

REGULAR MEETING

Oceanport, New Jersey
April 4, 1991

REGULAR MEETING: The regular meeting of the Oceanport Mayor and Council was called to order on April 4, 1991 at 8:08 P.M.

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

MEMBERS ABSENT: Councilman McGee.

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 March 21, 1991 had been made available to the members of the Governing Body for review, 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 approved by those Councilpersons in attendance.

CLERK'S REPORTS:

1. Police report for the month of MARCH, 1991 and a copy will be posted on the Bulletin Board.

COMMITTEES:

COUNCILMAN MCGEE: ABSENT.

R91-28 COUNCILMAN TERRA: Councilman Terra asked the Clerk to read resolution R-91-28 authorizing the annual submission of a recycling tonnage grant, after which he moved to approve same. It was seconded by Councilman Wolfe and approved by those Councilpersons in attendance.

R91-29 Councilman Terra then asked the Clerk to read resolution R-91-29 endorsing the renewal of a discharge permit for Concurrent Computer Corp. after which he moved to approve same. It was seconded by Councilwoman Filippone and approved by those Councilpersons in attendance.

ORD. #611 Councilman Terra called for the second reading and public hearing of an ordinance renewing the Storer Cable Franchise and asked the Clerk to read the Affidavit of Publication and the proposed ordinance by title only as follows: **AN ORDINANCE GRANTING NON-EXCLUSIVE RENEWAL OF MUNICIPAL CONSENT TO STORER CABLE COMMUNICATIONS OF MONMOUTH COUNTY, INC., d/b/a STORER CABLE COMMUNICATIONS, ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, OPERATE AND MAINTAIN A CABLE TELEVISION SYSTEM IN THE BOROUGH OF OCEANPORT, NEW JERSEY.**

Mayor Cavanagh stated this matter has been discussed previously but he commented for the record that the highlights of the renewal of the ordinance is that we have agreed to a five year renewal term and we will create a citizens council of residents to give Storer feedback from the residents of the Borough and the other changes are standard.

Mayor Cavanagh opened the meeting to the public for any comments and/or questions they might have regarding this subject only.

Councilman Rodman commented on this ordinance and stated that he is not someone who fires letters off to his Federal Legislators, but in this situation he felt that the quality and service that is being rendered by Storer Cable cried out for some sort of relief and as nearly as he can tell the best relief is the change in the federal laws which grants an absolute monopoly to cable operators. He stated he did correspond and he did receive responses from both Senators and our Congressman in that regard and he really feels that federal action is necessary to provide a little more opportunity to competition, which he thinks is the key element in upgrading the service here in Oceanport both in terms of equipment, broadcasting and service and all three of these elements would be best served by improving the market forces of a competitive marketplace and he is hopeful that this will change in the future. He stated he did not originally favor a five year situation, and it is more of a compromise since they had asked for a ten year renewal and he was more in favor of one or two years, but he will vote yes tonight on the five year renewal.

Mayor Cavanagh asked Councilman Rodman if his correspondence solicited any response in a sense of what positive steps are going to be taken in order to alleviate this situation.

Councilman Rodman stated that his correspondence solicited a response that they were in favor of a federal law which he read a little bit about which all three letters indicated would re-regulate the cable industry and he is not sure that this is what he wants. He continued from a layman's standpoint he wants to de-regulate the industry and he wants there to be open competition and there is talk now that the phone company may get into providing cable television services and he thinks that would be good. He commented that he did not get a copy of the legislation which all of the Legislators indicated was dead for this session of Congress, but something new will be introduced and he plans to follow up on this to see what that will entail, but he was not very thrilled about the idea of re-regulating the industry.

Mayor Cavanagh commented that it does not sound like a terribly optimistic response to his inquiry.

Councilwoman Filippone stated she would also vote yes on this ordinance and commented that we had a very lengthy discussion on this and no one was in favor of a ten year renewal and the reason we went to the five year renewal term was because the process regarding the renewal is very involved and time consuming and it would be ludicrous to renew for a shorter term.

As no one from the public wished to be heard on this matter, Councilman Rodman moved to close the public portion of the meeting. It was seconded by Councilwoman Filippone and approved by those Councilpersons in attendance.

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

The Clerk called the roll:

AYES: Councilpersons Terra, Filippone, Miller, Rodman & Wolfe.
NAYS: NONE.
ABSENT: Councilman McGee.
ABSTAIN: NONE.

Councilman Terra commented that the Police Report for the month of March which indicates that once again a tremendous amount of calls handled by our Police Dispatchers and they totaled 532 calls for last month and in addition the Police Department patrolled over 12,000 miles which shows that our men are out on the streets patrolling and gives us a good sense of security.

Councilman Terra acknowledged that Mauro Baldanza successfully completed a course he took on Emergency Response-Level I Awareness; John Connor who attended a specialized school on Motor Vehicle Theft Investigation and Identification; Steve Tagerty for completing a course on Advanced Criminal Investigation; Frank VanBrunt for completing a course on Homicide Investigation.

Councilman Terra complimented the Oceanport Hook & Ladder Fire Company on the work they did on the ham dinner and it was one of the most successful events they have ever had and the proceeds will go toward work needed for that firehouse. He also reported that they will hold a breakfast at that firehouse on Sunday, April 7 at 8:00 A.M. to 1:00 P.M. and the cost will be \$4.00 per person which is being undertaken by the Armed Forces Day Committee from Fort Monmouth to raise funds for that event.

Councilman Terra extended his thanks to the members of the Fire Department who responded to a recent brush fire in the Bridgewaters Drive area and they did an outstanding job. He also commended the members of the Department who responded to a suspicious electrical problem on Easter Sunday on Monmouth Boulevard and over twenty firemen responded.

Councilman Terra reported that he will be meeting with the recycling coordinators of the towns making up the Two Rivers Council of Mayors and this is as a result of the last meeting of this group and we will be getting together to discuss common problems and hopefully try and coordinate our efforts to improve our recycling programs and we will be meeting at the Little Silver Borough Hall at the same time the Mayors will be meeting which is Saturday, April 13, 1991 at 9:00 A.M.

COUNCILWOMAN FILIPPONE: Councilwoman Filippone asked the Clerk to read resolution R-91-30 appointing an Alternate Representative to the Monmouth County Community Development Program for 1991, after which she moved to approve same. It was seconded by Councilman Terra and approved by those Councilpersons in attendance.

Councilwoman Filippone advised the public that the Oceanport First Aid Squad will be conducting a blood drive on May 20 from 6-9 PM at the First Aid Squad Building on Pemberton Avenue and she stated it is imperative that people who can, respond and at the last blood drive in October they collected 15 pints and since then we have used 20 pints and fortunately we had some in reserve, but it is important to the Borough residents that we have our residents respond if they can do so.

Councilwoman Filippone reported that we have licensed 69 dogs during March for a total so far this year of 359 dogs. She stated we are in the process of sending out reminders with a time limit and after that date, summonses will be issued to anyone who has not renewed their licenses. She also commented that it is imperative that people respond to this licensing because of the rabies outbreak that New Jersey is experiencing and we know that there is a health threat to the residents of New Jersey and it is pretty close to Monmouth County and we are on a rabies alert status and she has a note from Chief Joyce informing her that the Monmouth County Board of

Health will be conducting a rabies information training session for the Police so that they can learn about the behavior of rabid animals and perhaps this can be open to the public and if it is, she will notify the residents. 41

Councilwoman Filippone congratulated Mayor Cavanagh on getting the bus back from NJ Transit for bus line M-21 which will be stopping at the Oceanport Gardens Senior Housing complex every two hours during the day and it is not only open to seniors, but it is open to all residents and we want to encourage all residents to make use of this bus service in order to keep the bus service available to everyone.

Councilwoman Filippone offered her congratulations to Peggy Warren our Tax Collector on the birth of her daughter who is not quite one week old.

Councilwoman Filippone reminded the Borough residents that the annual Health Screening will take place on April 13, 1991 Saturday morning between 8:30 - 10:30 and pre-registration is necessary and will be held on Wednesday, April 10 at Borough Hall from 3:30-5:00 and 7:00-8:00 PM.

Councilwoman Filippone invited the residents to a ceremony that the Oceanport Senior Citizens and the Port-au-Peck Chemical Hose Fire Company will be having dedicating a monument to Billy Edwards and that will take place on Sunday, April 21 at 2:00 P.M. and she commented that Billy Edwards had been a member of the Port-au-Peck Fire Co. for 59 years.

Mayor Cavanagh asked the Press to please dwell on the bus story a little bit because when they took the bus route away from Oceanport Gardens, it became a very difficult situation because the people who live in Oceanport Gardens are either senior citizens or handicapped people, so that by and large many of them have no other form of transportation and no other ability to get to the Mall or to the food store or to the doctor's, etc. and particularly at this stage of their life, it is important to have the ability to get around and have some freedom to get out. Mayor Cavanagh stated it has been approximately one year since NJ Transit changed the route of that bus and it really became a difficult situation for many of the people and he and Councilwoman Filippone have been writing letters and lobbying for the return of the bus. Mayor Cavanagh stated that he and some of the Councilpeople were there on Monday when the bus returned and it was the kind of event that you really enjoy because you can see how happy this return of bus service made the people in that area and gives them back their dignity and they no longer have to be dependent of someone to get them.

Mayor Cavanagh stated we need ridership in order for the bus service to continue and it would seem to him since it is open to anyone, he would like to promote the concept of a clean bus which will stop at Oceanport Gardens but will also make it easy for people from town to use the bus as well.

Mayor Cavanagh also credited the return of the bus service to the owner of Oceanport Gardens, Wen Management, because one of the conditions from NJ Transit was that the driveway had to be widened because the bus could not properly turn around and the owner had to redesign the driveway, which they did.

COUNCILMAN MILLER: Councilman Miller stated he wanted to make a correction regarding a statement he had made at the last public meeting

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when he was reporting on our Sewerage Authority and commented that the capacity will not increase from 14 million to 20 million gallons per day, but it will go from 10 million gallons to 16 million gallons per day.

Councilman Miller complimented Councilman Terra on the latest copy of the Oceanport Bulletin.

Councilman Miller reported on the Waterways and Waterwatch Committees and stated that we have just received a letter from the Monmouth County Board of Health asking us to help them with sign posting of polluted waters as we did last year, especially as the summer goes on and again, we will be involved with a water testing process helping the County like last year and if we see some problems arise, we will be helping to post signs alerting people to the polluted waters and advising them not to take shell fish, etc. from the waters.

Councilman Miller advised that at the last Waterwatch Meeting held in March, we had members from the Environmental Commission in Shrewsbury and two representatives, Bill Simmons and Ron Madiack from the Monmouth County Board of Health and we discussed various issues, but he wanted to address tonight the fact that the Committee will begin its non point source pollution project next Saturday morning and will begin bi-monthly testing for different items that will give us an idea as to the effluent coming out of nine representative storm drains into the Shrewsbury River. He continued the Committee will perform this testing until the following October at which time we will review our data and see if there is in fact some type of problem which our town is contributing to in the area of non point source pollution.

Councilman Miller commented that we are basically doing this on a shoestring budget and he has received a report from the County that was done on a project in Middletown and their budget was in the neighborhood of about \$170,000 and admittedly they have a lot more areas to cover, but he does not think their budget will get anywhere close to that number and when we get some numbers that mean something, we are going to share with such groups as the County Board of Health, the American Littoral Society and other concerns that are interested in clean water and maybe we will be able to get some grants in the future.

Councilman Miller informed the public that in the Bulletin the Committee listed a guide to water watching and signs to look for if something is going wrong and some hot line numbers to contact and this is in line with the river watch portion of the water watch project.

Councilman Terra stated in regard to Councilman Miller's thanks on the Bulletin to him earlier, he wanted to point out that it was his wife who does all the work.

Councilman Terra also stated that over the years there are several people who really deserve a lot of credit for what has now become a terrific program which Councilman Miller is heading. He continued that Councilwoman Filippone has been talking about the pollution problem in the river and in Troutman's Creek for quite a long time and she deserves credit for bringing it to everyone's attention and thanks to our Mayor as well. He thinks that we owe a tremendous debt gratitude to Councilman Miller who has carried the ball on this water watch program and has shown through his well organized, scientific, logical, rational approach how much could be done and how people could be mobilized to accumulate data and analyze it and get results.

Councilman Miller thanked Councilman Terra for his remarks, but stated that the success of the program is due to the dedicated people who serve on this Committee and give up their time and expend their energy and we have now gotten some interest from several chemists in town who want to be on the Committee and this is the type of assistance we need to guide those who are not of the scientific community.

Councilman Miller announced that our Recreation Committee applied for an award that is given by the Monmouth County Parks System and in this particular case it is an achievement award for exemplary park maintenance for parks under 10 acres and we received first place in the category for Old Wharf Park. He continued that admittedly the design and many of the ideas for that Park comes from the Recreation Committee, but the up keep of the Park comes about from our Public Works Department under the supervision of Mr. Michael Giordano who is our Superintendent of Public Works and he is in the audience tonight and we will be taking a picture after the meeting and he thanked Mike Giordano and his department and we will have a plaque to put up in Borough Hall and a sign to be installed at the Old Wharf Park.

Councilman Miller commented that something slightly different will be happening with our Summer Action Camp and again, in reacting to the Community's needs, we had some problems last year with what age does a child begin age five and when is the cut off date as far as allowing children to join the camp and the Recreation Committee decided that we want the children to stay in the same social group, so the age five birthday will be the same cut off that the schools use for the Kindergarten kids and he wanted everyone to know that any campers who reach their 5th birthday by October 1 will be allowed to join and for those 5 year olds, a birth certificate will be required and there is a registration form in the Bulletin.

Councilman Miller stated that there are a myriad of things going on under the Recreation Committee and some are the Easter Egg Hunt will be this Saturday, April 6 at 11:00 A.M. at Blackberry Bay Park, Soccer and Baseball registrations will be coming up, tennis leagues will be starting throughout the summer and all of these activities are run by volunteers.

Councilman Miller reported that the Recreation Committee thought it might be a good idea to list all the parks, since some are in areas that people might not be aware of and there is a list of all the parks located in the Borough along with the facilities located at each one and Councilman Terra placed an article in this Bulletin listing same.

Councilman Miller also reported that the Recreation Committee will be donating 200 flags to the activities group for the Memorial Day Parade and ceremonies and this program will be a very special one this year.

COUNCILMAN RODMAN: Councilman Rodman offered his thanks to Mike Giordano and stated that this award really belongs to him and his crew for a very nice job and he brings honor to the Borough and Councilman Rodman again thanked him for his efforts.

Councilman Rodman then asked the Clerk to read resolution R-91-31 waiving permit fees to the Board of Education for permits necessary for the removal of asbestos tile from both schools, after which he moved to approve same. It was seconded by councilman Miller and approved by those Councilpersons in attendance.

COUNCILMAN WOLFE: Councilman Wolfe asked the Clerk to read resolution R-91-32 amending the 1991 temporary budget, after which he moved to approve same. It was seconded by Councilman Miller and approved by those Councilpersons in attendance.

Councilman Wolfe then asked the Clerk to read resolution R-91-33 authorizing a settlement with JBL Enterprises, after which he moved to approve same. It was seconded by Councilman Terra and approved by those Councilpersons in attendance.

Councilman Wolfe reported he has been over to Monmouth Park Race Track and stated that the manure building structure is up and the surrounding site work is about 50% completed and it looks like they are going at full speed and should be completed as far as the closing in of the building and finishing up the site work within the next 3 - 4 weeks, which will bring it in line before the 1991 race meet.

Councilman Wolfe advised he has been in touch with Dan Burke, who is an Engineer from the NJ American Water Company and they are in the process of doing a water project in Oceanport on East Main Street near Oceanport Avenue where they will be installing some rather large valves on a 36" main which is going to cause some temporary disruption of the water service to a number of customers in that part of the Borough. He continued that the local newspapers are all going to receive the dates and times from the Water Company in order to publicize the exact dates and times, but he just wanted to let everyone know that this will be happening and it is scheduled to start in the third week of April and there should not be a major disruption regarding road traffic, but a small section of East Main Street between Pemberton and Oceanport Avenue for possibly one day.

Councilman Wolfe announced that spring leaf pick up is underway and he urged all residents to rake their leaves to the curb and this pick up will officially end on Monday, April 29 and if you still have leaves after that time, you will have to hold them until the fall. He commented that this was published in the latest Bulletin and will also be placed on the Community Events Sign out front of Borough Hall to advise all residents of the Spring Leaf Pick Up.

Councilman Wolfe stated that he is very proud of the award that the Monmouth County Parks System gave to the Borough of Oceanport and when Councilman Miller first advised him of the award, it was a very proud moment for him because he has been dealing with Mike Giordano and the Public Works Department for the last 4 years and he knows how Mike takes the maintenance of those parks to heart and it is a personal job for Mike and it is beyond the point of being an employee, because Mike treats the parks as if they were his own gardens and property and he wanted to compliment Mike on his receiving that award on behalf of the Borough.

Councilwoman Filippone stated she has known Mr. Giordano for the past eight years on the Council and every one of those eight years have been a pleasure for her personally and certainly for this town regarding the work and effort he puts into our parks.

MAYOR CAVANAGH: Mayor Cavanagh commented that Councilman Wolfe mentioned that Spring was here with the leaf pick up and he has just seen both Mr. Weigel and Mr. Caparn who have returned from Florida, so it is a sure sign that Spring is here.

Mayor Cavanagh stated that the announcement about the parks obviously is good news and in looking at the latest Bulletin with the park listings, there are eight parks in this Borough, some large, some small and Mr. Giordano with a crew of 3 men allows this Borough to have award winning park maintenance with a department of this size and it is almost incredible. He stated he has sat on the dais for 10 years and he has not noticed that Mr. Giordano has slowed down at all in the past ten years and does an excellent job for this Borough.

Councilman Terra interjected that along with all the other duties involved with the parks, they also perform the job of picking up curbside recycling four times a month.

Mayor Cavanagh stated that Mike Giordano will truly be a great loss to this Borough when he ultimately decides to retire and he is a tremendous asset to this Borough.

Mayor Cavanagh reported that insofar as the water situation is concerned, he agreed with Councilman Wolfe's comments earlier that Monmouth Park is right on course in our phase A of cleaning up the river this year and as he was listening to Councilman Miller's report, he hopes that we will receive a lot less calls this year to post polluted water signs than last year and that we will take a major step this year. Mayor Cavanagh stated he and Councilwoman Filippone started this up back in 1987 trying to work our way into a situation where we could make some meaningful strides and the accomplishment is something that you just get through diligence.

Mayor Cavanagh advised that he has been reaching out to our Legislators as an additional step this year to try and set up a pilot program at Monmouth Park to handle run off and to test the theory that Mr. Wilner from the Littoral Society brought to us about being able to treat the run off in a floatation concept and not having to pipe it anywhere, but being able to make it in a natural environment, a healthy situation and he is happy to report that our Assemblymen Villapiano and Jacobson have corresponded with the Environmental Section Chief of the Office of Legislative Services in Trenton after he had several discussions with them in their office and they have written to request that this Section prepare Legislation which would establish a pilot project to handle Monmouth Park Race Track's run off and a proposal was developed during all of our meetings and they are going to seek to draft a bill which would provide Monmouth Park with the funding, added to the monies they are expending for the containers and the building, etc., which would allow them to perform this pilot program to see what the effects are and if it is successful, we will move on to the next step, perhaps, but he felt it was important for everyone to realize that for us to accomplish what we want with the river, it is an ongoing continual exercise in diligence and you just have to stay with it and hopefully, Mr. Wilner will be able to provide us with some additional good ideas, Councilman Miller will keep his Committee testing all summer and we will take it step by step and hopefully, all of our residents will see the results in a clean river.

Mayor Cavanagh commented that it is his understanding that we will be ready to go out for bids with our specs for the reconstruction of Bridgewaters Drive some time next month and work to begin either late Spring or early Summer and Bridgewaters Drive who many of us ride over, it is in need of a complete over haul and the DOT has provided us with a grant in the amount of \$100,000 to drain, pave, etc. and it is probably a street more than any other street in Oceanport, in need of major renovation and thankfully our taxpayers will not have to pay for this improvement.

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Mayor Cavanagh stated insofar as the budget and our aid situation is concerned, he repeated what he said on Monday night at the budget hearing, and that is that as soon as we receive confirmation we will publicly advise the residents and he continued that in the newspapers today was an article on the additional aid and to the Borough it is a return of \$195,000 but he wants to follow the philosophy that he has given so far, and that is that he wants everything to be finalized before he says anything on the budget.

Mayor Cavanagh offered the name of Ward Coles to fill a vacancy as the Representative to the Northeast Monmouth County Regional Sewerage Authority which term expires January 31, 1994.

Councilman Miller moved to approve this appointment. It was seconded by Councilman Wolfe and approved by the Councilpersons in attendance.

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

PETITIONS FROM THE PUBLIC:

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

Councilman Wolfe moved to approve the bills as listed on the Voucher Register dated April 4, 1991. It was seconded by Councilman Terra and unanimously approved by Council. TOTAL 1990 VOUCHERS PAID THIS MEETING \$536.15. TOTAL 1991 VOUCHERS \$57,472.25. TOTAL 1991 VOUCHERS PAID THIS MEETING \$51,733.71. TOTAL 1991 OPERATING FUND \$109,205.96. TOTAL PUBLIC ASSISTANCE TRUST ACCOUNT \$443.56. TOTAL TRUST ACCOUNT \$304.19. TOTAL DOG REGISTRY ACCOUNT \$187.80. TOTAL RECREATION TRUST ACCOUNT \$448.00. TOTAL GENERAL LEDGER-FIRE PREVENTION \$48.75. TOTAL GENERAL LEDGER OCEANPORT BOARD OF EDUCATION \$2,000.00. (SEE VOUCHER REGISTER)

At 9:05 P.M. Councilman Rodman moved to adjourn this meeting until the next regular meeting scheduled to be held on April 18, 1991 at 8:00 P.M. It was seconded by Councilman Terra and approved by those Councilpersons in attendance.

Respectfully submitted,



PATRICIA L. VARCA
BOROUGH CLERK