

REGULAR MEETING

Oceanport, New Jersey
March 16, 1995

- REGULAR MEETING:** The regular meeting of the Oceanport Mayor and Council was held on March 16, 1995 at 8:00 P.M.
- MEMBERS PRESENT:** Councilpersons McGee, Filippone, Miller, Taylor, Wolfe and Mayor Cavanagh.
- MEMBERS ABSENT:** Councilwoman Silkworth.
- 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 2, 1995 had been made available to the members of the Governing Body for their 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 Council, with the exception of Councilman McGee who abstained from voting, since he was not present at that meeting.

Mayor Cavanagh stated the next order of business will be the public hearing on the 1995 Municipal Budget and he advised that our Borough Auditor, Mr. Robert Hulsart, Sr., is present this evening to answer any questions that the public might have regarding the budget. Mayor Cavanagh also advised that we will be adopting a resolution following the public hearing amending the budget and there are copies of the budget, as well as a line by line breakdown, available to the public in the back of the room.

Mayor Cavanagh first gave a brief explanation dealing with the 1995 budget and explained that once again we are spending less this year and showed that in 1993 we were in the third year of our pre-collected tax situation as ordered by the Governor and Legislation in 1991 and we used \$712,000 of our surplus; in 1994 we came down to a surplus number of \$504,000, meaning we used \$208,000 less in the budget in order not to leave ourselves in a position in 1995 that when it was all gone, we would have the problem that he had anticipated. He continued that we took a bit of a hit last year; this year with no money available is truly the budget surplus number and one that is not inflated by the pre-collected tax situation and it does not take a hard look to see that there is approximately a \$400,000 difference, if you figure out that a penny equals \$44,000, you can see that the difference in the available surplus just in those two years is in the 8-9 cent area.

Mayor Cavanagh stated from the charts he had available, you can easily see the drop each year, as the surplus was lowered, the earned interest amounts dropped each year and this year we are anticipating approximately \$16,000.

Mayor Cavanagh explained that there are two different kinds of appropriations, one outside the CAP and one inside the CAP and most items are now contained within the CAP, and in 1993 we spent within the CAP it showed we spent \$20,000 less than the CAP allowed and the General

Appropriations went down 2%; in 1995 we spent \$43,000 out of an available \$140,000 within the CAP and what that means is that we could have spent an additional \$96,000 without going to a public referendum, which is calculated over what was spent last year. He also commented that our General Appropriations are again down for 1995 and over the last two years it has gone down approximately 6%, but for the past two years the taxes have gone up.

Mayor Cavanagh showed a breakdown of the municipal portion of the tax rate as well as the overall tax rate for the past five years as well as showing what the taxes would have been five years ago and what they are today, using a home assessed at \$150,000 as an average, which breaks down to an increase of \$96 per year for five years, which averages out to a 3.4%, which is about the cost of living increase.

Mayor Cavanagh then asked for any comments and/or questions from anyone in the audience with regard to the charts and the 1995 Budget.

Mr. Elwood Baxter, 21 Pocano Ave., asked about the figures shown for 1991 which shows a figure of \$.175, to which Mayor Cavanagh explained that was the year that the Legislature inserted the first big pump of the pre-collected taxes and caused us to have our rate drop way down and those residents who were present at that budget meeting in 1991, were advised to come back in 1995 because they will find that it would not be the same and he continued that it was an inevitable situation and stated that our budget had already been introduced and forwarded to Trenton and was waiting to be adopted, when the Legislature infused this into our budget, because given the chance, he would have tried to get our budget back and taken our surplus out and saved it and just used what they were making us use at that time.

Mayor Cavanagh explained that money goes into the budget through either surplus or tax revenue, so we decided to take a partial hit last year so that we would not have to raise our rate to double digits, like Avon has to do this year, which was recently in the newspapers and they introduced a budget at the outset that was ten and one-half cents higher on the municipal level to make up for that hole, because they had not paid anything down and there are other municipalities that are facing the same problems.

Mayor Cavanagh advised that the Governor is going to sign a Bill in the next several days, which would enable any municipality in this type of situation, to defer this problem and spread it out over five years, but after speaking with our Auditor and the Council reviewing what would have to be done, such as you would have to borrow the money to do it based on the numbers we have and instead of our taxes going up 3.8 cents, we make it 1.9 cents, we will pay an extra penny to get that money over the next several years and next year we begin our budget 2 cents in the hole and who knows what next year will bring. He continued that the Council's general feeling is, although no one is dancing about a 3.8 cent increase, but it is a livable one and we have all agreed to do this.

Mr. Baxter asked if anyone in the Governing Body discussed the possibility of regionalization of the Police Departments seriously, to which Mayor Cavanagh stated that it has been discussed on occasion at the Two Rivers Council of Mayors and we have had people in from the State to discuss regionalization, but the general feeling he gets following these types of discussions, is that probably would be the last place you would be able to accomplish regionalization because of a variety of reasons. Mayor Cavanagh stated in answer to Mr. Baxter's question on a local level, we have never discussed this possibility with another town and a time slot, the answer is no and he continued that he is not aware, other than South Belmar and Belmar discussing this, of any other towns discussing this and part of the problems are the individual collective bargaining agreements.

As no one else from the public wished to be heard on this matter, Mayor Cavanagh closed the public hearing on the 1995 Municipal Budget and thanked Mr. Hulsart for his presence this evening.

Mayor Cavanagh then asked the Clerk to read resolution **R-95-28** amending the 1995 Municipal Budget, after which Councilman Wolfe moved to approve same. It was seconded by Councilman Taylor.

R-95-28

The Clerk called the roll:

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

Mr. Hulsart advised the Mayor and Council that following the public hearing on the amendment to the 1995 Municipal Budget, scheduled to be held on April 6, 1995, the Council may then formally adopt the 1995 budget and he was advised that Trenton has already reviewed the amendment, which he had submitted for their review and found it acceptable.

CLERK'S REPORTS:

1. Raffle license application made by the Mental Health Association of Monmouth County, to be held on June 4, 1995, 50/50 cash raffle.

The Clerk advised the application was found to be in order and the required fee had been paid, after which Councilman Miller moved to approve same. It was seconded by Councilman McGee and approved by Council.

COMMITTEES:

COUNCILMAN MCGEE: Councilman McGee reported under the Historical Society, that they have found someone in the Borough who has exemplary qualifications for the Historical Committee and her name is Ulana Zakalak and she does consulting work for the Planning Boards of Tinton Falls, Newark and South Orange and she is very interested in joining up with us and we look forward to working with her in the future.

Councilman McGee also advised that he has been in touch with Helen Moffat of the Historical Society and she too is looking forward to meeting with Mrs. Zakalak and they will be holding a Reorganization Meeting next week.

Councilman McGee reported under Police, we had hired a dispatcher that the Chief was not pleased with and has opted to try out the secondary candidate and hopefully that person will work out to the Chief's satisfaction.

Councilman McGee advised under Insurance, that the renewal policies have been received and they are better than anticipated with some enhancements that do not cost the Borough any monies.

COUNCILWOMAN FILIPPONE: Councilwoman Filippone wanted to give credit to Ruth Sculthorpe who found Mrs. Zakalak for the Oceanport Historical Society.

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Councilwoman Filippone called for the second reading of the amendment to the 1995 Salary Ordinance and asked the Clerk to read the Affidavit of Publication and the proposed ordinance by title only as follows: **AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO FIX AND DETERMINE THE SALARIES OF CERTAIN BOROUGH OFFICIALS" PASSED AND APPROVED ON MARCH 16, 1939.**

Mayor Cavanagh opened the meeting to the public for any comments or questions on this subject only.

As no one from the public wished to be heard, Councilwoman Filippone moved to close the public hearing on this matter. It was seconded by Councilman Wolfe and approved by Council.

Councilwoman Filippone moved to adopt this ordinance on second and final reading 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 and Wolfe.

NAYS: NONE.

ABSENT: Councilwoman Silkworth.

ABSTAIN: NONE.

Councilwoman Filippone wanted to notify everyone that the annual health screening will be held on Saturday, April 29, 1995 and we will be doing our usual complete blood series, urinalysis, hemocult and the PSA for men to detect early detection of prostate cancer and it will be the same price as last year and everyone will be receiving a letter shortly to remind everyone of this program. She also reminded everyone that pre-registration is required and if someone cannot make it, they can send someone else to pick up the required forms and pay the fee.

Councilwoman Filippone mentioned that the Captain's Report for the month of February, 1995 included a total of 28 calls last month; 225 man/woman hours; 12 total advanced life support calls. She also advised that the First Aid Squad members wanted to report that the Police Officers have now been trained in driving because they are having a problem with drivers during the day time hours who are able to lift. She also advised that the Squad has been responding to fire calls and it is working out very well and they are very pleased with the cooperation between the Fire Companies, the Police and the Squad.

Councilwoman Filippone stated that the First Aid Squad wanted to express their thanks to the senior citizens of the Leisure Club, in particular, who give a regular monthly donation to the Squad and last year it totaled over \$850 and the First Aid Squad has made them members of the Century Club. She explained for anyone who was not aware of this program, that anyone who donates \$100 or more, is listed as a member of the Century Club and if you are ever in the Squad Building, you will notice there is a plaque on the wall and if you have given \$100 or more at one time, your name will be on the plaque.

Councilwoman Filippone also expressed the thanks of the Squad to Mrs. Jack Schneider, who recently lost her husband Jack, and she had requested that all donations for flowers be given to the

First Aid Squad and not only did the Squad receive an excellent response from their friends and relatives, but Mrs. Schneider gave a large donation to the Squad, which will enable them to purchase training equipment that is sorely needed in the use of the defibrillators.

Councilwoman Filippone reported she has been in touch with Mr. Peter Barnett, who's home was burned out about one month ago and he asked that she express his sincere thanks to all of the people in the Borough from the Fire Company, First Aid Squad, Police Department, to all of the volunteers and residents who have helped him through this terrible tragedy and he is amazed at the overwhelming response he has received from the residents of this Borough from clothes, furniture, and many other items. She advised that the Senior Citizens Club has agreed to have someone at the Old Wharf House Senior Center between Tuesday and Friday of next week, every afternoon from 1 - 5 PM to receive any household items anyone wants to donate to this family and there is a list posted on the front doors of the Borough Hall advising of this family's needs and she commented that they do not need any clothing or furniture, since Mrs. Joan Leonard donated a house full of furniture. Councilwoman Filippone stated that these people were renters and did not have any insurance coverage, so there are many incidental items that they will be needing.

COUNCILMAN MILLER: Councilman Miller reported that the hook up of the racetrack's storm drain problem has begun and he thinks that it may be completed much sooner than we expected and we are hoping for an improvement of the Branchport Creek before the year is out and he thanked Mr. Coles, who is one of our representatives to the Sewer Authority, for his assistance in this matter.

Councilman Miller advised that the Shade Tree Committee held their reorganization meeting recently and elected William Sullivan as Chairman; Adrian Bedell, Recording Secretary; Arlene Mullen, Corresponding Secretary; Vice Chairman, Ralph Walsh. Councilman Miller continued that Mr. Sullivan has already begun a survey of the Borough for projects and we will be receiving quotes for this work in the near future, and he has also begun the work at the Old Wharf Park removing dead trees, which have died over the last several years and planting will begin in the near future.

Councilman Miller stated that he and Councilman Taylor will be attending the Environmental Round Table meeting at Hominy Hill Golf Course on Thursday, March 30, 1995 and the topic will be landscaping can also lead to non point source pollution if the wrong type or quantity of fertilizer or pesticides are used and they will be talking about ways to eliminate this problem and they will be bringing this information back and putting together an article for the Bulletin.

COUNCILMAN TAYLOR: Councilman Taylor reported that the Student/Police Basketball Game held on March 10 was very successful and we had a large crowd in attendance and the gym was also dedicated in memory of Larry Boresen and he was happy to report there were no injuries during the game and the students won again, for the 14th year and everyone enjoyed the game.

COUNCILMAN WOLFE: Councilman Wolfe asked the Clerk to read resolution **R-95-29** transferring funds, after which he moved to approve same. It was seconded by Councilman Taylor and approved by Council. R-95-29

Councilman Wolfe asked the Clerk to read resolution **R-95-30** amending the 1995 Temporary R-95-30 Budget, after which he moved to approve same. It was seconded by Councilwoman Filippone and approved by Council.

R-95-31 Councilman Wolfe asked the Clerk to read resolution **R-95-31** regarding a 1957 Mack Ladder Fire Truck, after which he moved to approve same. It was seconded by Councilman Taylor and approved by Council.

Councilman Wolfe reminded everyone that this Saturday, March 18, 1995, Oceanport Hook & Ladder Fire Company is holding its 100th Anniversary Dinner/Dance at the Squire's Pub in West Long Branch beginning at 7 PM and if anyone is interested in purchasing tickets, they can make arrangements through Pete McOrmond.

Councilman Wolfe commented on the dedication of the gym in memory of Larry Boresen and stated that Marty McGann gave a very touching and heartfelt talk on his relationship with Larry and it was something that was felt throughout the community and he thanked Marty for his comments.

COUNCILWOMAN SILKWORTH: ABSENT.

MAYOR CAVANAGH: Mayor Cavanagh offered the following appointments to fill vacancies on the Zoning Board of Adjustment as follows:

Jeremiah Regan to fill the unexpired term as a regular member ending 12/31/95;
Michael Savarese to fill the Alternate #1 term ending 12/31/96;
Gregory Schultz to fill the Alternate #2 term ending 12/31/95.

Councilman Wolfe moved to approve these appointments to the Zoning Board of Adjustment. It was seconded by Councilwoman Filippone and approved by Council.

Mayor Cavanagh stated that he had an opportunity to speak with Mr. Joe Strongoli today and he and his wife Connie recently celebrated their 50th wedding anniversary and offered everyone's congratulations and wished them both much happiness in the future.

Mayor Cavanagh advised that he will be out of town next week beginning on Monday and will be returning on Saturday and Council President Filippone will also be away for part of that week, so he asked her to nominate someone to fill in as an Acting Mayor in case of an emergency type situation. Council President Filippone moved to appoint Councilman Miller to fill that position. It was seconded by Councilman Wolfe and approved by Council.

Mayor Cavanagh advised Councilman Miller that we have been asked by the Freeholders to have someone participate in the March of Dimes Healthier Babies campaign, which is a walkathon and he thought when we were discussing the walking track, it was brought out that we have a walking club in the Borough, to which Councilman Miller stated was correct. Mayor Cavanagh suggested that Councilman Miller pass along the information which he had because they might be interested in participating in this worthy cause and representing the Borough.

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

PETITIONS FROM THE PUBLIC:

Mr. Ward Coles, Port-au-Peck Avenue asked how far in advance garbage and trash can be placed out at the curb prior to the pick up day, because he has noticed that since the weather has gotten warmer, there are several piles of debris being placed curbside and he felt they were items

that are either not properly tied and bundled, such as branches or wood which the Borough does not pick up nor do the garbage contractor and it makes the town look unsightly.

Mayor Cavanagh responded that garbage and trash can be placed out at the curb the night before garbage pick up from 6 PM on, but we no longer have a bulk type pick up for wood, stumps etc.

Mr. Coles asked what is being done about these piles of debris, like the one that was on Pocano Avenue for 4-5 months before it was taken care of, to which Mayor Cavanagh stated that just this week he met with the Zoning Officer and he will for the first time, begin patrolling the Borough on a regular basis to observe if there are violations and hopefully, this will help notify the people quickly that they cannot just leave items at the curb and give them a certain amount of time to have it removed or a summons will be issued.

Mr. Coles stated the reason he is bringing this up is because he has noticed that there are several houses on Comanche Drive that now have large piles of debris on the right of way, to which Mayor Cavanagh stated if Mr. Coles would advise us of where these piles of debris are, we will be happy to pass it along to Mr. Kirk. Mr. Coles suggested that something be placed in our newsletter that goes out to all the residents on the front page, to alert them that this is not allowed.

Mr. Coles asked if someone could contact the County and ask them to come in to the Borough and patch up the crack on Monmouth Boulevard before it gets any worse and we wind up losing the road, to which Councilman Wolfe stated he will contact them and make this request.

Mr. Baxter thanked the Council for getting the debris cleaned up on Pocano, however, he also has noticed riding on Comanche Drive that there are at least four homes with large piles of debris like stumps, branches that are not tied, etc., to which Mayor Cavanagh stated no one is going to pick up that type of trash.

Mr. Baxter stated that the problem is that these eyesores remain and if the Borough does want to clean the town up, then the ordinance must be strictly enforced and that is what is wrong. Mr. Baxter commented that he felt that Mr. Kirk should have been patrolling the Borough all along, to which Mayor Cavanagh stated that this is a new task and not something we had required of him in the past.

Mr. Baxter asked if Mr. Kirk can be reached by telephone by a resident of the Borough, to which Mayor Cavanagh stated we do not give out the home phone numbers and he suggested that Mr. Baxter provide a list of the problem addresses to the Borough Clerk, Mrs. Varca, she will leave a memo in his box as well as leaving him a telephone message if necessary.

Mr. Baxter asked about the insurance that was discussed earlier and questioned how the Borough goes about securing the insurance services that it does require and does it go out for bid, even though he is aware that it does not need to, to which Councilman McGee advised that the present carrier we have is specialized in insuring municipalities and in the open market, there are very few that ever entertain municipal governments to insure. Councilman McGee stated that over the years, the present carrier we have is one of the better ones in the marketplace.

Mr. Baxter stated that there is then, really not a vast amount of companies to choose from, to which Councilman McGee stated was correct.

Mayor Cavanagh commented that even though we are exempt from bidding on the insurance under the public bidding regulations, we have secured quotes from the Joint Insurance Fund known as the JIF and our present carrier was able to match the costs as well as upgrading some of the policies, so in essence we have done a comparison in order to make sure our costs are in line.

Mr. Coles suggested that someone from the Council contact Mr. Dennis, the Borough Clerk in Deal, and see how they manage the trash on their streets, because there is never anything placed in the curb and their Police Department enforces their ordinance.

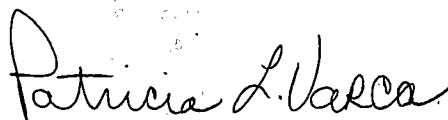
Mayor Cavanagh stated we would request a copy of their ordinance, but pointed out that they have one of the few contracts where they do not pick up the garbage from the front of the homes, but go around to the rear of the homes and Mayor Cavanagh stated he would speak with Mayor Katz at the next Two Rivers Council of Mayors meeting on how they keep their street so clean.

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 March 16, 1995. It was seconded by Councilman Taylor and approved by Council. TOTAL 1994 VOUCHERS PAID THIS MEETING \$38.87. TOTAL 1995 VOUCHERS \$98,316.47. TOTAL 1995 VOUCHERS PAID THIS MEETING \$125,779.15. TOTAL 1995 OPERATING FUND \$224,095.62. TOTAL CAPITAL ACCOUNT \$600.00. TOTAL MONEY MARKET ACCOUNT \$245,000.00. TOTAL RECREATION TRUST ACCOUNT \$633.25. TOTAL PUBLIC ASSISTANCE II ACCOUNT \$1,060.69. TOTAL TRUST ACCOUNT \$479.25. TOTAL GENERAL LEDGER-SHORE REGIONAL HIGH SCHOOL \$163,074.71. (SEE VOUCHER REGISTER)

At 8:46 P.M. Councilwoman Filippone moved to adjourn this meeting until the next regular meeting scheduled to be held on April 6, 1995 at 8:00 P.M. It was seconded by Councilman McGee and approved by Council.

Respectfully submitted,



PATRICIA L. VARCA
BOROUGH CLERK