

REGULAR MEETING

Oceanport, New Jersey
April 16, 1992

REGULAR MEETING: The Regular Meeting of the Oceanport Mayor and Council was held on April 16, 1992 at 8:00 P.M.

MEMBERS PRESENT: Councilpersons Clark, Terra, Filippone, Miller, Taylor, Wolfe and Mayor Cavanagh.

OFFICIALS PRESENT: Borough Clerk, Patricia L. Varca and Borough Attorney, Francis A. Margalotti.

PLEDGE OF ALLEGIANCE: The Mayor led the audience and members of the Council in the Flag Salute.

As copies of the minutes of the Regular Meeting held on April 2, 1992 had been made available for review by the Governing Body, Councilman Miller moved to waive the reading of same and approve the minutes as presented by the Borough Clerk. It was seconded by Councilman Wolfe and unanimously approved by Council.

CLERK'S REPORTS:

1. Raffle application made by the Legal Aid Society of Monmouth County, to be held on June 6, 1992, 50/50 cash raffle.

As the Clerk advised that all paperwork was found to be in order and the required fee had been paid, Councilwoman Filippone moved to approve this raffle application. It was seconded by Councilman Clark and unanimously approved by Council.

COMMITTEES:

COUNCILMAN CLARK: Councilman Clark reported that the 1991 tonnage grant and bonus grant forms have been submitted recently and will give us a small amount to put into our budget.

Councilman Clark advised that the Clean Communities Grant of \$6,327 with a supplemental grant of \$346 totalling \$6,673 has been received and this will be used for environmental and recycling community activities.

Councilman Clark stated he recently attended an environmental caucus held by Monmouth County with Councilmen Miller and Taylor and they discussed an environmental resource inventory, which they feel each community needs to have and we will review this for the future. He also commented there is a graphic information system which would be digitized network which would include many items including our infrastructure, streams, roads, etc. and might be very costly, however, we will be reviewing this matter.

Councilman Clark also commented at this seminar someone from Middletown discussed the Adopt a Stream Program that they have been performing and he did not feel their program was as comprehensive as the one being performed by our own Water Watch Committee under the direction of Councilmen Miller and Terra.

Councilman Clark reported there is a matching grant program that we can apply for in the amount of \$2,500 that we might receive for

environmental purposes and he will be reviewing the application and see if we can apply and will advise the Council in the future and we cannot apply for funding this year because you must apply in August, one year prior to the grant funding.

Councilman Clark commented on May 5 he will be attending a seminar in Toms River on flood insurance for the residents who have this type of insurance and there is a potential reduction of 5% plus for residents and he will be attending to see what can be done to institute this program in the Borough.

COUNCILMAN TERRA: Councilman Terra commented on the Police Report for the month of March and once again the officers patrolled 9,922 miles during that month and an example of the excellent work our Police Department does in patrolling the streets which results in our low crime rate and he commended them on their fine work. He also commended the following officers for completing courses relative to their work: Donald Ross for completing a course in Collection & Preservation of Physical Criminal Evidence and Gypsy Confidence Schemes; Jared Murphy completed a course on Commercial Truck Inspection; Frank H. VanBrunt completed a course on Fundamentals of Crime Prevention for the Practitioner and Steven Tagerty completed a course on Gypsy Confidence Schemes.

Councilman Terra also commented on a letter received from the Chief of Police complimenting two of our offices, Sgt. Bebout and Patrolman Ross for some exceptional police work that was performed during late March and we on the Council also offer our congratulations on great police work.

COUNCILWOMAN FILIPPONE: Councilwoman Filippone reported on the Oceanport Volunteer First Aid Squad and stated that they received a total of 23 calls in the month of March going 156 miles for a total of 202 man/woman hours and she again commended them for the outstanding job they do and this week they had a training session that was particularly interesting because they had a Chiropractor come in and advise them on how to properly lift people, etc. to prevent back injuries to themselves.

Councilwoman Filippone reminded the public that the First Aid Squad's fund drive will be coming up some time in June and she urged all the residents to support this drive.

Councilwoman Filippone offered her thanks also to the Squad members for all their help at the annual health screening and without their assistance it would not be such a successful program because there is just so much work involved in setting up all the equipment, etc. and she especially offered her thanks to Carole Connor who always comes through and does more than most.

Councilwoman Filippone reported that we have licensed 100 cats in the Borough as of April 3, which is more than we thought we would license and 410 dogs which is less than we usually get, but we will be sending out notices of summonses in the near future. She also advised that the annual dog census will be conducted again this year by the Boy Scouts under the leadership of Dr. Richard Parker.

Councilwoman Filippone reminded all residents in the Borough that May is lyme disease month and stated that the tick season is approaching rapidly and urged the residents to check their children and animals.

Councilwoman Filippone commented that we had received a letter from one of our residents regarding a program where there is an anti-rabies

immunization project being conducted in Switzerland and he felt that we should participate in this, and she contacted the County Board of Health and spoke with Lester Jargowsky, Director, who was aware of the program and there is a pilot program being undertaken in South Jersey, but we cannot join into this program at the present time. She explained what they do is place the rabies vaccine in bait which attracts the raccoons and they eat it and inject the vaccine. Councilwoman Filippone advised that they expect rabies to be at the coast by this summer so everyone should be very careful around wild animals and raccoons in particular.

R-92-38 COUNCILMAN MILLER: Councilman Miller asked the Clerk to read resolution R-92-38 regarding the \$64,400 grant for Phase II mapping under the Sewage Infrastructure Improvement Act, after which he moved to approve same. It was seconded by Councilman Taylor and unanimously approved by Council.

Councilman Miller commented that once the final mapping is completed of the storm drains and sanitary sewer lines and accepted, we will then have to begin a testing program of storm drains to test for various items but after the testing if we find storm drains that are in violation, we will have to pay for what is causing the problems and he did not feel in Oceanport that we have the problems other towns are experiencing, and gave an example of Elberon where last summer they were getting very high coliform counts and it was due to a breakdown of a sanitary sewer line.

Councilman Miller reported the Shade Tree Committee will be donating to the Oceanport School System \$200 to purchase saplings for the Wolfhill School students to plant and participate with Earth Day and Arbor Day.

Councilman Miller stated we will also be having a dual project between the Shade Tree Committee and Mrs. Ross's Cub Scout group who want to donate shrubbery as part of their project and the manpower to plant the shrubs in some of the parks and Mr. Sullivan, Chairman of the Shade Tree Committee, will be coordinating the placement of the shrubs.

Councilman Miller reported under Waterways and Water Watch Committees we had a meeting on Tuesday night to set up what, when and where we will be testing five sample sites and our Litterbug should be in the water by next Saturday and we will be going back to the Community Center to complete a nine item check and coming out with a water quality index that we will be publishing twice a month to let the citizens know how our water is doing.

Councilman Miller stated we will be holding a Waterways Committee meeting in early May to begin our schedule for floatable pick ups with our Litterbug and mapping of any hazards that may be in the river this year.

Councilman Miller advised that the Waterways and Water Watch Committees as well as the Boy Scouts and Cub Scouts will all be participating on a shore line clean up on May 9 as a part of a regional clean up activity being coordinated by the EPA, NJDEPE and NYDEP.

Councilman Miller offered his thanks to Steve Becker for volunteering his machinery and crews to put the baseball and softball fields in good shape for the up coming season and they did Blackberry Bay, Community Center, Wolfhill and Maple Place Schools and he thanked him for his volunteer efforts.

Councilman Miller commented that yesterday he met with Faith Hahn of the Monmouth County Recreation and Parks Commission and went over part of a report called Coastal Waterfront Access Study and this deals with residents

access to waterways for various purposes and he stated that Oceanport came out very well and except for several signs showing where the ramp is at Blackberry Bay Park and one at Seawaneka, we were in complete compliance.

Councilman Miller reported that our permit to do some repairs at the boatramp at Blackberry Bay Park has been approved by the DEP and our Borough Engineer will be preparing specifications and should be going out to bid in the very near future and the work hopefully can be completed before the boating season.

Mayor Cavanagh commented that in Councilman Miller's report, we adopted a resolution which will ultimately produce the classic State Mandate, State Pay problem that he always speaks about. He stated that he testified last month at a hearing in Ocean Township and until the Legislature in Trenton adopts a State Mandate, State Pay concept, we are going to have little or insubstantial control over our own expenditures and you can see just through this program, if this mapping becomes a major problem, the only funding provided for as we speak, is for the testing. He continued that it is his understanding that this Fall there will be on the ballot, a constitutional amendment which says if the State Legislature makes the municipality do it, they will pay the tab to do whatever program. Mayor Cavanagh urged all the residents to support this resolution if it does go on the ballot as a public question and use that as a measure of regaining control over our own tax abilities.

COUNCILMAN TAYLOR: Councilman Taylor reported that from the Monmouth County Task Force Against Drunk Driving under the Prosecutor's Office, they have invited a member of the Monmouth County Community Alliance group, which he will be attending on April 27 at Straub Buick where they will have a car which will simulate the effects of driving while under the influence and the program is entitled "Think-Don't Drink; Dodge Drunk Driving Simulator". He commented that this is only one of two appearances of this simulated car in New Jersey and has been featured on the television program 48 Hours and he will report back on his findings after reviewing the program.

COUNCILMAN WOLFE: Councilman Wolfe asked the Clerk to read resolution R-92-39 amending the 1992 temporary budget, after which he moved to approve same. It was seconded by Councilman Taylor and unanimously approved by Council.

Councilman Wolfe reported that each year he is given a list of repairs for the parks and playground from John Kerwin, Recreation Director and this year the list has been reviewed by himself and Councilman Miller and he gave the list of items to be done to Mr. Giordano, Superintendent of Public Works on Monday and as of this afternoon, one-third of the repairs have been made and he commended Mike and his crew on the excellent job they are doing.

Councilman Wolfe advised that we are in the final weeks of curbside leaf pick up which ends April 30, 1992 and after that date, the next time that leaves will be collected curbside will be some time in October and he asked residents to get them out prior to the 30th of April.

Councilman Wolfe stated in conjunction with the final spring leaf pick up, the Borough streets will be swept during the week of May 11 and he asked all residents to not place any debris or materials in the curbs so that the streets may be swept curb to curb during that week.

Councilman Wolfe wished everyone a Happy Easter and Passover season.

MAYOR CAVANAGH: No Report.

Mayor Cavanagh then opened the meeting to the public for any comments or questions anyone might care to make.

PETITIONS FROM THE PUBLIC:

Mr. Lee Rowlands, 2 Belmar Avenue stated he read an article in the newspaper last week that said basically the tentative tax increase on the new budget was going to be approximately twenty-seven cents per hundred and asked if this was true?

Mayor Cavanagh stated this was not true and the estimated tax increase total for the Borough is approximately twelve cents and that is including all four taxing authorities and at this time, it is our best estimate.

Mr. Rowlands commented that he works at Fort Monmouth as well as sells real estate and he questioned that several years ago he had a problem with his assessment through the Tax Assessor's Office and how improvements to the property, regardless of what the cost involved, was told by the Assessor that it had to be assessed at union scale, which Mr. Rowlands did not feel was true. Mr. Rowlands continued that he had some discrepancy with his assessment and won two tax appeals and he is still paying too much for his property.

Mr. Rowlands pointed out that in his opinion we have a serious problem in this Borough for the working populace here because if someone wants to improve their property and everyone should want the residents to improve their properties, there is a real concern besides what the improvement will cost, but what the added assessment will be and will be paid year after year. Mr. Rowlands stated his property is only a three bedroom home, on a corner property, no sidewalks, no storm sewers and Councilman Wolfe has been there several times about the problems with ponding.

Mr. Rowlands also commented that in prior discussions with the Governing Body he discussed having sidewalks on Myrtle Avenue because it was a very busy roadway and he was informed that it was a County road and it was suggested that he get together a petition signed by his neighbors and the Mayor would forward that request to the County. He stated after thinking about it and the fact that he already works two jobs, that this was not something he had time to undertake and should be done by our Governing Body because it is a dangerous situation with no sidewalks.

Mayor Cavanagh stated that the Oceanport portion of the tax dollar is the smallest portion and it will be approximately 14.2% of the total. He stated as far as the other situation with the sidewalks is concerned, it is true that Myrtle Avenue is a County road and the desire for sidewalks, although they do have a safety function, is not a desire uniformly shared by everyone in the Borough. He continued that years ago he was told that the people on Gooseneck Point Road banded together and chose not to have their street resurfaced through a grant, because sidewalks would have been required that they did not want them.

Mayor Cavanagh stated he is respectfully suggesting to Mr. Rowlands that not every resident is enamored with sidewalks. He also stated in regard to the safety factor, we did a lot of work on Bridgewater Drive and what we tried to do was make the sidewalks meet where we could so that when we had some control over the situation, it would give us a bit of an edge safety wise and we have sidewalks up to Leeward Cove.

Mayor Cavanagh also commented that people are not allowed to ride bicycles on sidewalks if there were there, since it would be counter productive.

Councilman Wolfe stated he remembered when we had the discussion about the sidewalks on Myrtle and the petition suggested by the Mayor would have been a way to let the County know of the interest in the neighbors in that area. He stated also Mr. Rowlands did not follow up on this matter, he discussed this with Paul Bedford, Monmouth County Supervisor and met him in the area and Mr. Bedford stated that the problem with the sidewalk request was that there was not enough pedestrian traffic and that is the criteria that they use.

Mr. Rowlands stated it is true there is not pedestrian traffic all the time, but the Library is located across the street as well as Borough Hall and you do have youngsters coming over to this building. He also pointed out that you have the racetrack on the other side with people going and coming from the train during the summer and during the racetrack season, the cars are speeding down Myrtle Avenue.

Mayor Cavanagh stated that when we were approached about the possibility of a train station being installed at the end of that road, this Governing Body took the position that there could be no train station there without a traffic light at the end of that street and the County did a study twice and came back and told us that there was no necessity for a traffic light because there was not enough traffic. He stated he also requested a traffic light at the intersection of Monmouth Boulevard and Myrtle Avenue because at around 7:30 A.M. you cannot get out of that corner and he was told the same thing that there is not sufficient numbers to warrant a traffic light.

Mayor Cavanagh stated it has taken us four years to get the light installed at Monmouth Boulevard and Port-au-Peck Avenue and it was a constant project between he and the Chief of Police keeping at the County to finally get the installation of the light.

Mayor Cavanagh explained that even if we were to find enough money to install the sidewalks on Myrtle Avenue we could not because it is a County road and we have no jurisdiction to do something like that.

John Connor, 10 Asbury Avenue and Treasurer-Oceanport First Aid Squad wanted to comment on an article in the Asbury Park Press this week and the Squad has already forwarded a letter to the Mayor with regard to our policy about alcohol consumption and he stated that we have a very selective process in order to join the Squad and all applicants are highly screened and when there is a problem, we get rid of them.

Mayor Cavanagh explained that we did not comment on that article tonight because we did not want to, but because we have asked the fire companies to give us a similar policy in terms of their in house policy and we thought we would do it all together. He also commented that in the article, Oceanport was not one of the towns listed in the article. Mayor Cavanagh also stated that the letter from Carole Connor for the Squad was one of the most quickest responses to something in the newspaper and complimented the Squad for the alacrity on which they acted once the question came up.

Mr. Viano, 85 Algonquin Avenue asked if the rumor around town was true that we would be left without either a Police Chief or an officer?

Mayor Cavanagh stated that he could assure Mr. Viano that the Chief will continue to be here, but in terms of a replacement officer, if you join us at our next meeting you will see that problem resolved. He stated that this is a personnel matter and he is not able to discuss the matter without the permission of the recommended officer, but what we are doing at this time is finalizing that process and we will take care of that matter on May 7, 1992 at our meeting.

Don Cook, 55 Iroquois Avenue commended the Mayor and Council for looking for the most inexpensive health insurance plan, but the current one is a very good plan, excellent coverage and are extremely prompt in their payments and he does not know how much savings the Borough would realize from a switch in plans, but he was concerned about giving up such a good plan to someone who has only been around for a few months, since that type of benefit is very important to employees and if there are problems, it can become a very serious item.

Mayor Cavanagh responded that it was a very reasonable question and that is one of the reasons we are not in that fund as yet because we are trying to get some history and background on how it works with the other people in it before we make that move and the other reason is that he wanted to provide an opportunity for all the employees to meet with the representative and that took place on Wednesday. He stated at this point we have not made any definite decisions to make any changes and we are looking at this as an option and he will keep Mr. Cook's comments in mind.

As no one else in 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 16, 1992. It was seconded by Councilman Miller and approved by Council with the exception of Councilman Clark abstaining from a voucher due himself for reimbursement of expenses and Councilman Wolfe who abstained from voting on vouchers for Clayton Block Company Inc. and William Haggerty & Son. TOTAL 1991 VOUCHERS PAID THIS MEETING \$1,463.25. TOTAL 1992 VOUCHERS \$48,512.39. TOTAL 1992 VOUCHERS PAID THIS MEETING \$99,483.31. TOTAL 1992 OPERATING FUND \$147,995.70. TOTAL CAPITAL ACCOUNT \$1,337.36. TOTAL TRUST ACCOUNT \$2,172.00. TOTAL PUBLIC ASSISTANCE I TRUST ACCOUNT \$420.00. TOTAL PUBLIC ASSISTANCE II TRUST ACCOUNT \$210.00. TOTAL DOG REGISTRY ACCOUNT \$172.00. TOTAL GENERAL LEDGER SHORE REGIONAL HIGH SCHOOL \$148,425.20. TOTAL GENERAL LEDGER-MIDDLE DEPARTMENT INSPECTION AGENCY \$458.00. TOTAL GENERAL LEDGER - #1656 \$302.23. TOTAL GENERAL LEDGER-SEWER \$401.80. TOTAL GENERAL LEDGER-STATE TRAINING FEE 1ST QUARTER \$72.01. TOTAL GENERAL LEDGER - FIRE PREVENTION \$149.50. (SEE VOUCHER REGISTER)

At 8:47 P.M. Councilwoman Filippone moved to adjourn the meeting until the next regular meeting scheduled to be held on May 7, 1992 at 8:00 P.M. It was seconded by Councilman Clark and unanimously approved by Council.

Respectfully submitted,

Patricia L. Varca

PATRICIA L. VARCA
BOROUGH CLERK