

REGULAR MEETING MINUTES

Oceanport, New Jersey
February 20, 2003

- REGULAR MEETING:** The Regular Meeting of the Oceanport Mayor and Council was called to order on February 20, 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 and Mayor Gemma.
- OFFICIALS PRESENT:** Borough Clerk, Patricia L. Varca and Francis A. Margalotti.
- INVOCATION:** Borough Chaplain Berry gave the invocation.
- PLEDGE OF ALLEGIANCE:** Mayor Gemma led the audience and members of the Council in the flag salute.

As copies of the minutes from the regular meeting held on February 6, 2003 had been made available to the members of the Governing Body, Councilman Apruzzi moved to waive the reading of same and approve the minutes as presented by the Borough Clerk. It was seconded by Councilwoman Gatta and approved by Council.

Mayor Gemma stated the next order of business is to fill the un-expired term of the vacancy, which occurred as a result of the resignation of Councilwoman Silkworth and based upon same the un-expired term will end on December 31, 2003. He continued that pursuant to law, a letter was received February 14, 2003 and dated February 13, 2003 setting forth the three names nominated by the Oceanport Republican Committee and they are Patricia Cooper, William Johnson and Hugh Sharkey and advised that the letter provided by Mrs. Silkworth as Chairperson and stated the letter indicated that "each one of the nominees is vitally interested in Oceanport and each one would be an asset to the Council". Mayor Gemma reported that in accordance law, each one of the nominees were in fact notified and asked if they wished to serve and all three individuals indicated that they did desire to serve the remainder of this term and based upon the information submitted and based upon the names submitted, he asked for a motion to appoint one of the three set forth in the letter.

Councilwoman Gatta moved to appoint Patricia Cooper to fill the un-expired term due to the resignation of former Councilwoman Silkworth. It was seconded by Councilman Apruzzi.

Councilman Mahon commented that as part of the Republican Municipal Committee and due to the fact that the work shop meeting had been canceled which did not allow us to discuss this matter, he did want to bring to light the backgrounds of each of the candidates and let everyone know a little about each of them and gave a brief summary regarding each of the candidates indicating that all the candidates are actively involved in Oceanport's recreation activities and knowledgeable about local issues and any one of the three would be an asset to this Council and to the Borough.

Mayor Gemma asked if anyone wished to make any other comments since there was a motion on the floor, which has been seconded, and hearing none, Mayor Gemma asked the Clerk to call the roll.

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

Mayor Gemma extended his congratulations to Mrs. Cooper and asked the Borough Attorney, Mr. Margalotti if Mrs. Cooper should be sworn in tonight, to which Mr. Margalotti responded that she could be sworn in tonight and take her seat on the dais. Mayor Gemma asked Mrs. Cooper if she would rather have members of her family at the swearing in which could be done at the next meeting scheduled for March 6, 2003 and reminded Mrs. Cooper to be here at 7:00 p.m. for the work shop.

Mayor Gemma congratulated the other two nominees for being named as possible appointments for this vacancy and thanked them for coming tonight and asked the Clerk to give Mrs. Cooper all pertinent material for her to review.

CLERK'S REPORTS:

1. Raffle license application made by St. Jerome School PTA to be held on May 25, 2003 and it will be a 50/50 off premise cash raffle.

The Clerk indicated that the application was found to be in order and the required fees had been paid, after which Councilwoman Gatta moved to approve same. It was seconded by Councilman McGann and unanimously approved by Council.

COMMITTEES:

COUNCILWOMAN KAHLE: Councilwoman Kahle reported the Water Watch Committee met this month and they are continuing to enter data on the water quality for the past ten years on a computer system, which information will be available soon and they had to re-schedule the water testing during late January and early February due to the snow and ice conditions.

Councilwoman Kahle commented that the Environmental Commission has selected the theme for the annual Poster Contest and this year it will be trees in Oceanport's environment.

Councilman Kahle reminded everyone that we are still looking for an Editor for the Bulletin since Beth Henderson has resigned and anyone interested can contact the Borough Clerk for details.

COUNCILMAN MAHON: Councilman Mahon reported the Oceanport Fire Department has participated in its annual re-training certification which is State mandated and participated in a group effort in Long Branch that was conducted jointly with the Long Branch Fire Department and the Monmouth County Fire Academy and they are now all re-certified in Blood Borne Pathogens, HazMat Awareness and SCBA testing. He continued that the firefighters are also training at each station on a monthly basis.

Councilman Mahon stated in regard to the recent snowstorm, he has asked both the Fire Department and OEM to begin work on the expenses incurred due to this emergency in their respective areas as part of the overall storm assessment. He continued that the Governor's Office has announced that municipalities will be included in the State's application for FEMA funding related to storm expenses and felt that the other departments would be doing this as well.

Councilman Mahon wished to extend his compliments to the Fire Department for the many hours of stand by that they performed before, during and after the storm and counted over 41 hours that the fire stations were manned and at least an additional day spent digging out fire hydrants around town as well as the snow shoveling job the firemen performed at each first aid call to clear a path from the street to the front door for the squad members.

Councilman Mahon advised the OEM was activated early Sunday morning by A/Coordinator, Chief Bebout and the equipment was readied and a planning meeting was held and strategies were worked out and during the course of the storm, several hospital staff were transported to Monmouth Medical Center, trucks and cars were pulled from snow banks and flood prone areas were patrolled and he received a very complimentary e-mail today regarding the Police going door to door in flood prone areas to move their cars out to higher ground and as a result we had no problems during the storm related to cars or people trapped in cars.

Councilman Mahon stated that he has received several compliments regarding snow removal efforts as well as some complaints, but the complaints are minor and the task of keeping the roads open was monumental and you can really appreciate the job that was done here when you hear the list of schools in other towns that are still closed today and tomorrow, when our schools were opened on Tuesday and he gave his compliments to the Public Works Department.

Councilman Mahon also wanted to say that the Long Branch Public Works Department was very instrumental in getting things done for us both with OEM and the Public Works Department helping us throughout the storm and the following day keeping several pieces of equipment on the road, which Mayor Gemma directed Councilman Mahon to send a letter thanking them for their help.

COUNCILMAN APRUZZI: Councilman Apruzzi asked the Clerk to read resolution **R-03-21** amending the 2003 temporary budget, after which he moved to approve same. It was seconded by Councilman Mahon and approved by Council.

R-03-21

Councilman Apruzzi moved to temporarily appoint Councilwoman Gatta to the Finance Committee for the purpose of signing the vouchers, after which it was seconded by Councilman Mahon and approved by Council.

Councilman Apruzzi reported that at the last Recreation Committee meeting the current budget was discussed and also discussed was the Committee's procedure for going about the work needed to be done at Blackberry Bay Park and commented that they are looking at renovating half the field because that is the amount of funding that will be in place which would be the right side of the park. He continued that late last year the Committee had applied for both a grant and a loan but the grant did not get approved from the DEP and 32 towns were chosen out of approximately 300 towns that applied and he has requested a list of the towns that were approved because perhaps we could learn something that would help us in the future. He also advised that the loan is still outstanding and we may know as early as March/April, but the Council also put \$250,000 in the capital budget for the field work and when that work begins, that part of the park will be out of commission for approximately one year and could start right after Summer's End.

Councilman Apruzzi advised that this evening before the Council meeting he held a Recreation Committee meeting with our sports associations to get input from them about possible changes to our recreation ordinance and felt it was a very positive and constructive meeting and he will be providing minutes of the meeting to those in attendance and there were approximately 25 people which was a very good turnout and discussed their needs and input about possibly restructuring part of the current Recreation ordinance. He stated we will also be setting up another

meeting to talk about the details as to how we go forward and that will then go back to the Recreation Committee as recommendations and then from there will then go back to Council to talk about what we want to go forward with our ordinance sub-committee and the Council in general.

Councilman Apruzzi missed the recent snow storm but wanted to acknowledge the amount of assistance and help received by his wife from their neighbors who helped her shovel the snow, etc. to help her out and thanked everyone who helped.

Councilman Apruzzi commended Demetrio Zarate, Foreman of the Public Works Department and his crew on an excellent job in clearing the snow without having to hire outside contractors and minus the Superintendent, Tom Crochet, who was on vacation in Florida, and stated they all did an excellent job and with the help of Long Branch helping out with our equipment and he has received only positive comments from our residents.

Councilman Apruzzi thanked the three nominees who came forward to the Council vacancy and wished the two nominees not chosen all the best and was certain he would see them doing volunteer service in the Borough and congratulated Patty Cooper on her appointment to the Council.

Mayor Gemma asked when the Council can anticipate getting a draft of at least the proposed Recreation Ordinance and if there was some kind of estimated time frame, to which Councilman Apruzzi advised that what he would like to do is have another detailed meeting with the same sports associations members during the early part of March and then Recreation would review the recommendations the second Wednesday in March and have it to the Council by the end of March which would contain the consensus of the organizations and we have some of that detail now, but he wants to make sure we have all the details and there are some anomalies with organizations like Pop Warner, who sit between West Long Branch and Oceanport and are not one of the four associations in town and we need to understand how we can address that also and there are some ideas by some of the members of the associations on how to do that so we work that out and we should be ready to proceed with something in early April.

Mayor Gemma explained that at that point there will be a public hearing at the Council meeting when the ordinance is finally considered by the Council prior to its final adoption so he advised that if anyone in the audience has any comments about this ordinance, it does not exist yet.

COUNCILWOMAN GATTA: Councilwoman Gatta reported at the First Aid meeting last night and for the month of January there were 62 calls which is a record number over the previous January which equaled 801 person hours and they also trained 21 firemen in re-certification for CPR and defibrillation and gave instruction to the Girl Scouts and will instruct the Weeblos this month.

Councilwoman Gatta stated that the Council has received copies of the survey results and this is from the survey that was enclosed in the last bulletin and we have received back 167 surveys and there will be some updates as surveys are still coming into the Clerk's Office and requested that everyone bring the packet with them to the next workshop in order to discuss this further in order to get the results out to the public.

Councilwoman Gatta commented that two years ago the Recreation Committee embarked on its first Women's Day program and it was held in June and about 80 women attended and we talked about future programs as well as topics that needed to be addressed. She was pleased to announce that there will be a second annual Women's Program on Saturday, March 29, 2003 and in addition to the Recreation Committee, we are also working with the US Department of Labor Women's Bureau, the State of NJ Department of Community Affairs Division on Women and the topics that will be

discussed are outgrowths of the first program but also, in conjunction with 9-1-1 so the theme will be Women in a Post 9-1-1 World and will be held at the Old Wharf House and the topics will be Women's Emotional Well Being, Financial Knowledge in a Post 9-1-1 World and Understanding Long Term Care and Insurance. She continued there will be an opportunity for everyone to participate in what she hoped would develop into a women's information network and that is women helping women in the legal, medical, financial and educational areas.

Councilwoman Gatta read a letter she received today from Chief Bebout regarding the 2003 blizzard in which he expressed his appreciation to everyone who assisted with the storm including Borough employees, volunteers and residents who stepped up to and did whatever they had to in order to get the Borough through the storm and he offered his thanks to the members of the Fire Department and the First Aid Squad for the help they provided to the residents and the Police during the storm; Ron Stubbington who is a member of the Emergency Management team and a special thanks to Fred Miggioccio, Director of Long Branch Public Works for his advice and input and the members of his Department for their continued dedication to the Borough and its residents and he especially wanted to recognize and thank the monumental effort put forth by the employees of the Public Works Department and commented that when both the State and County Highway Departments went back to their yards, Borough Foreman, Demetrio Zarate and the other Public Works Department kept right on plowing our roads through the night and we all owe these men a debt of gratitude.

Councilwoman Gatta offered her thanks to Chief Bebout for his outstanding leadership during this blizzard as A/OEM Director and she spoke with him early Sunday morning since the Mayor was out of town, she was in the person acting in his place and a meeting was called at 2 p.m. with all the emergency services, Public Works representative and some of our Council people were there and Chief Bebout laid the groundwork for what proved to be a very successful plan. She noted although this was a very dangerous storm, our employees and volunteers did an excellent job and our Borough Public Works employees worked straight through the night often times not being able to see in front of them due to the snow and after reading the newspapers, not many towns made out as well as we did and she was very grateful and appreciative of everyone's efforts.

Councilwoman Gatta welcomed Patty Cooper as a member of the Council and commented it is always difficult to make a decision when you have other outstanding people who are willing to serve, so to the two individuals who were not chosen, she thanked them for offering to serve and is sure they will still continue to volunteer in the Borough.

Mayor Gemma commented on the recent survey which Councilwoman Gatta reported on in that we have learned that certain people in the Borough never received a copy of the survey, especially those residents in Kimberly Woods and asked that anyone who did not receive a copy, copies are available in the Clerk's Office and we are still compiling the results as surveys are received.

ORD. #
7599

COUNCILMAN McGANN: Councilman McGann called for the second reading and public hearing of an ordinance to exceed the CAP for the 2003 municipal budget and asked the Clerk to read the proposed ordinance by title only as follows: **AN ORDINANCE PURSUANT TO THE LOCAL CAP LAW CONCERNING THE 2003 MUNICIPAL BUDGET OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY.**

Mayor Gemma opened the meeting to the public for any comments on this subject only, but hearing none, Councilman McGann moved to close the public hearing. It was seconded by Councilwoman Gatta and approved by Council.

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

The Clerk called the roll:

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

Councilman McGann stated that many comments have been made this evening regarding the volunteers in the Borough and they deserve all the credit given, since this was a monumental storm that we were faced with and our Police, Fire, First Aid were great and thanked Chief Bebout who did an excellent job stepping up at this time and our Public Works Department did an excellent job and he is very proud of them and they were out on Sunday around 3 p.m. and were out for the next 48 hours with a small break on one evening and it was an overwhelming task and came through great.

Councilman McGann commented that looking ahead we are presently clearing all the inlets, storm drains, catch basins around town in anticipation of the heavy rain that is being forecast for this weekend and if you have a storm drain near your property that has not been cleaned, he asked that they call the Public Works Department and report it so they can get to every location possible.

Councilman McGann reported that last evening he participated in a meeting with our Borough Engineer, Tom Rospos and the residents of Gooseneck Point Road concerning the grant that we have for the flood alleviation of some of those flooding conditions on Gooseneck and he thought the meeting went very well and he will be reporting the results of that meeting at our next work shop meeting.

Councilman McGann offered his congratulations to Patty Cooper and looked forward to working with her and he also thanked those who offered their services to the municipality, Will Johnson and Hugh Sharkey and stated that one of the most important things a person has to give in his life is of their labor and time and he was very appreciative of their willingness to do that.

MAYOR GEMMA: Mayor Gemma commented that many people tonight have recognized the efforts and excellent job done by Chief Bebout and Captain Sutton and also offered his accolades to all of the emergency services who assisted in this storm and also gave great thanks to Demetrio Zarate, Foreman of the Public Works Department who went at least 36 hours without any sleep and in light of the wonderful job that was done and the fact that our Emergency Management Director has stepped down, he appointed Chief Bebout as the Acting Director in order to have someone in charge of any upcoming emergencies until the Council could act and felt that he did the right thing.

Mayor Gemma offered the name of Harold Sutton to fill the vacancy for the un-expired term for the position of Emergency Management Coordinator, which term expires December 31, 2004.

Councilman McGann moved to approve this appointment. It was seconded by Councilman Mahon and unanimously approved by Council.

R-03-22 Mayor Gemma then asked the Clerk to read resolution **R-03-22** approving the Terrorism Annex to the Borough's Emergency Management, after which Councilman Mahon moved to approve same. It was seconded by Councilman Apruzzi and unanimously approved by Council.

Councilman Mahon commented that with the addition of this annex to the Borough's Emergency Management Plan, we are now in compliance, which will enable us to apply for grants as well as reimbursement funds from the recent snowstorm.

Mayor Gemma advised that due to the costs incurred with this storm, he is asking the Clerk to comprise the amount of money actually spent on equipment, man hours, etc. so that if reimbursement is offered through the State or through FEMA we will be ready with our numbers and supporting documentation since the Governor has indicated that he is considering reimbursing the municipalities for the expenditures.

Mayor Gemma had a conversation with a representative of the race track and it appears that they are finally moving forward and will probably be making a request for an informal hearing before our Planning Board not only for the sub-divided property which would allow us to purchase the soccer fields, but also to allow them to develop the property behind the bank which will be senior housing and felt it is long overdue in this Borough and there is need for this type of housing and the property across the street will begin being developed as our Village Center in accordance with the policies and recommendations of our Master Plan.

Mayor Gemma reminded everyone that on March 6 we will be conducting our public hearing on our 2003 municipal budget and unfortunately we are raising our local taxes by 4.9 cents and we cut this budget to the bone and he invited every resident to come to this meeting and ask questions as to why we had to raise taxes and the basic reason was that our revenues are down and anticipated income was reduced substantially and expenditures increased. He continued that everyone on this Council had to take cuts in their Departments that they really did not want to do, but had to in order to continue our desire to maintain a strong commitment to our capital and keeping taxes affordable for our residents and while no one is happy, he urged everyone to attend that meeting and ask whatever questions they had about the budget.

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

Toni Sverapa, representing the Oceanport Recreation Committee stated she was here to address a letter that was sent from our Corresponding Secretary to the Council in response to the budget that everyone worked so diligently on and she thanked everyone for their efforts. She is not sure due to the recent snow storm, if everyone has had an opportunity review the letter that was sent and if the Council has reviewed the changes the Committee has suggested and if there are comments that they need to have explained, she would be happy to do so with regard to the bottom line not changing, but they have looked at their priorities as a committee and hoped that the Council will allow us to change the line items as they feel as a Committee are necessary. She also wished to offer her attendance to the workshop meeting, which she had intended to come to, and wondered if there is anything she can explain at this point in time.

Mayor Gemma advised that there has not been a meeting since the letter was sent and on March 6 there will be a workshop meeting prior to the regular meeting and it would be appropriate to discuss the letter at that time.

Mrs. Sverapa asked if it was not too late at that point, to which Mayor Gemma stated that it is too late now, but that is his opinion and he does not speak for the entire Council, so let them review what was sent and respond at the next meeting, but tonight is not the forum to have this discussion.

Mrs. Sverapa stated she would like to address just one of the items in response to an employee, if she might to which Mayor Gemma stated this should be done at the work shop meeting because it is not appropriate tonight.

Mr. John Sniffen, 22 Dwyane Street and was here to discuss the lack of sidewalks that our children need when walking to school and are missing in many areas and now with the snow, they must walk in the street making it a very dangerous situation. He continued that in checking, he has found that there presently is no ordinance on the books to require residents to shovel their sidewalks where they exist and asked that something be done since without this the Police cannot enforce the clearing of the sidewalks.

Councilman McGann commented that Mr. Sniffen was kind enough to contact him and he was going to speak with our Borough Attorney after the meeting tonight about this matter and if we had some kind of ordinance on the books, to which Mr. Margalotti indicated that we don't have anything in place and we have discussed this matter over the years and the pros and cons about having an ordinance mandating abutting property owners to clear sidewalks and there are issues on both sides and up to now, the Council felt it was not in the best interests of the public at large to have a mandatory ordinance of this nature and Councilman McGann suggested that this is something we should think about re-visiting.

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 February 20, 2003. It was seconded by Councilwoman Gatta and approved by Council. 2002 VOUCHERS PAID \$63,213.15. 2002 VOUCHERS PAID THIS MEETING \$4,351.69, TOTAL 2002 VOUCHERS \$67,564.84. 2003 VOUCHERS PAID \$4,441,996.23. 2003 VOUCHERS PAID THIS MEETING \$241,275.80. TOTAL 2003 VOUCHERS \$1,683,272.03 (SEE BILL LIST)

At 8:50 p.m. Councilwoman Gatta moved to adjourn this meeting until the next regular meeting scheduled to be held on Marc 6, 2003 at 8:00 P.M. It was seconded by Councilman McGann and approved by Council.

Respectfully submitted,



PATRICIA L. VARCA
BOROUGH CLERK