

REGULAR MEETING

Oceanport, New Jersey
April 21, 1994

- REGULAR MEETING:** The Regular Meeting of the Oceanport Mayor and Council was called to order on April 21, 1994 at 8:10 P.M.
- MEMBERS PRESENT:** Councilpersons Clark, McGee, Filippone, Miller, Taylor, Wolfe and Mayor Cavanagh.
- OFFICIALS PRESENT:** Borough Clerk, Patricia L. Varca and Borough Attorney, Francis A. Margalotti.
- PLEDGE OF ALLEGIANCE:** Mayor Cavanagh led the audience and members of the Council in the flag salute.

As copies of the minutes from the regular meeting held on April 7, 1994 had been made available for review, Councilman Wolfe moved to waive the reading of same and approve the minutes as presented by the Clerk. It was seconded by Councilman Miller and unanimously approved by Council.

CLERK'S REPORTS: No Reports.

COMMITTEES:

COUNCILMAN CLARK: Councilman Clark called for the second reading and public hearing of an ordinance requiring disclosure of certain information for applications to both the Fire Department and First Aid Squad and asked the Clerk to read the Affidavit of Publication and the proposed ordinance, by title only, as follows: **AN ORDINANCE REQUIRING DISCLOSURE OF INFORMATION REGARDING APPLICANTS FOR MEMBERSHIP IN A VOLUNTEER FIRE COMPANY OR FIRST AID SQUAD WITHIN THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY.**

ORD.#
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Mayor Cavanagh opened the meeting to the public for any comments on this subject only. As no one from the public wished to be heard, Councilman Clark moved to close the public hearing. It was seconded by Councilman Miller and unanimously approved by Council.

Councilman Clark moved to adopt this ordinance on second and final reading and to advertise same in accordance with law. It was seconded by Councilman Taylor.

The Clerk called the roll:

AYES: Councilpersons Clark, McGee, Filippone, Miller, Taylor, and Wolfe.
NAYS: NONE.
ABSENT: NONE.
ABSTAIN: NONE.

Councilman Clark called for the second reading and public hearing on an ordinance regarding the repair of tennis court lights and asked the Clerk to read the Affidavit of Publication and the proposed ordinance, by title only, as follows: **AN ORDINANCE AUTHORIZING REPAIR OF TENNIS COURT LIGHTS AT BLACKBERRY BAY PARK FOR THE SUM OF \$8,200.00 AND APPROPRIATING THE SUM OF \$8,200.00 FROM RESERVES IN THE CAPITAL FUND.**

Mayor Cavanagh opened the meeting to the public for any comments on this subject only. As no one from the public wished to be heard, Councilman Clark moved to close the public hearing on this matter. It was seconded by Councilman Miller and unanimously approved by Council.

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

The Clerk called the roll:

AYES: Councilpersons Clark, Filippone, Miller, Taylor and Wolfe.
NAYS: NONE.
ABSENT: NONE.
ABSTAIN: Councilman McGee.

Councilman Clark called for the introduction of an ordinance regarding the Statewide Worker's Compensation Fund and asked the Clerk to read the proposed ordinance, by title only, as follows: **AN ORDINANCE AUTHORIZING THE BOROUGH OF OCEANPORT TO JOIN THE STATEWIDE WORKER'S COMPENSATION FUND.**

Councilman Clark moved to approve this ordinance on first reading. It was seconded by Councilman McGee.

The Clerk called the roll:

AYES: Councilpersons Clark, McGee, Filippone, Miller, Taylor and Wolfe.
NAYS: NONE.
ABSENT: NONE.
ABSTAIN: NONE.

Councilman Clark moved to hold the public hearing on this ordinance at the regular meeting scheduled to be held on May 5, 1995 at 8:00 P.M. and to advertise same in accordance with law. It was seconded by Councilman McGee.

The Clerk called the roll:

AYES: Councilpersons Clark, McGee, Filippone, Miller, Taylor and Wolfe.
NAYS: NONE.
ABSENT: NONE.
ABSTAIN: NONE.

Councilman Clark called for the introduction of an amendment to the smoking ordinance making Old Wharf House a non smoking building and asked the Clerk to read the proposed ordinance, by title only, as follows: **AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "THE SMOKING ORDINANCE" OF THE BOROUGH OF OCEANPORT PASSED AND APPROVED ON JUNE 3, 1993.**

Councilman Clark moved to approve this ordinance on first reading. It was seconded by Councilman McGee.

The Clerk called the roll:

AYES: Councilpersons McGee, Clark, Filippone, Miller, Taylor and Wolfe.
NAYS: NONE.
ABSENT: NONE.
ABSTAIN: NONE.

Councilman Clark moved to hold the public hearing on this ordinance at the regular meeting scheduled to be held on May 5, 1994 at 8:00 P.M. and to advertise same in accordance with law. It was seconded by Councilman McGee.

The Clerk called the roll:

AYES: Councilpersons Clark, McGee, Filippone, Miller, Taylor and Wolfe.
NAYS: NONE.
ABSENT: NONE.
ABSTAIN: NONE.

Councilman Clark then asked the Clerk to read resolution **R-94-29** accepting the 1994 Municipal Audit, after which he moved to approve same. It was seconded by Councilman Miller and unanimously approved by Council. #R-94-29

Councilman Clark asked the Clerk to read resolution **R-94-30** amending the 1994 temporary budget, after which he moved to approve same. It was seconded by Councilwoman Filippone and unanimously approved by Council. #R-94-30

Councilman Clark asked the Clerk to read resolution **R-94-31** canceling certain tax deficiencies as recommended by the Borough Auditor, after which he moved to approve same. It was seconded by Councilman Taylor and unanimously approved by Council. #R-94-31

Councilman Clark asked the Clerk to read resolution **R-94-32** introducing the 1994 municipal budget, after which he moved to approve same. It was seconded by Councilman Wolfe and approved by Council, with the exception of Councilman McGee, who voted No. #R-94-32

Mayor Cavanagh questioned what segment of the Budget Councilman McGee was voting no on to which Councilman McGee stated that he is not in favor of the Budget because he has a problem with a couple of items.

Mayor Cavanagh asked if these were items that Councilman McGee discovered this evening or some time after Monday night, to which Councilman McGee stated no and that he had expressed his displeasure with them before.

Mayor Cavanagh asked what the items were and Councilman McGee stated he had discussed the Recreation Committee budget and Mayor Cavanagh asked Councilman McGee to advise what items he was having a problem with, so that he could understand. Councilman McGee stated that he has a problem with the line item for Adult Basketball.

Mayor Cavanagh asked what other items Councilman McGee had problems with, to which Councilman McGee responded that was it for right now and advised that he had made his feelings known previously about that line item. Mayor Cavanagh stated he was aware of Councilman McGee's feeling on that one line item, but questioned what he meant by that statement since he earlier stated items, using the plural and he wanted to know what other problems he had with the budget. Councilman McGee stated he would retract his earlier comment using the word items.

Mayor Cavanagh stated, so that he was clear, that this singular item involving the line item for Adult Basketball Supervision under the Recreation Committee was the problem.

Mayor Cavanagh stated with that exception noted and the one no vote, and then questioned Councilman McGee stating that he was assuming Councilman McGee was not voting No on the dates or other items, the budget resolution was closed.

Councilman Clark asked the Clerk to read resolution **R-94-33** deferring local and regional school tax as permitted by State Statute, after which he moved to approve same. It was seconded by Councilman Wolfe and unanimously approved by Council.

Councilman Clark asked the Clerk to read resolution **R-94-34** authorizing refund of a tax over payment, after which he moved to approve same. It was seconded by Councilman Wolfe and unanimously approved by Council.

COUNCILMAN MCGEE: Councilman McGee asked the Clerk to read resolution **R-94-35** appointing Boynton & Boynton as the Risk Management Consultant for the Statewide Worker's Compensation Fund, after which he moved to approve same. It was seconded by Councilman Wolfe and unanimously approved by Council.

Councilman McGee advised under Insurance, he and Councilman Wolfe attended an organizational meeting in Morris Plains for the purpose of organization of the Statewide Worker's Comp Fund on April 12, 1994. He continued there were 52 other municipalities present and this move by the Borough will save approximately 30% of our worker's comp premium, and is a move that is welcome here to save any kind of premium dollars in the insurance arena.

Councilman McGee reported that he is presently reviewing the worker's comp audit from last year and there are some discrepancies and Donna Clark is reviewing the payroll for him so that we can try to resolve this matter with Boynton & Boynton and Selective Insurance Co. and he believes there are some dollar savings there and there is a revised audit forthcoming and we believe that some of the payroll numbers are in the wrong categories.

COUNCILWOMAN FILIPPONE: Councilwoman Filippone reported that once again we had a very successful Health Screening with 181 people who participated in the basic health program and we had 64 men who took advantage of the PSA test. She stated that unfortunately, this year we have had quite a few poor results which is one of the reasons we conduct the Health Screening, and commented that there were two men who appear, according to the test results, to be having potential problem with prostate cancer and one man who has a potential problem to cancer of the colon and seven other people, of various ages, who had medical problems and she stated this shows that it behooves people of all ages to take advantage of this screening.

Councilwoman Filippone thanked the many volunteers who helped out with this program because without these volunteers, we would not be able to conduct this program, because it is a monumental task with the volunteers. She also wanted to particularly thank the volunteers of the Oceanport Volunteer First Aid Squad for the tremendous support they have given her with this project and also thanked Dr. David Falco of West Long Branch for his assistance. She explained that he signs the required prescription to hold the Health Screening and without this, the Screening could not be held.

Councilwoman Filippone reported that as a result of this Health Screening, we were able to donate \$1,405 to the First Aid Squad from the proceeds of the Screening.

Councilwoman Filippone offered her sympathy to Marie DeMarco and Gabe Mazza on the passing of Theresa Mazza, who was very active in the Oceanport Senior Citizens group and she will be sorely missed.

Councilwoman Filippone expressed her congratulations to Sgt. John Connor of our Police Department and stated that last Fall he received a written citation for having saved a life while he was participating in a convention and while in a restaurant, saved someone from choking by performing the Heimlich maneuver and was honored several weeks ago with a dinner by the people in that area and he also received a lovely plaque.

Councilwoman Filippone advised that the First Aid Squad do many interesting things and something that happened just recently was they received a call from someone who was deaf and to show how resourceful they are, they managed to have communication going with this person to figure out what was wrong and it shows their continued dedication of these volunteers. She continued that as a result of this call, they have decided to have cards made up so that if they wind up in a similar situation, where a person is deaf or unable to speak, they can hold up cards in order to communicate.

Councilwoman Filippone gave the following Captain's Report from John Long for March, 1994 and advised they had a total of 27 calls; 5 mutual aid calls; 358 miles were traveled for a total of 268 man/woman hours and 11 advanced life support calls which are very critical and one call to Monmouth Park. She stated that Captain Long wanted to make mention to all the First Aid Squad members and Fire Department members for their professional performance they showed during extremely difficult conditions during this past winter and they are all to be commended not only for their volunteer work, but for getting out in such terrible weather conditions.

COUNCILMAN MILLER: Councilman Miller asked the Clerk to read resolution **R-94-36** authorizing the submission of a recycling tonnage grant for 1993 and naming the Coordinator for same, after which he moved to approve this resolution. It was seconded by Councilman Wolfe and unanimously approved by Council.

Councilman Miller reported under Recreation, the Spring Egg Hunt was very successful and there were approximately 100-125 children who participated.

Councilman Miller advised that he and Councilman Wolfe reviewed the Parks in the Borough and Mr. Kerwin, Recreation Director, had provided a list of items to be taken care of and they went over each of these items in the individual parks.

Councilman Miller stated that they found that the parks are in pretty good shape and there are no major things that have to be addressed, but there is a lot of debris, which Public Works will be taking care of in the near future.

Councilman Miller reported that the Water Watch Committee has begun sampling this past Saturday and they will be putting together the analysis shortly and the results will be publicized in the local newspapers.

Councilman Miller advised that we have been requested to put up signs again by the Monmouth County Board of Health along the river, wherever we can, and he will be working with Councilman Wolfe in designing some permanent signs as well as putting up some temporary signs.

Councilman Miller reported he received a call from the Little Silver Environmental Commission and he was asked to attend a meeting there next Wednesday and they will be meeting with their Borough Engineer to talk about the analyzing of the storm drains and he felt this would be informative.

Councilman Miller advised he will also be attending a Round Table meeting of the North Coast Region and they will be discussing mutual problems for this area and this will be held some time in May.

Councilman Miller reported that last Saturday a member of the Little Silver Environmental Commission went out on the boat with Richard Gruskos, Chairman of the Water Watch Committee, to observe the manner in which we do our sampling and Little Silver is trying to set up a Water Watch Committee in their Borough, which would only benefit our Borough.

Councilman Miller reported under the Waterways Committee, the clean up of the river will begin shortly and Tony Terra has agreed to Chair this Committee for us and he is already scouting out debris to be removed from the Shrewsbury River. He also advised that Chris Widdis and Steve Briskey will begin sampling of the Branchport Creek again this year and it will begin in May for the Monmouth County Board of Health and the reason we want to continue this sampling, is because Monmouth Park will not have their closed system in place until May 1995 and we want to keep track of the water quality and to keep subtle pressure on the race track to complete the project in a timely manner.

Councilman Miller advised under the Shade Tree Committee that the tree nursery that we are planning will hopefully get under way Saturday morning and Councilman Wolfe is going to have the Public Works employees spread out the dirt.

Councilman Miller also wanted to offer his thanks to Steve Becker and his Tree Service for helping out the Baseball Association in spreading the clay on the ball fields as he has done in the past and also he will be roto tilling the tree nursery area to get that ready to be planted.

COUNCILMAN TAYLOR: Councilman Taylor reported that the Oceanport Environmental Commission will be holding their annual environmental poster contest and this year the theme will be how recycling helps Oceanport and there will be 4 first prize winners who will receive \$50 Savings Bonds.

Councilman Taylor reported under the Board of Education that at the meeting held last week, Marissa Montalvo was presented with the Student Achiever of the Year Award and he offered his congratulations to her for being an outstanding student.

Councilman Taylor stated that last night the Drug Alliance held a program at Shore Regional where 8th Graders from Oceanport, Sea Bright, Monmouth Beach and West Long Branch attended a meeting with the Team Leadership of Shore Regional and they have a question and answer session about what to expect in high school and it was a very informative program. He also advised that next week he will be joining the Drug Alliance at Shore Regional to meet with the parents and the students for a dialogue night to discuss various matters and the parents and children will be separated and some of the answers of the questions might surprise some of the parents.

Councilman Taylor also advised that they will be holding the 2nd annual BABES Poster Contest and it will be held from now until the middle of May and the students at Wolfhill will make posters on drug awareness.

Councilman Taylor reported that under recycling, he attended a meeting out in Manalapan in reference to telephone books, which they are setting up already and they will be collected from June 27 through September 30. He also advised that at the Firemen's Flea Market scheduled for May 15 the County will be setting up a compost unit to show residents on how to compost leaves, food waste and grass clippings and this will help to reduce waste from going to the landfill.

Councilman Taylor also commented that there is a possibility of the Borough losing our recycling grant funds, since the Governor is presently looking at taking the \$15 million used for the grant monies and putting it into surplus, which would mean that Oceanport would lose approximately \$6,000 which helps to pay for our recycling containers at the drop off site.

Councilman Taylor reported that he has received the final approval of the funding for the Drug Alliance in the amount of \$5,738 from the Board of Freeholders and hopefully those funds will also continue.

Councilman Taylor asked the Clerk to read resolution **R-94-37** opposing the 10.3% rate increase by NJ American Water Company, after which he moved to approve same. It was seconded by Councilman Clark and unanimously approved by Council. #R-94-37

COUNCILMAN WOLFE: Councilman Wolfe commented that the Parks are starting to take shape as far as spring time activities are concerned and the baseball fields are in excellent shape and the volunteers were out working on them and it is quite different in this town as compared to others where they have paid individuals doing this work. He stated historically in this Borough it has always been done by volunteers as with all the other sports and he wanted to commend Ted Szczurek of Baseball and everyone who was involved.

Councilman Wolfe reported that the Public Works Department employees are out getting ready to begin grass cutting and they began at Borough Hall this week and they will be in their spring/summer routine of cutting the parks. He also advised that they are finishing up the final stage of the spring leaf collection and requested residents rake all their leaves this week because after the last week in April, the leaves will not be picked up this year.

R-94-38 Councilman Wolfe asked the Clerk to read resolution **R-94-38** appointing a Commissioner to the Statewide Worker's Comp Fund, after which he moved to approve same. It was seconded by Councilman Taylor and unanimously approved by Council.

Councilman Clark advised that the two sirens which were ordered last year have been received and the work has begun to install them and hopefully this will be completed shortly.

Councilman McGee thanked Councilman Wolfe for his quick response to having the bleachers moved over to the other side at Blackberry Bay Park.

MAYOR CAVANAGH: Mayor Cavanagh offered his thanks to Councilwoman Filippone for putting together the Health Screening Program and he is not sure if the people in the Community recognize the kind of service that she performs in doing this as well as the savings financially, which is quite substantial. He continued that while she was giving her report about the problem test results coming back, it is not hard to understand that we may save someone's life by getting an early test result, that they may otherwise not have received. He is very appreciative of all her work and the work of the volunteers who assist her in the very worthwhile program.

Mayor Cavanagh commented that he read a story in the Asbury Park Press this week about Bill Fleckner and his wife recently celebrated their 65th Wedding Anniversary and he commented that he is 90 and she is 87 years old, and he wanted the record to reflect that Bill served as the Borough Clerk for many years and has been active in this town for many years and he will drop him a note shortly offering congratulations from all of the Council.

Mayor Cavanagh congratulated all of the people who were elected to the Boards of Education of Oceanport and Shore Regional and also wanted to state on a personal basis, we acknowledge the fine work that Tony Croce did for six years at Shore Regional and extend our congratulations to him for his two terms and our gratitude for all the things that Board members do and he felt this was one of the most difficult jobs around and also a thankless job and wished the new people good luck.

Mayor Cavanagh offered the following appointments to the Zoning Board of Adjustment:

James Whitson to fill the un-expired term ending December 31, 1995 as a regular member.
Jerry Newmark to fill the un-expired term ending December 31, 1994 as an Alternate 1.
Jerry Regan to fill the un-expired term ending December 31, 1995 as an Alternate 2.

Councilman Wolfe moved to approve the appointments to the Zoning Board of Adjustment. It was seconded by Councilman Taylor and unanimously approved by Council.

Mayor Cavanagh then opened the meeting to the public for any comments or questions they might have.

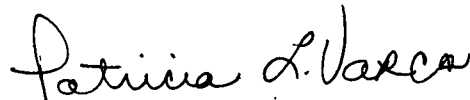
PETITIONS FROM THE PUBLIC:

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

Councilman Clark moved to approve the bills as listed on the Voucher Register dated April 21, 1994. It was seconded by Councilman Wolfe and unanimously approved by Council. TOTAL 1993 VOUCHERS PAID THIS MEETING \$4,673.25. TOTAL 1994 VOUCHERS \$49,731.07. TOTAL 1994 VOUCHERS PAID THIS MEETING \$131,888.17. TOTAL 1994 OPERATING FUND \$181,619.24. TOTAL TRUST ACCOUNT \$786.00. TOTAL GENERAL LEDGER-MARRIAGE LICENSES \$175.00. TOTAL GENERAL LEDGER-FIRE PREVENTION \$129.00. (SEE VOUCHER REGISTER)

At 8:55 P.M. Councilman McGee moved to adjourn the meeting until the next regular meeting scheduled to be held on May 5, 1994. It was seconded by Councilman Taylor and unanimously approved by Council.

Respectfully submitted,



PATRICIA L. VARCA
BOROUGH CLERK

APRIL 21, 1994