

REGULAR MEETING MINUTES

Oceanport, New Jersey
March 6, 2003

- REGULAR MEETING:** The Regular Meeting of the Oceanport Mayor and Council was called to order on March 6, 2003 at 8:00 P.M. with Mayor Gemma stating the meeting had been properly advertised in accordance with law.
- MEMBERS PRESENT:** Councilpersons Kahle*, Mahon, Apruzzi, Gatta, McGann, Cooper** and Mayor Gemma.
* Councilwoman Kahle left the meeting at 8:12 p.m.
** Councilwoman Cooper was sworn in at 8:02 p.m.
- OFFICIALS PRESENT:** Borough Clerk, Patricia L. Varca and Francis A. Margalotti.
- PLEDGE OF ALLEGIANCE:** Mayor Gemma led the audience and members of the Council in the flag salute.

Mayor Gemma asked the Clerk to administer the Oath of Office to Patricia Cooper as Councilwoman, for the un-expired term ending December 31, 2003, after which she took her place on the dais.

Mayor Gemma stated the next order of business is the adoption of the 2003 municipal budget and we will conduct the public hearing and he commented that we are not happy with this budget since it calls for a tax increase of 4.7 cents and there were many issues regarding the rise in the tax rate but it is basically a function of the expenditures remaining flat and revenues decreased substantially and he advised that our Borough Auditor, Mr. Robert Hulsart, was present this evening and asked him to give a quick explanation of this budget.

Mr. Hulsart commented that there is a 4.9 cent increase in this budget for 2003 and it is due to a lack of revenues and the surplus figure is down substantially and we are using in this budget \$452,000 and last year we used \$675,000 and the total expenditures are down in the budget, so the increase is due to the lack of revenues and not an increase in expenditures.

Mayor Gemma stated that there were concerns expressed by members of the Council regarding this budget and asked if any of the Council members wanted to make any statements and hearing none, then opened the meeting to the public for any comments and/or questions on the subject of the 2003 budget only.

Chris Baggot, 200 Comanche Drive asked why revenues are down to which Mayor Gemma asked Mr. Hulsart to respond to this question.

Mr. Hulsart stated that it is basically the surplus funds and the fact that we did not produce as much surplus as we have in prior years, which are the funds we use to try and keep the tax rate down.

Mayor Gemma asked Mr. Hulsart what the revenues are that produce surplus to which Mr. Hulsart explained it is the revenues that we anticipate and the excess that we receive over the amount above what we anticipate in revenues goes back into surplus and the collection of taxes, based upon the percentage that we anticipate and what we actually collect and miscellaneous revenue that we did

not anticipate and any unexpended appropriations from the prior year's budget and those four items are what makes up the Borough's surplus.

Mr. Baggot asked if our revenues have changed or have our guesses changed as to what we anticipate receiving to which Councilman Apruzzi commented that there are several other factors to be considered and said that one of them was that our interest rates are down on surplus monies that we have and therefore we are generating less interest dollars and looking at the revenue generated from the Police Department insofar as fines from tickets, is down also and that just shows that people are driving the speed limits.

Mayor Gemma commented that at the beginning of the year, you reasonably anticipate what is going to be made throughout the year and it is a guess and we guess pretty much the same amount every year, but this year there was less money coming in and the guess was less then what we thought and therefore, we have to budget more money.

Mr. Hulsart added that one of the bigger items is the deferred charge of \$97,000 and again, the deferred charges produce non-cash surplus so even though we have more surplus, we cannot use \$97,000 because its non-cash surplus. Mayor Gemma asked what the deferred charge was for and Mr. Hulsart advised that \$60,000 was for the storm damage in August and the balance was in the regular budget and as those emergencies are paid off, that money becomes freed up for the next year's budget.

Councilman McGann pointed out that there was no FEMA reimbursement funding from that August storm, to which Mr. Hulsart commented that the August storm hurt a lot of municipalities and everyone expected to receive FEMA money and did not and it was a surprise that no one expected.

As no one else wished to be heard on the subject of the 2003 municipal budget, Mayor Gemma closed the public hearing.

R-03-23

The Clerk read resolution **R-03-23** amending the 2003 budget, which was due to State Aid figures, which were received after the introduction of same, after which Councilman Apruzzi moved to approve the resolution. It was seconded by Councilman McGann.

The Clerk called the roll:

AYES: Councilpersons Kahle, Mahon, Apruzzi, Gatta and McGann.

NAYS: None.

ABSENT: None.

ABSTAIN: Councilwoman Cooper.

R-03-24

The Clerk then read resolution **R-03-24** adopting the 2003 municipal budget, after which Councilman McGann moved to approve same. It was seconded by Councilwoman Gatta.

The Clerk called the roll:

AYES: Councilpersons Kahle, Mahon, Apruzzi, Gatta and McGann.

NAYS: None.

ABSENT: None.

ABSTAIN: Councilwoman Cooper.

The Clerk then read resolution **R-03-25** requesting approval from the Division of Local Government Services for a rider for Off Duty Police.

Mayor Gemma asked the Borough Auditor to explain this resolution before calling for a vote, to which Mr. Hulsart advised that by adopting a rider to the budget, you are allowed to expend funds directly against that account without putting it through the budget and in relation to the Off Duty Police, we have done this some time in the past, but Trenton cannot find their resolution even though it has been in our budget this way for several years, so they requested we adopt another resolution and there is a new provision with regard to Recreation, that says that if you want to pay game officials you may do this directly through a special recreation account and he thought he would include that just in case the Council decides they want to do this some time in the future.

Councilman McGann moved to approved resolution R-03-25. It was seconded by Councilman Apruzzi.

The Clerk called the roll:

AYES: Councilpersons Kahle, Mahon, Apruzzi, Gatta and McGann.
NAYS: None.
ABSENT: None.
ABSTAIN: Councilwoman Cooper.

Mayor Gemma thanked Mr. Hulsart for being present this evening and advised if anyone had any further questions, they could speak with Mr. Hulsart before he leaves.

As copies of the minutes from the regular meeting held on February 20, 2003 had been made available to the members of the Governing Body, Councilwoman Gatta moved to waive the reading of same and approve the minutes as presented by the Borough Clerk. It was seconded by Councilman Mahon and approved by Council, with the exception of Councilwoman Cooper who abstained.

CLERK'S REPORTS:

1. Raffle applications for two on premise raffles made by the Family & Children's Service of Monmouth County to e held as follows:
 - a. March 22, 2003 prize to be a crafter's gift basket.
 - b. March 23, 2003 prize to be an ornamental birdhouse.

The Clerk advised that the paperwork was found to be in order and Councilman McGann moved to approve these licenses. It was seconded by Councilman Apruzzi and approved by Council.

2. Application for membership to the Oceanport Fire Department made by Angelo T. Anfuso.

The Clerk advised that she was in receipt of the approved background check by the Police Department, after which Councilman Mahon moved to approve this application. It was seconded by Councilman Apruzzi and approved by Council.

COMMITTEES:

COUNCILWOMAN KAHLE: Absent.

COUNCILMAN MAHON: Councilman Mahon stated that one of the items under Councilwoman Kahle's reports was to make a motion to authorize the Mayor to sign a form of consent as requested by Marpal Disposal for a consolidation of its NJ affiliates into a single operating entity to be known as Republic Services of New Jersey, LLC. It was seconded by Councilman McGann and approved by Council.

Councilman Mahon reported under the Fire Committee he wanted to report that at the last meeting at the Port-au-Peck Fire Company a discussion took place regarding their continued desire to persuade to make a purchase regarding a replacement rescue truck and they are asking to schedule a presentation to the Governing Body at a work shop and tentatively scheduled for April.

Councilman Mahon commented that in the 2003 budget is a \$10,000 line item for matching funds for a fire grant and one of the things we will be doing this month is filing for a federal fire grant that is available through the U.S. Fire Administration and the amount is \$100,000 with a \$10,000 match and we will be working on that application, which is due April 4, 2003 and we will be working through the Fire Marshal and Councilman McGann.

Councilman Mahon stated that the residents in the Borough may have noticed that when the alert level in the Country went to orange under the Homeland Security, he spoke with Councilwoman Gatta about this, since the Mayor was out of town, and he had received a suggestion from a friend with the State Police that without alarming our residents, it would be a good idea to alert our residents to available information and on the fire house sign boards, the Fire Chief displayed a message to our citizens showing a web site for them to go to for emergency preparedness information and this information was also shared with our Superintendent of Schools, who had a print up made for the children to take home to their parents.

Mayor Gemma suggested that we put that web site in the next Bulletin.

COUNCILMAN APRUZZI: Councilman Apruzzi moved to appoint Councilwoman Gatta temporarily to the Finance Committee for the purpose of signing the vouchers. It was seconded by Councilman Mahon and approved by Council.

R-03-26 Councilman Apruzzi asked the Clerk to read resolution **R-03-26** transferring funds, after which he moved to approve same. It was seconded by Councilman Mahon and approved by Council.

R-03-27 Councilman Apruzzi asked the Clerk to read resolution **R-03-27** authorizing refunds to property owners due to overpayment of property taxes, after which he moved to approve same. It was seconded by Councilman McGann and approved by Council.

Councilman Apruzzi advised that back in November we had applied for a NJ DEP grant for Blackberry Bay Park in the amount of approximately \$285,000 and we did not receive any funding in the first round and the also in the second round, and most of the awards are around \$50,000, but this Council has put funding into our capital budget for the renovation of half of Blackberry Bay Park for \$250,000 and we will be starting on the right side of the park right after Summer's End this year.

Mayor Gemma confirmed that there is still a pending loan application with Green Acres pending for this project, to which Councilman Apruzzi stated that was correct and it would be a 2% interest rate which would help to lower the cost of the project if the loan is approved.

COUNCILWOMAN GATTA: Councilwoman Gatta welcomed some of our 7th Graders who are here this evening in preparation for Student Government Day at our next public meeting which will be March 20th at 7:00 p.m. and she spoke with the students in February about this program and this morning, some of the Council members and she went to address the entire 7th Grade Class and encouraged them all to participate where they will be the Mayor and Council for approximately 1 hour and she felt they had a great dialogue with the students this morning and is looking forward to their meeting on the 20th.

Councilwoman Gatta reported she sat on a panel at the Oceanport School in trying to determine who the Governor's Teacher Recognition individuals are this year as the Liaison to the Board of Education and for Wolfhill School it is Mrs. Lynn Cadigan and from Maple Place School it is Pearl Becker.

Councilwoman Gatta commented as the Senior Citizens Liaison as well, she is working on a senior citizen's memoir program and we are hoping to get seniors to sit down with students and go through their lives with them and she will continue to keep the Council apprized of this program.

Councilman Gatta announced on Saturday, April 5th we will be conducting our annual health screening through the cooperation of Monmouth Medical Center who provides the technicians and we will be having this screening at the First Aid Squad Building and registration will be on April 1st in the Borough Hall and letters will be going out to all our residents. She continued that this year in addition to the screening, we are also having other types of screenings such as skin cancer screenings, eye screening, etc. and she thanked the First Aid for allowing us to use the building and all the help they give on that day as well as Monmouth Medical Center for the reduced rate on the blood screenings.

Councilwoman Gatta stated by now everyone should have received in the mail the announcement about the Women's Day Program and we are working with both the State and Federal Governments and not only are they giving us financial support, but they are also participating in the program and we have individuals from the Women's Bureau of the US Dept. of Labor, US Dept. of Community Affairs Division on Women, RISER, the Regional Commissioner for Social Security Office attending as well as Monmouth Medical participation and she encouraged all women in the Borough to attend this program entitled "Women in a Post 9-1-1 World to be held on Saturday, March 29th from 8:30 a.m. to 1:30 p.m. at the Old Wharf House.

Councilwoman Gatta again congratulated Councilwoman Cooper and welcomed her to the Council.

R-03-28

COUNCILMAN McGANN: Councilman McGann asked the Clerk to read resolution **R-03-28** re-joining the Statewide Insurance Fund for workmen's compensation coverage, after which he moved to approve same. It was seconded by Councilman Mahon and approved by Council.

Councilman McGann then called for the introduction of an amendment to the salary ordinance for 2003 salaries and asked the Clerk to read 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 MARCH 16, 1939.**

Councilman McGann moved to approve this ordinance on first reading. It was seconded by Councilman Apruzzi.

The Clerk called the roll:

AYES: Councilpersons Mahon, Apruzzi, Gatta, Cooper and McGann.
NAYS: None.
ABSENT: Councilwoman Kahle.
ABSTAIN: None.

Councilman McGann then moved to hold the public hearing on this ordinance at the next regular Council meeting scheduled to be held on March 20, 2003 and to advertise same in accordance with law. It was seconded by Councilman Mahon.

The Clerk called the roll:

AYES: Councilpersons Mahon, Apruzzi, Gatta, Cooper and McGann.
NAYS: None.
ABSENT: Councilwoman Kahle.
ABSTAIN: None.

Councilman McGann moved to award a contract to the successful bidder for the work on Riverview Road and Lake Drive to Little Rascal's Construction Co. of South River, NJ in the amount of \$97,705.50 and would be subject to the approval of the Department of Transportation. It was seconded by Councilman Mahon and approved by Council.

Councilman McGann moved to return the bid bonds to the unsuccessful bidders on this project. It was seconded by Councilwoman Gatta and approved by Council.

Councilman McGann welcomed Councilwoman Cooper and looked forward to working with her in the future.

Councilman McGann commented that we once again had snow and once again our Public Works Department under Tom Crochet, Superintendent, took care of our streets just about an hour ago and he advised everyone to drive safely. He also commented that due to the amount of storms we have experienced, our sand/salt budget is completely gone and they are hoping to receive some reimbursement from FEMA from the blizzard on President's Day weekend.

COUNCILWOMAN COOPER: Councilwoman Cooper stated she was happy to be here and thanked everyone for their warm welcome and looked forward to working with everyone.

MAYOR GEMMA: Mayor Gemma commented that at the last meeting we appointed Harry Sutton as the Borough's Emergency Management Coordinator to fill the un-expired term, but we have been informed that it must be a full three-year appointment.

Mayor Gemma then offered the appointment of Harold Sutton to the position of the Borough's Emergency Management Coordinator for a full three-year term, effective February 20, 2003. Councilman Apruzzi moved to approve this appointment. It was seconded by Councilman Mahon and approved by Council.

Mayor Gemma commented he was one of the people present at the Student Government Day program at the Maple Place School, as were Councilpersons Mahon, Kahle, Apruzzi and Gatta and

the interesting thing when you go to the student, is the insight they have once they get going and ask tough questions and discussed how money is spent in the Borough.

Mayor Gemma stated that tonight was a difficult night for all of us with the adoption of the 2003 budget and a lot of people did not like this budget but as a collective organization we felt it was the best we could do, given the fact of reduced revenues and the hit from last year with the storm and actually keeping our expenditures lower than last year. He continued that as a follow up, the track came before our Planning Board two weeks ago and will probably be back shortly to finalize the approval for the property behind the bank, which will be 50 single family senior units and we will be purchasing a portion of the land across the street known as the soccer fields and a small portion in front will be for retail and that will help enhance our tax base without a drain on municipal services since there won't be any children involved.

Mayor Gemma offered his congratulations to Councilwoman Cooper and welcomed her to the Governing Body.

Mayor Gemma then opened the meeting to the public for any comments or questions they might wish to make.

PETITIONS FROM THE PUBLIC:

Mr. Sniffen, 22 Dwyane St. commented that he attended the last meeting with regard to the problem with the lack of sidewalks near the schools as well as sidewalks not being cleared of snow and making it a dangerous situation for the children who are forced to walk in the streets with a lot of traffic going by. He also advised that he forwarded a letter to the Mayor with photographs and wanted to know what would be the next step in regard to this matter.

Mayor Gemma stated we will be discussing this later in our workshop meeting and the real issue is putting the sidewalk program as part of our capital program into the overall budget for the roads and making sure it makes sense. He continued that tonight part of our discussion will be how do we go forward and pay for items like sidewalks in order to make it safer for children to walk to school for both schools in the Borough.

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

Councilman Apruzzi moved to approve the vouchers on the Bill List dated March 6, 2003. It was seconded by Councilwoman Gatta and approved by Council. TOTAL CAPITAL TRUST \$21,256.83. TOTAL DOG REGISTRY \$274.10. 2002 TOTAL ESCROW TRUST \$972.00. 2003 TOTAL ESCROW TRUST \$728.00. 2002 VOUCHERS PAID \$67,564.84. 2002 VOUCHERS PAID THIS MEETING \$1,755.95. TOTAL 2002 VOUCHERS \$69,320.79. 2003 VOUCHERS PAID \$1,778,894.04. 2003 VOUCHERS PAID THIS MEETING \$796,528.59. TOTAL 2003 VOUCHERS \$2,575,422.63. (SEE BILL LIST)

At 8:35 p.m. Councilwoman Gatta moved to adjourn this meeting until the next regular meeting scheduled to be held on March 20, 2003 at 8:00 P.M. It was seconded by Councilman McGann and approved by Council.

Respectfully submitted,



PATRICIA L. VARCA, BOROUGH CLERK