

REGULAR MEETING

Oceanport, New Jersey
April 6, 1995

- REGULAR MEETING:** The Regular Meeting of the Oceanport Mayor and Council was called to order on April 6, 1995 at 8:07 P.M.
- MEMBERS PRESENT:** Councilpersons McGee, Filippone, Miller, Taylor, Wolfe, Silkworth 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.
- INVOCATION:** Reverend Tavener gave the Invocation.

As copies of the minutes from the regular meeting held on March 16, 1995 had been made available to the Governing Body for their review, Councilman Wolfe moved to waive the reading of same and approve the minutes. It was seconded by Councilman Taylor and approved by Council with the exception of Councilwoman Silkworth who abstained from voting since she was absent from that meeting.

Mayor Cavanagh advised the public that this was the time for a public hearing on the amendment to the 1995 Municipal Budget which had been previously introduced and there were some line changes which were available in the back of the room. Mayor Cavanagh also explained that this was not the hearing on the entire budget, which had been previously held, but only on the amendments listed.

Mayor Cavanagh then opened the meeting to the public for any comments on this subject only. As no one from the public wished to be heard on the amendments to the 1995 municipal budget, Councilman Wolfe moved to close the hearing. It was seconded by Councilman Miller and unanimously approved by Council.

Mayor Cavanagh then asked the Clerk to read resolution **R-95-32** adopting the 1995 municipal budget, after which Councilman Wolfe moved to approve same. It was seconded by Councilman Taylor. **R-95-32**

The Clerk called the roll:

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

CLERK'S REPORTS:

1. Police report for the month of March, 1995 and a copy will be posted on the Bulletin Board.

COMMITTEES:

COUNCILMAN MCGEE: Councilman McGee advised he would be attending a Work Shop Loss Prevention Seminar next week and Councilman Wolfe was going to try and join him in attending if his schedule permits.

Councilman McGee stated that he and Rick Gallo were able to help out the seniors at Oceanport Gardens by picking up 35 cases of cheese and butter from the Government Surplus Office and delivering it over to the complex.

COUNCILWOMAN FILIPPONE: Councilwoman Filippone called for the introduction of a bond ordinance and asked the Clerk to read the proposed ordinance by title only as follows: **BOND ORDINANCE APPROPRIATING \$50,050 AND AUTHORIZING THE ISSUANCE OF \$47,547.50 BONDS OR NOTES OF THE BOROUGH FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF OCEANPORT IN THE COUNTY OF MONMOUTH, NEW JERSEY.**

Mayor Cavanagh explained that this ordinance is for some renovations to the Borough Hall, the purchase of a copier machine and recording equipment and accessories for the Police Department.

Councilwoman Filippone moved to approve this ordinance on first reading. It was seconded by Councilman Wolfe.

The Clerk called the roll:

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

Councilwoman Filippone moved to hold the public hearing on this ordinance at the meeting scheduled to be held on May 4, 1995 and to advertise same in accordance with law. It was seconded by Councilman Wolfe.

The Clerk called the roll:

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

Councilwoman Filippone welcomed Pastor Tavener and looked forward to working with him in the future.

Councilwoman Filippone wished Patti Varca a Happy Birthday and wanted to wish a happy 25th Anniversary to Mayor Cavanagh and his wife Barbara and commented that there is a photograph of the Mayor and his wife on their wedding day and she also wished Patti and Bob Varca a happy 25th Anniversary as well.

Councilwoman Filippone advised that the annual health screening would be held again this year on April 29, 1995 and pre-registration was required and would be held on Wednesday, April 26, 1995 at the Borough Hall from 3:30-5:00 P.M. and the testing this year is the same as last year and the fee is also the same. She urged all residents to take advantage of this worthwhile program.

Councilwoman Filippone reminded the residents that this Memorial Day Parade will be celebrating the 50th Anniversary of the end of World War II and we are particularly anxious for people to participate and she asked anyone who might be interested in working on a float or marching in the parade to contact her.

Councilwoman Filippone wished the residents of the Borough a very Happy Easter and a Happy Passover.

COUNCILMAN MILLER: Councilman Miller welcomed Reverend Tavener and was pleased to have him with us this evening. Councilman Miller also offered his congratulations to the Mayor and his wife as well as Patti and Bob Varca on celebrating their 25th wedding anniversaries.

Councilman Miller reported that the Recreation Committee will be sponsoring a Spring Egg Hunt at Blackberry Bay Park at 11 AM and it is run by the volunteers of the Committee along with Mr. John Kerwin, the Recreation Director.

Councilman Miller advised that the race track is presently in the process of hooking up with the Northeast Monmouth County Regional Sewerage Authority and it is way ahead of schedule and we are hoping that it might be completed before the racing season begins this year and this would bring about a major improvement in the Branchport Creek and the rest of the Shrewsbury River. He also advised, however, that the Water Watch Committee will still be out sampling for fecal coliform to make sure things are being done in the correct manner.

Councilman Miller reported that he and Councilman Taylor attended a meeting on Tuesday night in Highlands as part of a citizens comment on what is known as a comprehensive conservation management plan that has been put together by the NJ/NY Harbor Estuary Program and it is a federally funded program that addresses many different items, but as far as Oceanport is concerned, the areas that are most important to us is loss of habitat and living resources, floatable debris, nutrient and organic enrichment, rainfall induced discharges and public involvement and education. He commented that there was quite a line up of people attending with representatives from Congressman Pallone's Office who was asking for support to put down the initiative of both the State and Federal Governments to water down the wetlands laws that are in place now; Assemblyman Corodemus was there and he spoke on behalf of this particular program; Andy Wilner, Baykeeper and representative from the American Littoral Society as well as many other people.

Councilman Miller spoke his thoughts about the project and the items that were important to the citizens of Oceanport to increase the quality of the Shrewsbury River and get back to where we can sail and swim and not worry about anything.

Councilman Miller advised that in March the Water Watch Committee did sampling and with the exception of one particular site near Old Wharf Park, we probably had the best water quality indexes that we have experienced in a very long time and the coliform numbers were very low as were the numbers from the Monmouth County sampling taken inside the track, although there are no horses there at this time.

Councilman Miller informed everyone that he and Councilman Taylor would be putting together an article for the Bulletin with regard to environmentally safe lawn upkeep and this is very important for those residents who live near the river and hoped everyone would follow their recommendations.

Mayor Cavanagh stated that the fact that those pipes at the track will be connected shortly is a tremendous accomplishment for all of us because that means that all of the back stretch of the track will be fed through the sewer authority, so that the chances of us having to deal with the problems we have experienced in the past, will probably be non existent by the end of this year and that should rejuvenate the use of the Shrewsbury River and we are all very happy about this project.

COUNCILMAN TAYLOR: Councilman Taylor welcomed Reverend Tavener and offered happy anniversary wishes to both the Cavanaghs and the Varcas.

Councilman Taylor reported under the Board of Education, he wanted to express his thanks to Donna Liska for her donation of software to the schools and the Oceanport Basketball Association who donated \$400 toward the purchase of new rims for the Larry Boresen Gym and the Oceanport Lions Club donated \$1,000 for the purchase of glasses and eye exams for the students.

Councilman Taylor advised that on March 30, the Strategic Planning Committee met at Gibbs Hall and some 35 members of the Committee gave up their time on a Saturday to attend this meeting and go over what would be needed for the coming years and he thanked Maria Gatta for coordinating this meeting and Ron Flannery for being the facilitator of the meeting.

Councilman Taylor also thanked both the Board of Education and the PTO for holding Candidate's Night where the residents were able to meet and question the candidates for the upcoming School Board Elections. He reminded the residents that the elections will be held on April 18, 1995 from 4 PM to 9 PM and he urged all the residents to come out and vote.

Councilman Taylor reported that at a recycling work shop meeting held on March 14, he was informed that the checks for the 1993 tonnage grants have yet to be cut and they are assuring everyone that the longer it takes, the more money the towns will be receiving. He also advised that they are not sure if this grant program will be continued next year and explained that these grant funds help defray the costs for the containers we pay for at the drop off center and the grants are usually between \$5,000-\$6,000 per year.

Councilman Taylor advised that the Household Hazardous Waste Days have been announced and are as follows: April 8 at Tinton Falls; May 6 at Hazlet and June 3 at Freehold and he has posted a notice of the dates and locations in the entrance of Borough Hall.

Councilman Taylor stated he brought back some posters from the recycling work shop meeting and there is one posted in Borough Hall which says "you don't go to the beach when it rains-

your trash does" and "Clean Streets equal clean beaches" and commented that this is an awareness for everyone and he also placed posters in the Library and Schools.

COUNCILMAN WOLFE: Councilman Wolfe reported that the Oceanport Hook & Ladder will hold their annual ham dinner this Sunday from 12 Noon to 5 PM and on Easter Sunday the Port-au-Peck Fire Company will sponsor a breakfast and urged all residents to come out and support these fund-raisers for the fire companies.

Councilman Wolfe commented he was in receipt of a letter he has been waiting to receive for many years and advised that it was in regard to the intersection of Myrtle Avenue, which is a County road and Port-au-Peck Avenue and the problems we have been experiencing at this location following the realignment of Port-au-Peck Avenue because it is very difficult to see oncoming traffic from the east when you are trying to pull out. He advised that the County has written to him informing that these improvements to this location will be undertaken as soon as the necessary permission is received from Monmouth Park.

Councilman Wolfe moved to accept the resignation of Diana Super as the Deputy Court Administrator and appointing Kim Jungfer to fill this position. It was seconded by Councilwoman Silkworth and unanimously approved by Council.

Councilman Wolfe commented that Mrs. Super is still with us, but wanted to have less responsibility and he offered the appreciation and thanks of the Council for her years of effort in that position.

COUNCILWOMAN SILKWORTH: Councilwoman Silkworth welcomed Reverend Tavener, extend anniversary greetings to the Cavanaghs and the Varcas and wished Patti Varca a Happy Birthday.

Councilwoman Silkworth advised that she has been meeting together with Councilman McGee with contractors and an architect to obtain necessary specifications and proposals for replacement of windows on the front of the Municipal Building and to do some renovations in the hallways. She commented that this building is almost 30 years old and there is some maintenance that needs to be done. Councilwoman Silkworth commented that we have been fortunate to have Eric Wagner volunteer his services to us in this regard.

Councilwoman Silkworth reported that Old Wharf House will have its facia painted and decks scrubbed and sealed through our Public Works Department, which will certainly save the Borough money since we will not have to have these services contracted out.

Councilwoman Silkworth stated she rode this week for the first time with our Zoning Enforcement Officer, Ron Kirk, looking around the community and assessing some problem areas and looking for solutions that will benefit both the town and the residents.

Councilwoman Silkworth reported that the Cable Television Committee, at this point, is a small committee and over the next year we will be going through an Ascertainment Proceeding and a Hearing to renew the franchise and anyone who would be interested in serving on this committee, should let the Council know. She further advised that the Ascertainment Public Hearing is scheduled to be held on June 15, 1995 at 8 PM and at that time the public can come forth and make any comments that they may have regarding cable television service.

Councilwoman Silkworth also advised that the Economic Development Committee will be meeting next week for the first time in many years.

MAYOR CAVANAGH: Mayor Cavanagh wished the Varcas a Happy Anniversary and wished Patti a Happy Birthday and thanked everyone on the Dais for not bringing a copy of his wedding picture to the meeting.

Mayor Cavanagh advised that Councilwoman Silkworth gave him copies of a portion of a book entitled the Story of New Jersey Civil Boundaries 1606-1968 and for the purpose of commentary, apparently Mim Bryan who was a former Councilwoman and history buff indicated that by her records and research, that Oceanport would experience its 75th Birthday today and forwarded copies of this book, which indicates that on April 6, 1920 Oceanport was formed from Eatontown Township and the referendum was to be adopted on May 11, 1920, but it does appear that this is the day we became Oceanport. Mayor Cavanagh stated that later in the year we are hoping to have some type of celebration for the Borough's 75th Anniversary and the Oceanport Hook & Ladder Fire Company will be celebrating their 100th Anniversary in May of this year.

Mayor Cavanagh stated that there was a fire in the Borough on February 14 at 38 Main Street and the people who lived there were burned out and lost all of their possessions and we received in the mail a general overall thank you from the parents and children of this family and thanked everyone from the Ladies Auxiliary, First Aid, Fire and Police Depts., Councilwoman Filippone, the Senior Citizens, etc. for all the help and assistance they gave.

Mayor Cavanagh read a proclamation proclaiming APRIL as Alcohol Awareness Month in the Borough of Oceanport and advised that the proclamation would be posted in the Borough Hall.

Mayor Cavanagh stated before he opened the meeting to the public he wanted to set the tone for the discussion and stated that if the people in the audience were here tonight to speak about the walking track, he believed that status of this project is, as he understands it, is that we have not decided that this will not happen and there was a general discussion about maximizing numbers, figuring out locations, questions raised about how best to accomplish this, etc. and sometimes people who are interested in the project take that as a set back, but he did not and he thought that we had all agreed that we would publish an article in the Bulletin asking for feedback from the residents to tell us how they felt and we have already scheduled to discuss this matter again at our next work shop meeting and to hopefully finalize our discussions.

Councilman Miller indicated that he had received eleven telephone calls from the article that was printed in the Bulletin of which none were negative, nine were very positive and were unable to be here this evening.

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

PETITIONS FROM THE PUBLIC:

Mrs. Jamie Weiss, 23 Wardell Circle, commented that she formed the Oceanport Boardwalkers last October and since that time, she has met with the Borough Engineer and gone over the area where the proposed walking track is to be located and attended several Recreation meetings and she just hoped that the Council considers using the line item in the budget for this

purpose. She continued that Blackberry Bay Park is a very nice park and felt that it would be more enhanced by the addition of a walking track. Mrs. Weiss stated that many people walk in this town and don't play volleyball or tennis or are not able to participate in other types of sports, and this would give those people an opportunity to be able to go out and participate physically. She continued that one of the problems in Oceanport is that there are no sidewalks and it is not safe to walk in the streets because the streets are crowned and people tend to walk in the middle of the road, which makes it easier if you have back problems.

Mrs. Weiss felt that walking was one of the best cardiovascular exercises you can do and she felt this track would be good for the community and enhance the park.

Mrs. Weiss stated she also wanted to mention that the Mayor had given her some information regarding the March of Dimes Walk America which will be held on April 30, 1995 in Belmar and they are organizing Borough Employees throughout the County and she stated she would drop off a flyer to the Clerk's Office tomorrow and if anyone is interested in walking or sponsoring someone, they should contact her regarding this matter.

Mayor Cavanagh stated one of the things the Council discussed about the walking track was the matter of providing a recreational experience for an age group we have not already planned for, since we have softball fields, soccer fields, baseball but not everyone plays these sports and this was one of the things we thought was a good idea about this project because it gives another segment of the community some active ability to look and see their tax dollars benefit them, but by the same token, responsible Government says you should always make sure it is the best way to expend the taxpayer's dollars and he felt that there was some legitimate give and take, but Recreation is on record as to where they think we should be going and now the Council will review the recommendations and make a decision and no one during the discussions said absolutely no to this project.

Mr. Phil Apruzzi, 64 Werah Place, stated that he had done some research with the towns in the surrounding area, Fair Haven, Rumson, Monmouth Beach and asked what the use of these walking tracks was during the various seasons and he was advised that during the winter there are only about 100 people a day, but during the rest of the seasons, there are hundreds and hundreds of people using these tracks, especially the track at Fair Haven on Ridge Road, which is a different setting than what we have, but we also have the lovely view of the water and he agreed with what Mrs. Weiss stated earlier in that it would be an addition for those individuals who cannot participate in tennis, soccer, baseball, etc.

Mrs. Tomaino, 90 Werah Place stated that she is very much in favor of the walking track and as a runner, would like to run on the track, rather than on the street because you have to run in the middle of the road, because of the crown in the road but mostly she felt it would be a very good addition for the seniors to have a safe place to walk.

Patty Beaty, 55 Comanche Drive asked how the money for the walking track was going to affect the taxes, to which Mayor Cavanagh explained the money is already in place and will not change the tax rate. Ms. Beatty stated she was in favor of the track and just wondered if some of the negative feelings about the track were due to an increase in taxes that it might cause.

Mayor Cavanagh stated that the question that was raised by some of the Councilmembers was if that money were not utilized for this purpose, might it be better used somewhere else or

another use and it was an economic consideration, where you have to compare the number of people who are going to use and enjoy it as to what it costs to produce.

Mr. Rooney, Algonquin Ave. stated he cannot understand if the money is already in place and you have residents in this Borough that are interested in the walking track project, why it is not going forward and he has been hearing about this story for quite some time and felt the Council should move ahead with the project and he did not feel it was right for Borough residents to have to go to other towns when we have such excellent recreational facilities and this should be started immediately.

Mayor Cavanagh stated that he could only promise Mr. Rooney that this matter would be on the agenda for the next work shop meeting and it will be disposed of that evening, to which Mr. Rooney stated that he knows the Mayor very well and hoped he would keep his promise.

Jane Coe, Hiawatha Ave. stated she is one of the seniors who walk a lot in this town and she is very much in favor of having the walking track and it is quite dangerous walking in the roadway and in the summer, there are a lot of children and more cars out and she felt we have this beautiful park and the walking track would be an asset to everyone.

Carol Kruse, 20 Whitehall Circle stated she is a new resident of the Borough and a soon to be senior citizen and they moved here because they felt it was a very nice community to retire to and she is a member of the walking club and she is very supportive of this project.

Mr. Elwood Baxter, 21 Pocano Ave. stated that although he is not a walker, he does know that the crown in the road does affect anyone who has had a hip replacement or that type of problem, the unlevel surface of the street becomes a problem. He also stated that he agreed with Mr. Rooney in that if you have the money set aside, spring is here, if you are going to build it, build it as soon as possible so we allow the people to begin using it and he also commented that Mr. Rooney does not have to ask the Mayor to keep his promises, because this Mayor keeps his promises.

Mayor Cavanagh stated as he mentioned earlier, we will dispose of this matter at our next work shop meeting and he is sure Councilman Miller will pass along what takes place and again, the people who raised some questions regarding this matter, as public officials, have a right to insure that we are doing the right thing and spending the public's money wisely.

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

Mayor Cavanagh thanked Reverend Tavener for being with us this evening and commented that it is very nice to have a Borough Chaplain back with us and there are times when a little bit of divine help would not hurt when we get to some of these issues and again thanked him for his assistance and hoped he would be with us for many years.

Councilman Wolfe moved to approve the bills as listed on the Voucher Register dated April 6, 1995. It was seconded by Councilman Miller and unanimously approved by Council. TOTAL 1994 VOUCHERS PAID THIS MEETING \$330.87. TOTAL 1995 VOUCHERS \$68,616.46. TOTAL 1995 VOUCHERS PAID THIS MEETING \$56,004.59. TOTAL 1995 OPERATING FUND \$124,621.05. TOTAL DOG REGISTRY ACCOUNT \$171.60. TOTAL CENTENNIAL CELEBRATION ACCOUNT \$358.70. TOTAL TRUST SUI ACCOUNT \$2,276.14. TOTAL RECREATION TRUST ACCOUNT

\$306.50. TOTAL GENERAL LEDGER-MIDDLE DEPARTMENT INSPECTION AGENCY \$175.00. TOTAL GENERAL LEDGER-MARRIAGE LICENSES \$125.00. TOTAL GENERAL LEDGER-FIRE PREVENTION \$233.64. TOTAL GENERAL LEDGER-LIEN REDEMPTION \$29,469.67. (SEE VOUCHER REGISTER).

At 8:54 P.M. Councilman Miller moved to adjourn this meeting until the next regular meeting scheduled to be held on April 20, 1995 at 8:00 P.M. It was seconded by Councilman Taylor and unanimously approved by Council.

Respectfully submitted,



PATRICIA L. VARCA
BOROUGH CLERK