Oceanport, New Jersey
April 18, 1991

REGULAR MEETING: The regular meeting of the Oceanport Mayor and Council was called to order on April 18, 1991 at 8:08 P.M.

MEMBERS PRESENT: Councilpersons McGee, Terra, Filippone, Miller, Rodman, Wolfe and Mayor Cavanagh.

OFFICIALS PRESENT: Borough Attorney, Francis A. Margalotti.

OFFICIALS ABSENT: Borough Clerk, Patricia L. Varca.

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

As copies of the minutes from the Special Meeting held on April 1, 1991 and the Regular Meeting held on April 4, 1991 had been made available for review by the Governing Body Councilman Wolfe moved to waive the reading of same and approve the minutes as presented by the Borough Clerk. It was seconded by Councilman Miller and approved by Council with the exception of Councilman McGee who abstained from voting on both sets of minutes as he was not present at those meetings.

COMMITTEES:

COUNCILMAN MCGEE: Councilman McGee reported under Street Lighting that the light for Evergreen Park that was requested by Recreation, due to where it is located, there is an underground distribution system there and JCP & L Co. will not come in overhead and in order to install that light underground would cost the Borough approximately $1,500 so he has reported this to Councilman Miller to bring back to the Recreation Committee.

Councilman McGee also reported he has received correspondence from JCP & L Co. regarding their sodium conversion program and he has been advised that it is not available for the year 1991. He continued that they are experiencing some budget problems and the company has not budgeted any money for 1991 conversion program, however, they will re-submit the Borough's interest in this program and if funding does become available in the future, we will be ready to go.

Councilman McGee commented on the article that appeared in the April 17 edition of the Two River Times featuring our Public Works Superintendent, Mike Giordano and stated that he felt it was a terrific article and he really enjoyed seeing it. He stated that Mike is a tremendous asset to this community and hoped he would be with us for many years to come.

Councilman McGee stated that there have been a number of articles in the newspapers lately regarding the rabies situation coming in from Pennsylvania and he really thinks that it is time that we address this issue more seriously and consider licensing cats and requiring vaccinations. He continued there was a conference down in Stockton State College and the officials from the Dept. of Health made comments that it is a good idea to do so and that cats will be a very important link in

preventing rabies and the article ends with the comment that pets should not be allowed to run wild and yards should be made to constrain the animals. Councilman McGee felt that we should seriously address this matter with the season coming upon us where we have many people coming from out of town bringing their pets and it may be more of a problem then was initially feared.

COUNCILMAN TERRA: Councilman Terra echoed Councilman McGee's comments on the cat problem and we have talked about this for some time and so has the County and it is apparently a very difficult situation to solve and he is sure we will find a solution in the near future.

Councilman Terra commented on the wonderful efforts of the Police and Fire Departments and commended the excellent response to a car fire which took place on Sunday on Monmouth Blvd. and the Police and Fire Department's response was outstanding and the problem was resolved before it could get out of hand.

Councilman Terra reported that the Fire Department will be conducting a monument service for William Edwards on Sunday, April 21, 1991 at 2:00 P.M. He stated that Mr. Edwards, who passed away last June, had been a member of the Port-au-Peck Chemical Hose Fire Company for 59 years and the service for him will be conducted at that fire house and the monument was donated by the Oceanport Senior Citizens Club and the Fire Company and refreshments will be served following the service and everyone is invited to attend.

Councilman Terra stated that our recycling program has been moving steadily along and he publicly thanked Councilman Wolfe for his assistance with the tonnage grant application and he is pleased to say the applications were mailed on time. He also reported that he has received correspondence recently from the County informing us that we have $3663.68 due to us from the 1989 grant and we are looking forward to receiving those funds in the near future. Councilman Terra also stated that the County Recycling Coordinator has arrived at new goals for municipalities and as luck would have it, our small community with a population of 6,146 residents has the highest recycling goals per month at 83.66 tons and we are looking toward reaching that goal and surpassing it. Councilman Terra explained that the calculation system has been changed slightly and the system they are using now is based on the individuals employed in commercial companies and while we have some dispute between Ann Scott and himself over the numbers, he hopes that we can still have a reasonable response and at least meet our 83 ton goal, which would represent a 25% recycling rate.

Councilman Terra informed everyone that there is an excellent article in this month's National Geographic magazine and apparently the young archaeologists of today get involved with new garbage and they are in landfills digging and trying to find out what really is in the landfill and what we can do to solve these tremendous landfill problems and he recommended that everyone try and read this article.

R91-34 **COUNCILWOMAN FILIPPONE:** Councilwoman Filippone asked the Borough Attorney to read resolution **R-91-34** appointing a dog enforcement officer, after which she moved to approve same. It was seconded by Councilman Wolfe and unanimously approved by Council.

Councilwoman Filippone reported that we had 168 people attend the annual Health Screening Program and it was extremely successful as usual and we did have a small problem in that we only had two technicians

because due to circumstances beyond our control one of the technicians was pulled away to work in West Long Branch, but despite there was a little bit of a wait, there were very few complaints and it was a very worthwhile program. Councilwoman Filippone commented that although the program is very successful it takes a tremendous amount of work and it is so inexpensive because so many people volunteer to do all of the paperwork that is required. Councilwoman Filippone thanked Eleanor Widdis who has helped her immeasurably for all the years we have conducted the Health Screening and also offered her thanks and appreciation to Chris Widdis, Jan and Ed Anderson and Walter Prang who were very instrumental in making this program successful as well as the First Aid Squad and without their help, we could never have this program. Councilwoman Filippone commented that we had many volunteer members of the Squad help us out and she mentioned the following people who helped us have such a successful and smooth running program: Doris Agaman, Suzanne Burns, JoAnn Campbell, Carole & John Connor, Diane Cook, Ed Dangler, Linda Fujimoto, Joe Lombardo, John Long, Ed & Edie Ryan, Mike Stavdt, Kerin Slattery, Al Weigel, Lois Wood, Chick Walling, Sharon Walling and Agnes VanBrunt. Councilwoman Filippone also offered her thanks to both Diane Super and Patti Varca for their help since we had many more people who were late in registering and they picked up the slack for us and she was very appreciative of their efforts.

Councilwoman Filippone also reminded the public about the ceremony for Billy Edwards and stated that the Oceanport Senior Citizens are very pleased about honoring one of their own and the fire company is very sincere in their efforts as well and this service will take place on Sunday, April 21 at 2:00 P.M. and she encouraged the community to come out and attend this ceremony.

Councilwoman Filippone reported that she and Councilman Miller attended the Monmouth County Board of Health annual meeting and the major problem is the rabies and we are on a rabies alert and they are now going out educating the school children about staying away from animals that they do not know and if they see an animal acting strangely, not to go near them because this is a critical situation. She stated as always, the cat licensing comes up which it has been doing for the past 8 1/2 years she has been on the Council and there has never been a solution to this problem and we have talked about it and the County has been looking into this and one town instituted licensing cats and it did not work and that is the reason why no other towns are doing this as well, but cats should be vaccinated against rabies as well. She also commented that the cats that get vaccinated are unfortunately not the ones that usually carry the disease.

Councilwoman Filippone also stated that Lyme Disease is also something to be concerned about and it is not under control and the ticks are everywhere and 30% of the ticks that the County Board of Health has tested have been carriers of the disease and these ticks are in our own backyards. She urged anyone who suspects that their child may have a tick on them to be very careful about removing the tick and if at all possible, take it to the Board of Health to see if it can be examined. She urged everyone to examine their children and their dogs regularly so that they will be free of the disease because the ticks are very small, almost like a grain of sand, so they are not easily found. She asked Councilman Miller if he wanted to add anything from the meeting.

Councilman Miller stated it was very informative and educational and we listened to Lester Jargowsky for about 45 minutes and he gave a running commentary on the kinds of things that the County Health

Department gets into and it made him feel even more strongly positive about the fact that we switched over from our former Health Department to the County and they are on call 24 hours per day for any type of health emergency.

COUNCILMAN MILLER: Councilman Miller stated a few meetings back we received a skateboard petition which had made the newspapers and we have resolved that matter with the Trinity Park tennis courts being returned to the tennis players and as of today, there is a tennis court net up for those tennis players in the area and they will have to wait for a while to get the surface taken care because we have to work out some concerns with the surrounding environment, namely some trees who's roots are infringing upon the courts and we will be speaking with some of the neighbors to see what we can do to solve the problem prior to any re-surfacing of the courts.

Councilman Miller stated there is a place in town where the kids can skateboard at Blackberry Bay Park and it is about 95' x 100' macadam area with railroad ties around it, so we are trying to have a place for the skateboarders to use.

Councilman Miller stated the spring fix up of the Parks is still under way and basketball nets are being installed, painting, fixing broken items, etc. is progressing and this is being done by Mike Giordano and his crew.

Councilman Miller complimented John Kerwin, Recreation Director and his crew which were assisted by some of the members of the Oceanport Lions Club for their Spring Egg Hunt which was held on April 6 and there were between 200 and 250 little participants and it was very successful.

Councilman Miller reported under the WaterWatch Committee, our non point source pollution project got under way last Saturday morning and we had approximately 15 members participating and we did our sampling and monitoring which took about 1 1/2 hours and all of the data has been recorded and he has also put together a newsletter to let the group know what is taking place and our membership is up to 30 people.

Councilman Miller offered his thanks to Keith Seeley at Oceanport Landing for his help in fixing our engine for the Litterbug at no charge and he will be doing other things for the Waterways Committee and allow us to launch the Litterbug at his facility which will take place some time in May.

Councilman Miller also thanked Ralph Maida for doing some repairs that are needed, which will also be done on a volunteer basis.

COUNCILMAN RODMAN: Councilman Rodman reported that he and the Mayor had a gratifying experience yesterday afternoon, where they made a presentation to the 8th grade class at Maple Place pursuant to their studies of the various levels of government and he and the Mayor explained a little bit about municipal government in the Borough and it was a very attentive and intelligent group of students and he enjoyed it very much.

Councilman Rodman noted the passing of what was probably one of Oceanport's model citizens in the form of Felix Foggia and a gentleman in every sense of the word, who spent 25 years sitting on Council, a former Fire Chief and did at one point or another, touch every volunteer group in this community and one of the reasons that Oceanport is a pleasant

place for the people to live in today is because of people like him who had the foresight and dedication to spend that time to oversee the development of this community into a pleasant residential place and his presence in Oceanport will be sorely missed.

R-91-35

COUNCILMAN WOLFE: Councilman Wolfe asked the Borough Attorney to read resolution **R-91-35** amending the 1991 temporary budget, after which he moved to approve same. It was seconded by Councilman Miller and unanimously approved by Council.

Councilman Wolfe stated he wanted to comment on something that Councilman Miller had brought up earlier regarding John Kerwin, our Recreation Director, and he has a list from Mr. Kerwin which is an annual undertaking by him of going through all the parks in the Borough and listing what areas need attention and repairs and he takes it through to Recreation where it then comes to Councilman Miller and himself and he gives it to Mike Giordano to begin the work that needs to be done and this is a good addition to the parks and saves time since the Public Works Department can just work off the list.

Councilman Wolfe stated certain residents have not been abiding by the solid waste regulations that we have in the Borough and he reminded all residents that branches must be tied and bundled and not longer than 6' in length; stumps are not taken nor are large tree trunks; bulky items such as chairs, couches, mattresses, etc. can be left for the garbage collector the last two pick ups of every month; metal objects such as washers, dryers, etc. can be left at the curbside any week day of the month and then they must call Borough Hall to arrange for pick up and the items are usually picked up the same day or the next day and these items get recycled; construction material does not belong at curbside at any time and the resident must make private arrangements to have this type of debris taken away and we have a Code Enforcement Officer, Ron Kirk, who has been instructed by the Governing Body to follow through with his authority to issue summonses to residents who continually leave these types of material out at the curb.

Councilman Wolfe announced that the Oceanport Baseball Assn. is holding its first annual Golf Tournament and Banquet at Fort Monmouth on Friday, May 24 at 8:00 A.M. with a continental breakfast and the $75 per person charge includes the breakfast, green fees, cart, buffet dinner, prizes and additional after dinner gifts. He stated that anyone interested in playing in this tournament, they should contact Lee Poole or Greg Roonan.

MAYOR CAVANAGH: Mayor Cavanagh stated that the ultimate result of the Health Screening was that there was a donation made to the Oceanport First Aid Squad in the amount of $921 which is what was left over after the necessary expenses and we thank them for their assistance.

Mayor Cavanagh stated we would be remiss if he, as Councilman Rodman did to some degree, acknowledge publicly the passing of Felix Foggia. He stated if you were not in the town at least five years ago, you really never got to know Felix in his prime and even when the Mayor himself became active in politics, which was some ten years ago, Felix was not as active as he had once been, however, in the earlier days of Oceanport, Felix was truly, perhaps one of the most influential and significant people in this town. Mayor Cavanagh stated Felix came here in 1930 and he really is synonymous to a large degree with the development of this Borough in many ways. He continued that Felix served in more capacities

than he can name, but he was a Councilman and most famous for his Police negotiations and they usually lasted for one sentence when he would offer what their raise would be and that settle the negotiations and those were different times.

Mayor Cavanagh stated that Felix did many, many things for many, many people and there were many people in town who would come to him and he would help them secure mortgages, etc. and in a sense Felix really reflects the best of what we had in the past and we do lose a piece of history and Felix has a very large family who live in this Borough, most of whom are active similarly and there are probably six or seven who are involved with the Port-au-Peck Chemical Hose Fire Company, and it is quite sad with his passing and we had our flag at half mast for three days in tribute not only for his time as a Councilman, but truly because he is a piece of history for this community and we have lost a tremendous gentleman and he will be missed by all, which was witnessed by all his friends who were in the motorcade through which they passed in front of Borough Hall under the two ladder trucks with the assistance of Long Branch Fire Dept. He offered his condolences to Margaret and the girls and all the grandchildren.

Mayor Cavanagh reported he attended a meeting today at Monmouth Park and it was an up date on the pollution situation and the remedial project which has been going on during the winter. He felt it important to note that the situation as it manifested last summer was not something that everyone walked away from and forgot about and for the last six to nine months we have been sitting and meeting and working on different things on what could only be called a cooperative effort on the part of the Department of Environmental Protection, Monmouth County Board of Health, various engineers, the Borough and everyone from the American Littoral Society to various other agencies and the result of that effort has been that there has been a more significant attempt to combat the pollution problem that we encountered from the horse manure from last summer.

Mayor Cavanagh stated that what has been done primarily is that the manure piles will no longer be placed on the manure pads near storm drains and they have been eliminated. He continued what will be happening this season is that there will be approximately 85 water proof gasketed water tight containers in which all the manure will be deposited and it will be transported in three new vehicles that have been purchased for this purpose to a centralized location in the back stretch, near the barns, which is a building that will house the manure once it is dumped. He stated that have also tied in the building to the sewerage authority and any leaching that comes out will not seep into the ground, but will be treated as sewage. Mayor Cavanagh reported that the building is just about completed and Monmouth Park does not anticipate any problems in being ready prior to the horses arriving. Mayor Cavanagh also advised that he has copies of the new stall applications and what has happened is they have printed on the front of the new environmental rules which now say in very clear bold red print "the use of washing machines in the barn area is prohibited; all hoses shall be equipped with automatic shut off nozzles; wheel barrels may not be used for dumping manure; only biodegradable soaps may be used; all straw and shavings must be placed in proper containers; violators shall be subject to disciplinary action."

Mayor Cavanagh also advised that they are implementing a system of security which will wind up in trainers and/or employees being fined if they do not adhere to the rules. He continued they have done many other things like installing inhibitors in the hoses to cut down on water

pressure so that we do not wind up with extensive amounts of water and they have posted signs in other languages in case some of the employees do not speak or understand English to keep them informed as to what the new rules are and they will be testing 13 outfalls and reading those results to give them a basis for comparison before the season begins and the horses do not begin arriving until the end of April. Mayor Cavanagh stated that every month they will have to clean the entry points with a special vacuum and these are entry points to the drainage system and if there is an elevated count, they will have to do more than clean them and that will be determined by Dept. of Environmental Protection. Mayor Cavanagh stated that each outfall will have to be sampled twice a month and they have ordered more containers than they need and also have 25 extra gaskets in case any of the gaskets go bad. Mayor Cavanagh stated that while you can never be confident that the problem has been completed eliminated, he is certainly pleased that in one year it seems that we have made some enormous strides after many years of working on the problem and he really believes we are going to see some readily ascertainable results in the river this year and the DEP will continue to monitor, as will the Monmouth County Board of Health and the Borough through our WaterWatch Committee and he felt that the priority we spoke about all winter in getting the river under control was not lip service and we are serious and it appears that our cooperative effort with the DEP and Monmouth Park and everyone else involved, hopefully has begun to bear fruit and he believes that we are all going to be pleased with the advances we have made.

Mayor Cavanagh then opened the meeting to the public for any comments they might care to make.

PETITIONS FROM THE PUBLIC:

Tom Saboy, Old Wharf Inne, 306 E. Main Street stated he was having a problem with the Water Company concerning the installation of these 3 water valves and he has spoken briefly with Councilman Wolfe about this matter and primarily the problem revolves around the date they want to do this work, because he has no problem in understanding the need for these valves in controlling the water when work is being done on the bridges. He continued that the original plan which was sent to the businesses back in March of last year, showed the work being done on a Sunday, which was agreeable and acceptable to everyone involved and this was our impression that the work would be done on a Sunday. Mr. Saboy stated recently through some conversation with the Water Co. he got the feeling the day was going to be changed to a Friday and that became a problem because most of the businesses that would be affected, Friday is a high volume day of the week and it is his busiest day of the week with the most active lunch time crowd and dinner as well. Mr. Saboy stated with this work being done on Friday there will be a number of detours and signs which allow only local traffic through and this is basically going to take the flow of traffic away from and make it difficult to get to Oceanport Plaza and his place of business and in general, anywhere around the East Main Street area.

Mr. Saboy commented that this problem has been discussed with the Water Company and at times the discussions have been quite heated, but they are dead set that this work will be done on Friday.

Mayor Cavanagh asked Mr. Saboy if the Water Company has informed him why this work is being scheduled on Friday, to which Mr. Saboy stated the Water Company advised they want to do it on Friday because if there was any problem, the impact on Saturday morning would not be as great as

Monday morning. Mr. Saboy explained that the Water Company plans to do the excavation during the day, place metal plates over the holes and then come back at 8 P.M. Friday night and begin the work which they feel will be completed by 6 A.M. Saturday morning.

Mr. Saboy expressed again that Friday night is his busiest night and his employees make most of their salaries through tips and the amount of people coming into his establishment and if that number is cut back, they will be impacted as well as the other businesses and homes located in this area.

Mayor Cavanagh checked with Chief Joyce who was in the audience regarding the necessity for the detour signs and that we will need to have some signs, to which the Chief stated the detours will have to be made and the Department has yet to speak with the contractor about exactly where the detours will be set up.

Councilman Wolfe asked if the Chief was aware of any reason that the Water Company switched the original Sunday/Monday schedule to the present Friday/Saturday schedule, to which the Chief stated that he went away for a few days and when he returned the scheduling had been changed and he can only assume it has something to do with the contractor.

Mayor Cavanagh asked if there is any reason we want to have it on that date, to which the Chief stated he voiced the same reasons Mr. Saboy spoke about tonight with regard to the affect on the businesses and the senior citizens living in Oceanport Gardens. Mayor Cavanagh stated we spoke to the Water Company initially about the problem of not having water available to the businesses and the seniors and that problem was addressed and they have made provisions to supply water to everyone involved.

Mayor Cavanagh stated that the Water Company did not consult with the Governing Body as to when they changed the date nor is it within our jurisdiction to control when they begin this type of installation, to which the Borough Attorney confirmed this to be true. Mayor Cavanagh stated that if Mr. Saboy's question is will the Mayor and Council express some concern and see what we can get done to assist the business community, he has no problem with that if we can help.

Mr. Saboy explained that he has spoken to other people who will be affected, so he is not here only speaking for himself to which Mayor Cavanagh stated he has received calls from other people regarding this situation.

Mr. Saboy commented that they all only want to do what they can and as far as anything that the Mayor and Council can do to help them would be appreciated, and they do realize that the Water Company does have some rights that override what can and cannot be done and we are only asking that they remain with their original plan, which they had indicated back in March, that this was the plan with the Sunday/Monday time schedule and now seven days away from the beginning of the project, it is being changed and it is really difficult to readjust everything.

Mayor Cavanagh assured Mr. Saboy that tomorrow he and Councilman Wolfe will take a shot with the Water Company and see what can be done.

Mr. Saboy thanked the Mayor and Council for their time.

Councilman Wolfe advised Mr. Saboy that he had briefed the Governing Body prior to the start of the meeting so that everyone was familiar with the situation.

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

Councilman Wolfe moved to approve the bills as listed on the Voucher Register dated April 18, 1991. It was seconded by Councilwoman Filippone and approved by Council with the exception of Councilman Miller who abstained voting on the Shade Tree reimbursement items. TOTAL 1990 VOUCHERS PAID THIS MEETING $7,140.68. TOTAL 1991 VOUCHERS $38,914.89. TOTAL 1991 VOUCHERS PAID THIS MEETING $29,227.27. TOTAL 1991 OPERATING FUND $68,142.16. TOTAL PUBLIC ASSISTANCE TRUST ACCOUNT $70.00. TOTAL GENERAL LEDGER SHORE REGIONAL HIGH SCHOOL $147,392.50. TOTAL GENERAL LEDGER MIDDLE DEPARTMENT INSPECTION AGENCY $47.00. TOTAL GENERAL LEDGER TREASURER, STATE OF NEW JERSEY $30.00.

At 8:59 P.M. Councilman Miller moved to adjourn the meeting until the next regular meeting scheduled to be held on May 2, 1991 at 8:00 P.M. It was seconded by Councilman Rodman and unanimously approved by Council.

Respectfully submitted,

Patricia L. Varca

PATRICIA L. VARCA
BOROUGH CLERK