all contact our First Aid members to get these books and support our Squad.

Councilwoman Gatta commented that there are reports that it may be a sunny weekend for a change and because of that, she urged everyone to get rid of all the standing water around your property from all the rain to help avoid the problems associated with the West Nile Virus.

Councilwoman Gatta stated as she had reported at the last Council meeting, on May 20th the first networking meeting was held and was well attended and some great dialogue was exchanged. She continued that the one thing that surprised her from the meeting was that the women who were in attendance were not familiar with the activities nor the clubs and organizations that we have here in the Borough. Councilwoman Gatta advised as a way to rectify this situation, the working

committee came up with the idea of a Community Day which we are hoping to have in the fall and will give the residents an opportunity to talk to the volunteers in all our Borough clubs and organizations, to acquaint them with their works in the hopes that they might possibly become volunteers and members of these organizations. She commented that no date as yet has been set for this Community Day, but the next networking meeting is scheduled for Tuesday, June 24th at 7:00 p.m. at the Old Wharf House.

Councilwoman Gatta offered her thanks and appreciation to the Oceanport United Methodist Church for their annual community memorial service on Sunday, May 25th and recognized the residents who died this past year and it was a very moving ceremony.

Councilwoman Gatta complimented Councilman Apruzzi on the Memorial Day Program he headed up despite the rainy weather and a wonderful program was held at Borough Hall.

Councilwoman Gatta reported that we are finishing up our third year with the Coastal Alliance, which is our program, which involves Long Branch, West Long Branch and Oceanport in fighting alcohol and drug substance abuse.

Councilwoman Gatta moved to extend the Borough's participation in the Coastal Alliance for a one-year commitment and to authorize the Mayor to sign the contract for the one-year commitment to the Alliance. It was seconded by Councilman Mahon and approved by Council.

COUNCILMAN McGANN: ABSENT.

COUNCILWOMAN COOPER: Councilwoman Cooper asked the Clerk to read resolution **R-03-46** authorizing the Tax Collector to refund an overpayment of property taxes for Block 92, Lot 18 after which she moved to approve same. It was seconded by Councilwoman Gatta and approved by Council.

Councilwoman Cooper reported she attended a meeting recently regarding Monmouth County Energy Deregulation and wanted to let everyone know that there has been some talk about aggregation and what we should be doing and advised that the State has already done that for the residents, so that for the next few years we don't have to worry about that as individual residents and they will meet every year to set the energy prices. She added that we do have aggregation through the Two Rivers Council of Mayors and as we move forward in time and the State no longer does this for residents, we are protected and can move forward ourselves.

Councilwoman Cooper advised that the 2003 Directory has come out and wanted to make note that she was inadvertently left off the e-mail listing and advised that her e-mail address was dptam24@comcast.net if anyone wanted to reach her.

Councilwoman Cooper stated that she just wanted to say that she regrets she will not be able to attend the memorial service on Sunday due to a prior commitment, but that her thoughts and prayers will be with everyone in the community during that time.

MAYOR GEMMA: Mayor Gemma stated as a follow up to Councilman Mahon's earlier comments, he wanted to offer his thanks and appreciation to Harry Sutton for his hard work and efforts in putting together all the required data in order to qualify for the reimbursement funds. Mayor Gemma found it interesting that we would qualify for a FEMA grant for a snowstorm in February that cost us \$15,000 but not for a major storm in August that cost us substantially more.

Mayor Gemma commented that Oceanport received notice today that we qualify for a joint planning grant with Tinton Falls, Eatontown and Shrewsbury for a grand total between the four towns of \$50,000 to engage in a regional study in terms of areas of continuity and areas of transportation with regard to the amount of traffic all around us and what we can do in the area of traffic control.

Mayor Gemma offered his thanks to Councilman Apruzzi for his efforts with the Memorial Day ceremonies being held in the Borough Hall.

Mayor Gemma stated that BRAVO Company, which is the company that has been guarding the gates at Fort Monmouth, is leaving tomorrow for an undisclosed location and they have been part of our community for the last several years and have become our friends. He will not be able to attend the ceremony scheduled for tomorrow but urged anyone who was able to attend and give them a proper send off.

Mayor Gemma advised that he has been notified by some of our residents and saw some of the work that has recently been done by contractors hired by JCP & L in connection with tree trimming and the terrible job they have done in doing this and in this regard, he has contacted them and they will be sending someone to inspect the work and will contact someone in our Shade Tree Committee to determine how to stop this butchering of our trees in the future. He continued that unfortunately the wires are the property of JCP & L and it is their right under BPU regulations to trim the trees from the wires, but we will do whatever we can to make them perform this service in a more prudent and appropriate manner.

Mayor Gemma stated he is asking both Chief Bebout and Captain Sutton to try and coordinate some of the overall policies and procedures that deal with budgetary issues among our emergency services and Councilpersons Kahle and Apruzzi will be speaking with the Chief and Captain shortly about this matter.

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

Stu Briskey, 46 Werah Place stated that each time Councilwoman Gatta asks the residents to try and get rid of any standing water, although a valid request, he finds himself chuckling when this town allows contractors to pave roads and leave ponding in them, he wondered what the Borough does to get rid of that water so the mosquitoes don't breed.

Mayor Gemma responded that we don't allow contractors to do that and we do the best we can to make sure they fulfill the terms of their contracts and sometimes they do make mistakes, but we are holding their money until such time that corrections are made. Mayor Gemma stated that the biggest issue is that many of our roads, although we make repairs and try to improve them, its difficult to drain them when you have only a 2% slope in many areas.

Mr. Briskey asked in these areas where standing water may remain, are we doing anything to stop this and wondered if any insecticide was being used, to which Councilwoman Gatta responded that the County is informed of problem areas and come out and spray those areas on a regular basis.

Mr. Briskey also brought up the problem with potholes and utility trenches, which have sunk such as the one on Port-au-Peck Avenue west of the railroad tracks, and he believes that NJ Transit installed some kind of power line, but it needs to be addressed and they need to be made to come back and make the necessary repairs. He felt that a listing should be kept of every utility pot hole in this town and get after them and make them do the necessary repairs.

Mr. Edward S. Briskey, 43 Manitto Place commented that his street was paved a couple of years ago and in front of his house was a nasty puddle and three attempts have been made to repair that puddle and he can say now that it is worse than it has ever been and nothing can be done and he will just learn to live with it.

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

Councilwoman Cooper moved to approve the vouchers on the Bill List dated June 5, 2003. It was seconded by Councilwoman Gatta and approved by Council. CAPITAL TRUST TOTAL \$8,568.35. TOTAL DOG REGISTRY \$61.80. TOTAL ESCROW TRUST \$2,781.50. LAW ENFORCEMENT TRUST \$1,035.00. 2002 VOUCHES PAID \$82,580.36. 2002 VOUCHERS PAID THIS MEETING \$97.44. TOTAL 2002 VOUCHERS \$82,677.80. 2003 VOUCHERS PAID \$5,395,404.49. 2003 VOUCHERS PAID THIS MEETING \$75,259.06. TOTAL 2003 VOUCHERS \$5,470,663.55. (SEE BILL LIST)

At 8:35 p.m. Councilwoman Gatta moved to adjourn this meeting until the next regular meeting scheduled to be held on June 19, 2003 at 8:00 P.M. It was seconded by Councilman Apruzzi and approved by Council.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Patricia L. Varca". The signature is fluid and cursive, with a long horizontal line extending from the start of the name.

PATRICIA L. VARCA
BOROUGH CLERK