

REGULAR MEETING MINUTES

Oceanport, New Jersey
May 1, 2003

- REGULAR MEETING:** The Regular Meeting of the Oceanport Mayor and Council was called to order on May 1, 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, McGann, Cooper and Mayor Gemma.
- 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.

Mayor Gemma stated that we have a presentation this evening to someone who has been a good friend to the Borough as well as all the members on this dais, and a member of this Council for a long time, Barbara Silkworth who was a Councilwoman from January 1, 1995 to January 31, 2003. He stated that Barbara did a great job in her capacity as a Councilperson and was a friend and confidant to us all and someone we could count on to work diligently. Mayor Gemma then presented Mrs. Silkworth with a crystal biscuit jar engraved with the dates of her term and expressing the appreciation of the Mayor and Council for her years of service.

Mrs. Silkworth thanked the Mayor and Council and appreciated their efforts and thought and stated that her eight years on Council were very much enjoyed and she does miss it but mostly misses the interaction between the members of the Council and the camaraderie and again, thanked the Council for their thoughtfulness.

As copies of the minutes from the regular meeting held on April 14, 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. Raffle applications made by the following:
 - a} Lions Club of Toms River for 50/50 cash raffles, on premise, on May 20, 21, 22, 23, 24 & 25, 2003.
 - b} Education Foundation of Little Silver to be held on June 7, 2003, prize is a lap top computer.
 - c} Monmouth Park. Charity Fund, on premise 50/50 cash raffles to be held May 24, June 14, July 5, August 3 and 23, 2003.
 - d} Monmouth Park Charity Fund, to be held August 29, 2003, prize is a mink coat.
 - e} Monmouth Park Charity Fund, to be held August 30, 2003, off premise 50/50 raffle.
 - f} Monmouth Park Charity Fund, to be held July 24, 2003, on premise 50/50 cash raffle.

g) Monmouth Park Charity Fund, to be held August 31, 2003, miscellaneous prizes.

The Clerk advised that all paperwork was found to be in order and the fees, where applicable, had been paid, after which Councilman McGann moved to approve the raffles. It was seconded by Councilwoman Gatta and approved by Council.

COMMITTEES:

COUNCILWOMAN KAHLE: Councilwoman Kahle reported that the next water sampling by the Oceanport Water Watch Committee will be on May 8 and they are still reporting that our water quality is good. She continued that Dr. Kaloss is finalizing the water reports for the last ten years and will share the results with the Borough Council.

Councilwoman Kahle advised that the Water Watch Committee will be sponsoring a Community Clean Up day on May 18th from 9-11 a.m. with a rain date of June 1 and the Scouts will be helping out and anyone who may be interested in helping should be at Blackberry Bay Park at 9:00 a.m.

Councilwoman Kahle reported under Buildings & Grounds that the new lettering is up on the Borough Hall and thanked Fantastic Signs for doing a great job with this installation and the new shutters and window boxes will be up in the next several weeks.

Councilwoman Kahle wished to recognize Chief Bebout and Councilman Mahon for being able to save the Borough some money in their Capital Budget in the amount of approximately \$25,000 which we were looking to spend on replacing the cell tower out back and but now we will be able to refurbish the tower at a cost of \$4,000 and it will allow the tower to last another 10-20 years.

Councilwoman Kahle welcomed back Col. Berry to our meeting and was glad to see that she was feeling better.

COUNCILMAN MAHON: Councilman Mahon commented that in addition to the report just given by Councilwoman Kahle on the refurbishment of the tower out back that we use our emergency services broadcasts antennas on, we are continuing to look into a revenue source through the Cable and Technology Committee that he and Councilman Apruzzi Chair and one of the things they are looking for is to provide for the Borough not only a revenue source, if possible and if we can pre-identify a location within the Borough where there is zero to minimum impact on residential structures and that way we pre-choose a site and pre-approve it through our planning process so that companies don't come in and want to place a cell tower where they deem it appropriate and it may not fit in with what the community and residents, that may live next to it, want to experience.

Councilman Mahon stated he has reached out to the Monmouth County Mosquito Commission on a variety of issues one being a shared services Inter Local Agreement and there is some interest in that because we have to be ready to meet storm water and catch basin regulations that are coming in as soon as they are finalized by the State and in accordance with federal requirements the Borough will be responsible for maintaining catch basins and their drainage pipe systems and the basins will have to be cleaned out twice a year. He continued that at this point we don't have the equipment to do that but our Public Works Superintendent, Tom Crochet, has done some capital planning and has a 3 in 1 truck planned to fit that need at a cost of \$165,000 and as it moves through the capital planning, it will move forward. He stated in the meantime, he is investigating an Inter Local Services Agreement with the County Mosquito Commission where they would supply that service to the Borough in order to keep us in regulatory compliance.

Councilman Mahon commented that over the course of the last year we have received a variety of complaints about mosquitoes and areas that either don't drain or drain poorly and one of them is a creek that runs through Maple Place School and on to Branchport Avenue and the other is behind Fiore Court off Port-au-Peck Avenue and more recently complaints have been received from Cayuga Ave. residents from the stream that runs behind their homes from Port-au-Peck Ave. out to the Blackberry Bay boat ramp and he has noticed the Monmouth County Mosquito Commission about these three locations and they are going to bring in their equipment and do some maintenance in these areas as soon as they can get out here and hopefully we can eliminate the standing water.

COUNCILMAN APRUZZI: Councilman Apruzzi reported that this past week the Shade Tree Committee met and one of the things discussed was to set up an Adopt a Tree program for the Borough where people from town can buy into a tree either as a dedication or something they want to do for the Borough for one of the parks. He continued that there will be an article in the next Bulletin about this and we are looking at a tree running about \$175 using our Public Works Department to plant them and we are looking to begin this program in the very near future and have some trees ready to plant this fall.

Councilman Apruzzi advised that this coming Sunday the Oceanport Garden Club is having its 9/11 dedication ceremony near the Library to dedicate a tree and a stone and he urged anyone interested to attend and the event begins at 2:00 p.m.

Councilman Apruzzi stated that we announced last year that we wanted to also do a memorial on behalf of the Borough in memory of 9/11 and we will do so on June 8 at 2:00 p.m. at the Old Wharf Park and the actual memorial has been donated by Joe Uris and the John E. Day and Robert Braun Funeral Homes and all we need to do now is have the Public Works Department put in a concrete pad and we will be ready for this event.

Councilman Apruzzi reported he also met with Tom Rospos, our Borough Engineer, to discuss the initial steps for the work to be done at Blackberry Bay Park beginning with the renovation of the right side of the field and we needed to get going on the survey work so we can be ready to start work hopefully by late summer.

COUNCILWOMAN GATTA: Councilwoman Gatta stated this evening we have a resolution with regard to the defeated Shore Regional High School budget and advised that at the election held two weeks ago, the school budget was defeated by West Long Branch and Sea Bright with Oceanport and Monmouth Beach approving the budget. She explained that the process involved town officials from all the sending districts to meet at Shore Regional to try and come to a compromise with regard to the amount of money that should be deducted from the budget, but there was a failure to agree. She continued that they then met at the County Superintendent's Office in Freehold and again there was a failure to agree and at this point, it will be up to the Commissioner of Education and a panel to make a determination on the Shore budget and each individual town must pass a resolution as to the intent of that particular budget and must be completed by May 19 and then after that, on June 11 it will be going to the Commissioner of Education and on June 25 he will make the decision and set the tax rate.

R-03-37 The Clerk read resolution **R-03-37** regarding the defeated Shore Regional Budget for school years 2003/2004 after which Councilwoman Gatta moved to approve same. It was seconded by Councilman McGann and approved by Council.

Councilwoman Gatta reported that last night they had the first meeting about National Night Out under the direction of Sgt. Steve Tagerty and Patrolman Mike Kelly and we will be having this

event on Tuesday, August 5, 2003 – 6:00 – 9:00 p.m. and this is the 20th anniversary of National Night Out and there are quite elaborate plans in the works and this year it will be held at the Borough Hall property and the Port-au-Peck Firehouse and it will again, begin with a bike ride through the town and more activities are being planned and she will keep everyone apprised of the plans.

Councilwoman Gatta reported under First Aid, for the month of March, our First Aid volunteers answered 61 calls for a total of 571 people hours and a new member was introduced to the First Aid Squad who is E.J. Wright, IV who is following in his father's footsteps who also was an active First Aid volunteer for many years. She also advised that the First Aid is also continuing to give the CPR courses, First Responder courses and in particular, a CPR course to the Girl Scouts this past month.

Councilwoman Gatta stated that Councilman Mahon spoke earlier about the standing water problems and right now we all should be very cognizant of any standing water as they are expecting more of the impact from West Nile Virus this coming season and last year NJ had 25 confirmed cases of West Nile and in the US 4,000 Americans were seriously sickened by it and 277 people died from this virus. She urged all residents to contact the Monmouth County Board of Health immediately upon seeing any dead crows and they will come out and test them and everyone must check their property to make sure there is no standing water in birdbaths, flower pots, etc. She recently read an article in the Star Ledger that explained that 50 eggs can hatch into mosquitoes in a teaspoon of stagnant water.

Councilwoman Gatta announced that this week is National Volunteer Week and commented that Oceanport has many fine and dedicated volunteers and she thanked all our volunteers in our Borough for doing a tremendous job and we are very fortunate because the success of our town depends mostly on our volunteers who give so much of their time and talents and need to be recognized.

Councilwoman Gatta reported that one of the outcomes of our Women's Day Program that was held on March 29th is the development of an information networking system and on Tuesday, May 20th we are going to have our first meeting with those people who participated in the Women's Day Program along with anyone else who would like to join us at the Old Wharf House to start and develop an Oceanport networking system on various topics.

Councilwoman Gatta also reported that on April 17th, she and Councilman Mahon attended the critique meeting of the disaster drill at Monmouth Park and it was an excellent critique and obviously there is room for improvement and everyone took the suggestions made very well and hopefully will be having another one and implementing the improvements discussed.

COUNCILMAN McGANN: Councilman McGann stated that this evening he has on his agenda the second reading and public hearing of an amendment to the Zoning Ordinance with regard to realtor's open house signs and asked what the Council would like to do, to which Mayor Gemma stated in an earlier discussion at the work shop meeting, it was agreed to withdraw the ordinance at this time and re-introduce it at a later date.

Councilman McGann then moved to withdraw this ordinance. It was seconded by Councilman Mahon and approved by Council.

Councilman McGann reported that he was pleased to report that construction has begun on Wardell Circle and the new water main has been installed by the NJ American Water Company and the drainage work has been completed and curb work has commenced on the westerly side of the street. He advised that if any of the residents on Wardell have any questions or concerns during the

course of this construction, he asked that they contact either him directly or Tom Crochet, Director of Public Works.

Councilman McGann advised that the next street to be paved is Wyandotte Ave. and that will commence within the next thirty days and then there will be the construction at Riverview and Lake Drive.

Councilman McGann stated that the clean up of the parks is just about completed and the Public Works Department has been through all the parks and has done their spring clean up and did a nice job. He continued that this is the last week of leaf pick up and it will be ending in the next couple of days and anything put out at the curb that does not belong there, for example untied branches and limbs, they must be bundled properly and notices are going out and residents will be given a short amount of time, but it is the policy of this Mayor and Council that if debris left in the streets, after due notice, those residents will be issued summonses and they will have to appear in Court.

Councilman McGann stated there is some additional work to be done on Horseneck Point and Crescent Place and both of those areas are in pretty bad shape and the Public Works Department will be looking at those two locations in the very near future.

COUNCILWOMAN COOPER: No Report.

MAYOR GEMMA: Mayor Gemma reminded everyone that the Lions Club Fair will be held during May 20th through the 25th and invited everyone to attend.

Mayor Gemma also welcomed back Col. Berry and hoped she was feeling much better.

Mayor Gemma offered his thanks to Harry Sutton our Office of Emergency Management Coordinator for getting the Borough's emergency plan approved by the County in record time.

Mayor Gemma lastly reported that we have received our Audit Report for 2002 and advised that there was only one minor recommendation, which has already been implemented, and everything else was found to be in good order.

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

PETITIONS FROM THE PUBLIC:

Sal Vecchione, Woodbine Way suggested that something be done about the golf balls that are all over the soccer fields because it is dangerous to the kids who are playing sports there as well as people with dogs who are not picking up after them.

Mr. Vecchione commented that since there are First Aid people in the audience this evening he wanted to extend his appreciation to the volunteers who responded the night his wife passed away and he could not believe how quickly they were there and Patrolman Mike Kelly was there within three minutes of the initial call and was very competent and professional; he also recognized Linda Johnson, Ed Ryan and Fred Filippone for all their efforts and the great job they did. He also mentioned that the downside was that there was a second ambulance at the scene, that to his knowledge did nothing and yet he received a bill for \$697 to transport his wife to Riverview Hospital which to the best of his knowledge, the Oceanport First Aid Squad transported his wife and he felt

there should be some effort on the part of the Borough and the First Aid Squad to look into this because it is very unfair to the residents.

Mr. Vecchione stated that Summerfield Avenue is a disaster and the road is in terrible condition and has been that way for over 24 years and there are houses selling for \$540,000 on a street like this that floods and has ponding of water constantly and telling Dot Schultz that she can't put a for sale sign at the corner for whatever reason when you have a street that needs about \$80,000 worth of work and he felt there are more important issues that should be addressed like the infrastructure of the town which is very poor and whoever takes control is going to have a very big job in trying to resolve these important issues.

Pauline Poyner, 38 Tecumseh Ave. stated she is a lifelong resident of the Borough and works for Caldwell Banker, Rumson Office that is a residential real estate office. She advised that she is here this evening because she is concerned about the restrictions that now are going to be re-done and she wanted to say that when she came before the Borough Council last November, she was asking that directional signs be allowed for the day of open house only with perhaps a 3-1/1 hour window and as a resident, she does not want to see signs up for days in advance or after an open house has been held. She does, however, object to the signs that are placed all over the town which advertise nothing but the real estate agency. Mrs. Poyner stated she would like to see the directional signs up the day of the open house only with a 3 to 4 hour window when everything has to be removed and when she was here last time Mr. Margalotti had asked about the size of the sign and she had her secretary take a poll of the surrounding realtors and the size was 18" x 24" and she hope all of this would be taken into consideration when this matter is reviewed again.

Mayor Gemma advised that the debate earlier was whether to adopt this ordinance tonight and then amend it or to withdraw it and now we are back in limbo when this all started because there is really not an ordinance that permits anything and the enforcement has been ignored. He continued that a lot of people have different opinions here but the one outstanding issue is the issue of directional signs and we will have to address that issue and the real issue is not the true open house signs, but how to stop the all of these other signs of internet brokers that are everywhere and provide an enforcement mechanism and he felt that several years ago before the Internet popularity, this would not have been an issue.

Mrs. Poyner commented that the true real estate professionals present in this room tonight will agree that open houses are conducted on Sundays and she just doesn't want to stop the support of the cub scouts signs or directional signs for the Lions Club Fair, etc. when the Council is trying to limit realtor's signs.

Mayor Gemma stated there are many issues that have to be taken into consideration and it has to be clear in order to have the Police enforce the ordinance as to what the regulations are and cannot take the time to try and interpret what is and is not covered.

Mrs. Poyner offered her assistance as well as the assistance from the other realtor's in the room if they can help in any way in re-drafting the ordinance on this issue.

Mayor Gemma stated what we need is to find a way to create a way in which to allow off premise signage in a manner that does not permit the proliferation of all the other signs so that when you fine them, they cannot come to court and say that this is selective enforcement.

Mrs. Poyner suggested perhaps the realtors should notify the Borough Clerk's Office, in writing as to what addresses open houses will be conducted on what dates.

Gene Schecher, 26 Itaska Place and he is the owner/operator of Century 21 Schecher in Eatontown and stated he is here for the same reason and he has had very frustrating experiences with the signs in this Borough and although it was not deliberate, he has been the victim of having selective enforcement by having a Police Officer take his signs down and place them in the Police vehicle during an open house. Mr. Schecher realizes in hindsight that it was not a personal matter, but a matter of having to deal with all the signs everywhere. He has been around to other Boroughs trying to find a way to stop the proliferation of the other signs and suggested that whatever the Council decides, there must be immediate enforcement, equal for everyone and suggested that maybe a license of some type that if you want to erect a sign you must have a license and if you violate the regulations, you lose your license. He continued that the open house and the directional signs do serve a purpose and help the homeowner to sell their home.

Mr. Schecher spoke with Mr. Kenneth Stout, Chief Inspector of the Real Estate Commission about this matter and it seems that some of these companies give the control of their signs to the homeowner and he asked Mr. Stout if this was allowed since he thought that the Real Estate Broker of Record is responsible for his company and he suggested that someone could speak with Mr. Stout and figure out some kind of consequences to apply to the misuse of these signs.

Mayor Gemma explained that one of the intents of this ordinance was that there is a fine assessed not against the homeowner, but against the realtor and that is why the name of the broker on the actual signs was a provision in the ordinance. He also asked Mr. Schecher what he thought of Mrs. Poyner's idea of noticing the Borough, which he did not disagree with and it was also suggested that something could also be faxed over to the Borough.

Charles Boland, 42 Elizabeth Drive commented on the ongoing construction on Wardell Circle and stated that there are several trees marked that were not on anyone's list to come down nor discussed by any of the certified tree experts and what he wants to know is what is the situation with these trees, to which Councilwoman Gatta explained there will be five more trees removed, two from the Ingram property, one of which is uprooting the driveway and the other one was on the designated list as an alternate. She continued that the other three are on the Tremell property and this is being done because the resident has requested this because of the tremendous damage these trees sustained during the August 2nd storm and the resident is very concerned that the trees will fall on her property and do damage.

Mr. Boland asked if the resident contacted the town or if the town contacted the resident, to which Councilwoman Gatta advised that the resident wrote a letter to the Borough making her request.

Mr. Boland then asked who is paying for these trees to be removed, to which Councilwoman Gatta explained that this is coming out of the 2003 Shade Tree Budget and is costing about 20% of the budget to remove these trees. Mr. Boland asked if this is the same money being budgeted for replacement of trees on Wardell, to which Councilwoman Gatta stated that the \$6,000 is earmarked for only tree replacement and nothing else.

Mr. Boland asked if there is a plan in place for the replacement of trees with regard to size and standards, species, etc. to which Councilwoman Gatta stated this has been discussed, but she is no longer the Council Liaison to the Shade Tree Committee and advised that Councilman Apruzzi is now the Liaison.

Mr. Boland asked if the Shade Tree Committee has a plan that is available to the public to review to which Councilwoman Gatta stated that she has a copy she can make available to Mr. Boland.

Mayor Gemma asked when the Committee meets to which Councilman Apruzzi stated we just met last Tuesday and the next meeting will be the first week in June, but we don't have a definite date, but he will contact Bill Sullivan, the Chairman of the Committee, and work with him as to what types of trees and sizes we are looking at for that area and will let Mr. Boland know what the plans are.

Mr. Boland asked when the next meeting will be and Councilman Apruzzi stated he will find out when it is scheduled and contact Mr. Boland directly to advise him when the next Shade Tree meeting is. Mayor Gemma also suggested that Mr. Boland contact the Borough Clerk around the first of June to check when the meeting will be.

Dot Schultz, owner of Dot Schultz Agency in West Long Branch wished to address the Mayor and Council and commended the staff in the Borough for coming out with a perfect Audit. She continued that there was a problem with signs in West Long Branch but since we have gotten a new Zoning Officer the problem with directional signs in certain areas have been resolved and the town has now been really cleaned up, but the realtor's are still allowed to have open house signs, but no directional for sale signs are allowed and it is working out great and suggested someone contact him to see what ordinance he is enforcing regarding the other signs.

Dennis McCarthy, 76 Tecumseh Ave. felt that the realtor's have a right to make a living and have their signs out, however, as a homeowner he would like to make sure that the homeowner is going to be allowed to sell a home on his own and display an advertised sign. Mr. McCarthy first became aware of this after reading an article in one of the local newspapers about the signs and was pleased that someone was doing something about the over abundance of signs and stated that driving to the Borough Hall from Tecumseh Avenue, his children and he counted 64 signs most of which are traffic signs and he felt there is way too much government taking over. He also felt that was part of the problem Mr. Vecchione spoke of earlier with regard to a second ambulance coming to his home and charging him and it is due to government control. Mr. McCarthy commented that he is very anti-government and anti-signs and he felt that before we pick on the real estate people, we should look at all the signs we have installed recently including bigger signs suspended by two posts instead of one because of the increased size.

Ed Ryan, 24 Willow Court asked what is going on with the Shell Station property and it looks terrible and the back door was found opened the other day.

Mayor Gemma explained that at the present time we have been told by the owner of the property that they are still working with the DEP to get an administrative consent order so they can then move forward and at some point we have to make a determination on this matter. He continued that what we have done is to ask our Zoning Enforcement Officer to stop by but we cannot force them to build until the DEP releases an order of consent but all we can force them to do is to maintain the property and some people have suggested that we condemn the property, but until there is an okay on the environmental clean up, there is no moving forward. Mayor Gemma stated there is a similar situation with the Dug Out on Bridgewaters Drive who are awaiting notice from CAFRA, which is another eyesore.

Mr. Ryan asked the Council to look into the possibility of having a street light installed at the intersection of new Oceanport Avenue and Pemberton Avenue and asked if there is any progress on

that, to which it was decided that it had been one of the Committees that had been re-structured and Councilwoman Cooper is now in charge and she will look into this matter for Mr. Ryan.

Mr. Ryan stated that earlier Councilman Mahon was discussing cleaning up of the creek and again, he felt his side of town was forgotten because the creek in back of Pan Gardens needs to be addressed and Councilman Mahon advised he will add that location to the list.

Michele Ashkenazi from Schecher 21 Schecher Realty in Eatontown stated that she felt you can distinguish between the open house signs because it says it right on the sign as compared to the other signs which just say for sale and pointing in one direction. She also asked how are the open house signs going to be enforced at the present time.

Mayor Gemma stated that right now we have an ordinance that says you cannot have an open house sign and we have tried to ignore that on the day of the open house, but in reality, if we do that and try to enforce all the other signs that are out there and fine them, they will come back and say it is selective enforcement. He continued that the issue tonight was not to prohibit open house signs, but the directional signs for the open house. Mayor Gemma stated that at the present time an open house sign is not allowed, to which Ms. Ashkenazi stated that right now on Monmouth Road at Irma Place there are four directional signs and she has contacted the Police Station on five different occasions and nothing has been done.

Mayor Gemma explained that if we had enacted an ordinance tonight, while its true that you would not have the directional signs permitted, we could at least have the Police go out and have those other signs that are everywhere, removed and we could have addressed the directional issue later on for open houses. He also commented that there are towns that only allow the open house sign on the property and no other directional signs and there are members of the Council who are in favor of doing that.

Mr. Margalotti stated that the signs Michelle is speaking of on Monmouth Road and Irma Place are directional for sale signs not directional open house signs and they are clearly illegal and the zoning ordinance which permits for sale signs only allows a for sale sign on the property being sold so these directional signs she is referring to, there is no question about them, they are not open house signs, they are directional signs pointing to a particular property and they are illegal and have always been illegal.

Mayor Gemma explained that the problem arises when the Police try to take them down and when the person who put them up goes to court, the question comes up as to why are the open house signs allowed to remain up and we get back to the problem of selective enforcement.

Frank Camassa, Camassa Agency, West Long Branch stated that he agreed with everything that has been said previously by the other agents but stated that as the ordinance reads now, it is his understanding that you are allowed to have one temporary for sale sign on a property but you are only allowed to have it for a period of 90 days and he suggested that if the ordinance is going to be re-done, he would ask that this section be reviewed and changed to six months since that is what usually the agreements are and if it were to be longer than the 6 month period, the Borough could request something from the homeowner requesting permission for an extension of time.

Charles Boland asked who made the determination to remove the five additional trees and how could that be done when all of the professional people hired did not make that recommendation, to which Councilwoman Gatta again explained that the trees on the Ingram property, one of them had been recommended by the professionals to go which was on the alternate list but the one on the

other side is lifting the driveway and the Shade Tree Committee can make that determination and it was only made after requests were made by the homeowners in both cases and the other three trees had sustained a great deal of damage during the August 2nd storm.

Mr. Boland contended that he did not think there was any more damage on Wardell than on any other street in the Borough after that storm, to which no one on the Council shared that same opinion and Councilwoman Gatta stated that what concerned a lot of the residents was the way in which the tree came down on the first property and how it was uprooted and many people on Wardell were quite shocked by the shallowness of the route system.

Mayor Gemma stated that the Borough has been put on notice by a homeowner that the trees in the right of way present a dangerous condition and if that tree fell and hit that person's home and the Borough is on notice of this possibility, we could be liable for the damages.

Maggie Lippolis, 65 Monmouth Road asked if the volunteers in town were in addition to pagers using the Borough's alarm siren system in town because for many months the siren at the Wolfhill School has been inoperable and asked when it would be in operation again, since the people on the west side of town the nearest one is the Oceanport Hook & Ladder Firehouse . She also stated that the school year is coming to an end and she is a crossing guard at Wolfhill and Pemberton Avenues and she wanted to know who to get in touch with about painting the cross walks which have not been painted in about 3 years and the signage is in terrible shape. She continued that in the area of Pemberton and South Pemberton there are a lot of children walking to school and the traffic coming from Eatontown Blvd to Wolfhill Ave. going to Fort Monmouth makes for an extremely dangerous situation and hoped that the Council could look into this matter.

Mr. Schecher earlier had stated that he agreed with Mrs. Poyner with regard to notifying the Borough in advance of open houses and has changed his mind because he thinks whatever is decided by the Council should not include an additional step where the someone has to contact the Borough Hall to find out if notice was given about the open house and felt that you should be allowed to have some directional open house signs the day of the open house. He also suggested that signs can be made up to place on the open house signs advising of the date and times of the open house, so if it is still up afterwards, everyone knows its in violation of the ordinance and he felt it would help out with Borough Hall not getting numerous calls about who is planning an open house.

Scott Poyner, 38 Tecumseh Ave. commented that the Mayor has mentioned several times about selective enforcement which is what is being practiced right now and his main question is how long will it take to re-write the ordinance so that we can have open house signs and get rid of the other signs that are all over the town.

Mayor Gemma stated that assuming at the next work shop meeting we can work out the requirements of the ordinance that we all agree on and the ordinance can be introduced at the May 15th meeting and the public hearing and final adoption can take place at the June 5th meeting and go into effective on June 12th following the final advertisement.

Mayor Gemma addressed all the realtors who are in the audience this evening saying that between now and our next work shop meeting scheduled for May 12th, if anyone has any other ideas then the ones discussed tonight to please let us know and we will consider all the ideas forwarded to us when re-writing this ordinance.

Linda Johnson, Captain First Aid Squad, in reply to the comments made earlier by Mr. Vecchione about the paramedics stated that Oceanport First Aid Squad is strictly made up of

volunteers so there is never any charges for our services, but the paramedics do charge and unfortunately, the paramedics are dispatched on certain criteria in our town, so we don't have any control over that until we get to the house and we feel that the paramedics are not needed, then we can cancel their call, but now if they arrive at the scene and enter the home and treat the individual, they will still charge you. She continued that the members of the Squad try very hard to determine if they are needed or not but there are times when we really do need them.

Mayor Gemma asked how does the resident know that they have the option to tell the paramedics that they don't want them there to which Mrs. Johnson stated they can tell the Squad members and they will inform the paramedics of their wishes. She continued that the volunteers will tell the people that the paramedics have been dispatched, to which Mayor Gemma asked if they understand what that means with regard to the cost involved, to which she said yes, they tell the resident.

Councilwoman Gatta asked if there were certain conditions that the paramedics have to come out on because of the condition of the patient or emergency, to which Mrs. Johnson stated yes and that there is certain criteria whereby the paramedics are automatically dispatched, but when we arrive, the patient is informed that the paramedics are coming and if the patient does not want them to be there, that is their right and they will cancel the call. She commented that many residents in town don't realize that the First Aid Squad is all volunteers and there is no charge no matter what time of day or night we come out and there are times that she thinks the residents confuse the volunteers and the paramedics, but she also pointed out that there are times that the paramedics can save your life.

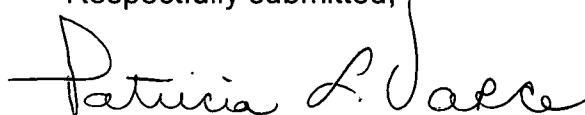
Mr. Vecchione stated that as he told several of the Council people and the Mayor months ago, he had no clue as to who's ambulance was parked outside his home on the night in question until he got the bill which stated that his insurance company would reimburse him for the charges, which was not true. Mr. Vecchione felt that the Borough should know what is going on, since he knows of other people who have been through this with the paramedics and he stated that no one advised him of the fact that the ambulance was there and he had the right to tell them to reject that service if he wanted to do so.

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 May 1, 2003. It was seconded by Councilman Apruzzi and approved by Council. TOTAL CAPITAL TRUST \$3,965.25. TOTAL ESCROW TRUST \$6,103.60. 2002 VOUCHERS PAID \$76,779.84. 2002 VOUCHERS PAID THIS MEETING \$219.52. TOTAL 2002 VOUCHERS \$76,999.36. 2003 VOUCHERS PAID \$4,013,146.17. 2003 VOUCHERS PAID THIS MEETING \$775,498.95. TOTAL 2003 VOUCHERS \$4,788,645.12. (SEE BILL LIST)

At 9:25 p.m. Councilman McGann moved to adjourn this meeting until the next regular meeting scheduled to be held on May 15, 2003 at 8:00 P.M. It was seconded by Councilwoman Kahle and approved by Council.

Respectfully submitted,



PATRICIA L. VARCA, BOROUGH CLERK