

REGULAR MEETING MINUTES

Oceanport, New Jersey
February 19, 1998

- REGULAR MEETING:** The Regular Meeting of the Oceanport Mayor and Council was called to order on February 19, 1998 at 8:00 P.M.
- MEMBERS PRESENT:** Councilpersons Apruzzi, Miller, Wolfe, McGann Silkworth and Mayor Gemma.
- MEMBERS ABSENT:** Councilwoman Filippone.
- OFFICIALS PRESENT:** Borough Clerk, Patricia L. Varca and Borough Attorney, Francis A. Margalotti.
- INVOCATION:** The invocation was given by Borough Chaplain Berry.
- PLEDGE OF ALLEGIANCE:** Mayor Gemma led the audience and members of the Council in the flag salute.

Mayor Gemma stated that we are going out of order this evening and asked Councilman Miller to give part of his report with regard to the Promotions in the Police Department.

Councilman Miller stated that before he moved the promotions this evening, he wanted to make several comments with regard to the process and continued that in one of the positions, there were four candidates for one position and we have done this a number of times lately, but he wanted to point out that the process that we go through with the Police Committee and the Chief during the interviews, reviewing the resumes and looking at seniority and experience and we take everything into consideration and we try to perform this process as fairly as possible and he thought that they did a good job in their selection for this position. He also wanted to point out that this promotion in no way demeans the people that were not chosen and unfortunately, there was only one position and he knows that the other candidates realize that he respects them all greatly and felt that their contribution to the Borough is greatly appreciated.

Councilman Miller advised that in the second and third positions, which opened up as a result of the first promotion, and for the positions of Sergeant and Detective, the rest of the rank and file in the Police Department came together and decided that the most qualified and deserving were the two people who will be promoted to these positions this evening and he thought that this speaks highly of their service and character to this community, when you get the respect of the people you work for, he didn't feel there was a higher honor.

Councilman Miller moved to promote Patrolman Tagerty to the position of Detective. It was seconded by Councilwoman Silkworth and unanimously approved by Council.

The Clerk administered the Oath of Office to Detective Tagerty, after which the Governing Body extended their congratulations.

Councilman Miller moved to promote Detective Cioffi to the position of Sergeant. It was seconded by Councilwoman Silkworth and unanimously approved by Council.

The Clerk administered the Oath of Office to Sergeant Cioffi, after which the Governing Body extended their congratulations.

Councilman Miller moved to promote Sergeant Baldanza to the position of Detective Sergeant. It was seconded by Councilwoman Silkworth and unanimously approved by Council.

The Clerk administered the Oath of Office to Sergeant Baldanza, after which the Governing Body extended their congratulations.

Councilman Miller then moved to hire Greg Widmaier as a Relief Dispatcher in the Police Department. It was seconded by Councilwoman Silkworth and unanimously approved by Council.

As copies of the minutes from the regular meeting held on February 5, 1998 had been made available to the members of the Governing Body, Councilwoman Silkworth moved to waive the reading of same and approve the minutes as presented by the Borough Clerk. It was seconded by Councilman Wolfe and unanimously approved by Council.

CLERK'S REPORTS:

1. Raffle license application made by the Legal Aid Society of Monmouth County, to be held on July 3, 1998, 50/50 cash raffle, on premise.

The Clerk advised that the paperwork was found to be in order and the correct fees had been paid, after which Councilman Wolfe moved to approve the above mentioned raffle application. It was seconded by Councilman Apruzzi and unanimously approved by Council.

COMMITTEES:

COUNCILMAN APRUZZI: Councilman Apruzzi offered his congratulations to the new officers on the newly promoted and appointed officers and was sure they would continue to serve the Borough well, as they have done in the past. He also extended his thanks to the Police Committee and felt that they did an excellent job, explaining that it is very difficult when you have to make a selection as they did.

Councilman Apruzzi offered his condolences to Councilwoman Filippone and her family on the death of her brother and our thoughts are with her.

COUNCILWOMAN FILIPPONE: ABSENT.

COUNCILMAN MILLER: Councilman Miller moved to approve the Lease Agreement with the Ford Motor Credit Company for two (2) 1998 Ford Crown Victoria Police Sedans at the yearly cost of \$14,234.21 for a three year lease period. It was seconded by Councilwoman Silkworth and unanimously approved by Council.

Councilman Miller also offered his condolences to Councilwoman Filippone over her loss and stated she is in our thoughts and prayers.

COUNCILMAN WOLFE: Councilman Wolfe asked the Clerk to read resolution **R-98-26** transferring funds, after which he moved to approve same. It was seconded by Councilman Apruzzi and approved by Council.

Councilman Wolfe asked the Clerk to read resolution **R-98-27** amending the 1998 temporary budget, after which he moved to approve same. It was seconded by Councilman Miller and approved by Council. #R-98-27

Councilman Wolfe asked the Clerk to read resolution **R-98-28** regarding the position of Public Defender for the Municipal Court, after which he moved to approve same. It was seconded by Councilman Apruzzi and approved by Council. #R-98-28

Councilman Wolfe moved to authorize the Borough Engineer to begin the base mapping and survey work necessary for the reconstruction of Pocano Avenue. It was seconded by Councilman Miller and approved by Council.

Councilman Wolfe also extended his condolences to Councilwoman Filippone and the Riccardi family over the loss of her brother.

Councilman Wolfe announced that the Oceanport Exempt Firemen's Association would be holding a roast beef dinner tomorrow night between 5 PM - 7:30 PM at the Port-au-Peck Firehouse and urged all the residents and their families to attend and support this group.

Councilman Wolfe congratulated the newly promoted officers in the Police Department.

COUNCILMAN MCGANN: Councilman McGann called for the introduction of an ordinance releasing funds for park and road improvements from the Capital Improvement Fund and asked the Clerk to read the proposed ordinance by title only as follows: **AN ORDINANCE AUTHORIZING REPAIRS TO THE COMMUNITY CENTER KIDDY LOT PLAYGROUND UTILIZING \$2,780.07 FROM THE CAPITAL IMPROVEMENT FUND FOR PARK IMPROVEMENTS AND \$32,775. FOR THE BALANCE OF ROAD IMPROVEMENTS TO TECUMSEH AVENUE FROM THE CAPITAL IMPROVEMENT FUND FOR ROAD IMPROVEMENTS.**

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

The Clerk called the roll:

AYES: Councilpersons Apruzzi, Miller, Wolfe, McGann and Silkworth.

NAYS: None.

ABSENT: Councilwoman Filippone.

ABSTAIN: None.

Councilman McGann then moved to conduct the public hearing on this ordinance at the regular meeting scheduled to be held on March 5, 1998 at 8:00 P.M. It was seconded by Councilman Wolfe.

The Clerk called the roll:

AYES: Councilpersons Apruzzi, Miller, Wolfe, McGann and Silkworth.
NAYS: None.
ABSENT: Councilwoman Filippone.
ABSTAIN: None.

Councilman McGann called for the introduction of the amendment to the 1998 salary ordinance 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 Wolfe.

The Clerk called the roll:

AYES: Councilpersons Apruzzi, Miller, Wolfe, McGann and Silkworth.
NAYS: None.
ABSENT: Councilwoman Filippone.
ABSTAIN: None.

Councilman McGann then moved to conduct the public hearing on this ordinance at the regular meeting scheduled to be held on March 5, 1998. It was seconded by Councilman Miller.

The Clerk called the roll:

AYES: Councilpersons Apruzzi, Miller, Wolfe, McGann and Silkworth.
NAYS: None.
ABSENT: Councilwoman Filippone.
ABSTAIN: None.

COUNCILWOMAN SILKWORTH: Councilwoman Silkworth also wished to extend her condolences to Councilwoman Filippone and her family.

Councilwoman Silkworth offered her congratulations to our well deserved Police promotions this evening and thanked Councilman Apruzzi for his kind remarks on this process.

Councilwoman Silkworth also wanted to report under Police, that the Oceanport Lions Club presented our Police Department with two bicycles for the bicycle program and a picture is in today's Atlanticville and our Department is eagerly looking forward to getting those bikes on the road and utilizing them over the summer.

Councilwoman Silkworth reported that today she had the pleasure of attending her first Statewide Workers' Compensation Fund meeting and she was the only elected official present and the other communities had employees and managers attending. She commented that there were several interesting things that came out of this meeting and that was they have a Library of video tapes that are available to us and she has requested an index of what is available and it is focused

on the area of Loss Prevention and there are a list of Loss Prevention Seminars, which she will pass along to Councilman Wolfe for Public Works and to Councilman Miller for the Police Department, since there are programs contained in the list which these employees might want to attend.

Councilwoman Silkworth advised that statistically speaking, losses have decreased and they feel it is definitely related to people attending these types of seminars and a much greater awareness being created.

Councilwoman Silkworth also wanted to report that the Fire Marshal will be inspecting the house located at the Wolfhill Farm property to ensure that we are safe and secure in that regard and advising us of things that we might have to do while we are in the planning stages.

MAYOR GEMMA: Mayor Gemma also offered his condolences to Councilwoman Filippone and her family on their recent loss.

Mayor Gemma offered his congratulations to the Police Officers promoted this evening.

Mayor Gemma also wanted to offer his thanks to members of the Planning Board and Economic Development Committee on the meeting two weeks ago and the meeting last night, which helped to address the issues of the Village Center and the growth of the town and they are facing a lot of work in the near future and he thanked them again for their efforts.

Mayor Gemma offered the appointment of Robert Kelly to fill an un-expired term on the Environmental Commission, which term expires on December 31, 1998.

Councilman McGann moved to approve the appointment of Mr. Kelly to the Environmental Commission. It was seconded by Councilwoman Silkworth and approved by Council.

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

PETITIONS FROM THE PUBLIC:

Betty Berry, 25 Hiawatha Ave., stated that she was just reading this evening about the proposed development on Port-au-Peck Avenue and this is the first time she heard about and asked if HUD will be involved in this development or will it be a private developer.

Mayor Gemma advised that HUD is not going to be involved in this development, but what is happening is that this is property that is currently owned by the NJ Sports & Exposition Authority and they are intending to sell this land and their intent at the present time is to sell it, after obtaining preliminary approvals for senior housing and then they plan to sell it to a third party on the open market, since they must sell it in compliance with the public bidding process. He further stated that this is in line with the comments he made earlier with regard to the Planning Board and Economic Development Committee working together trying to anticipate what impact this might have and to see if they can use that to help our down town area to accommodate what is going to take place. He stated that as it stands now, the track is looking at a mix of senior housing which is single family, attached multi family and some component of assisted living and it is very conceptual right now, but they have been kind enough to let us know what they are thinking about, to allow us enough time to

begin preparing for this and this is actually a continuation of the Borough's Master Plan process, which began about two years ago.

Mrs. Hamilton, 27 Whitehall Circle, as for the Mayor's comments on a recent article, also in the Atlanticville, regarding the possibility of Long Branch taking over some of the service for the Borough, to which Mayor Gemma responded that he had lunch with the Mayor of Long Branch and asked if the Borough could possibly borrow some of their Public Works equipment and nothing more and he has no plans of consolidating with any other town.

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

Councilman Wolfe moved to approve the bills as listed on the Voucher Register dated February 19, 1998. It was seconded by Councilman Apruzzi and approved by Council. TOTAL 1997 VOUCHERS \$5,350.00. TOTAL 1997 VOUCHERS PAID THIS MEETING \$33,400.05. TOTAL 1997 OPERATING FUND \$38,750.05. TOTAL 1998 VOUCHERS \$79,591.19. TOTAL 1998 VOUCHERS PAID THIS MEETING \$87,844.26. TOTAL 1998 OPERATING FUND \$167,435.45. TOTAL TRUST ACCOUNT \$29,528.81. TOTAL GENERAL LEDGER-LIEN REDEMPTION \$62,540.56. (SEE VOUCHER REGISTER)

At 8:26 P.M. Councilman Wolfe moved to adjourn this meeting into Executive Session to discuss a matter of potential litigation. It was seconded by Councilman Miller and approved by Council.

At 9:01 P.M. Mayor Gemma reconvened the meeting with the same Councilpersons present on the dais and Councilman McGann moved to come out of Executive Session. It was seconded by Councilman Miller and approved by Council.

Mayor Gemma then asked for a motion with regard to the retention of Special Counsel to represent the Borough of Oceanport in the context of a tax appeal.

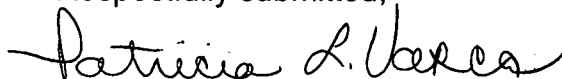
Councilman Wolfe moved the name of Peter J. Zipp as Special Counsel for the Borough of Oceanport to deal with the tax appeal filed by Concurrent Computer Company from 1997 at the maximum rate of \$150 per hour. It was seconded by Councilman Apruzzi.

The Clerk called the roll:

AYES: Councilpersons Apruzzi, Miller and Wolfe.
NAYS: None.
ABSENT: Councilwoman Filippone.
ABSTAIN: Councilpersons McGann and Silkworth.

At 9:03 P.M. Councilman Miller moved to adjourn the meeting until the next regular meeting to be held on March 5, 1998. It was seconded by Councilwoman Silkworth and approved by Council.

Respectfully submitted,



PATRICIA L. VARCA, BOROUGH CLERK