

REGULAR MEETING

Oceanport, New Jersey
February 17, 1994

- REGULAR MEETING:** The Regular Meeting of the Oceanport Mayor and Council was called to order on February 17, 1994 at 8:00 P.M.
- MEMBERS PRESENT:** Councilpersons Clark, McGee, Filippone, Miller, Taylor, Wolfe and Mayor Cavanagh.
- 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.

CLERK'S REPORTS:

1. Police report for the month of JANUARY, 1994.

COMMITTEES:

COUNCILMAN CLARK: Councilman Clark moved to appoint Lucy Kovar as the temporary Tax Collector for the Borough as well as the Searcher of Tax Liens. It was seconded by Councilman Wolfe and unanimously approved by Council.

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Councilman Clark called for the 2nd reading and public hearing of an ordinance supplementing the subdivision and zoning ordinances of the Borough with regard to the storage of recycling materials in new multi family developments and asked the Clerk to read the Affidavit of Publication and the proposed ordinance by title only as follows: **AN ORDINANCE SUPPLEMENTING THE SUBDIVISION AND ZONING ORDINANCES OF THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH AND THE STATE OF NEW JERSEY, ESTABLISHING FACILITIES FOR THE COLLECTION OR STORAGE OF SOURCE SEPARATED RECYCLABLE MATERIALS IN NEW MULTIFAMILY HOUSING DEVELOPMENTS.**

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

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

Councilman Clark moved to approve the ordinance on second and final reading and to advertise same in accordance with law. It was seconded by Councilman Taylor.

The Clerk called the roll:

AYES: Councilpersons Clark, McGee, Filippone, Miller, Taylor & Wolfe.
NAYS: NONE.
ABSENT: NONE.
ABSTAIN: NONE.

Councilman Clark then asked the Clerk to read resolution **R-94-18** transferring funds, after which he moved to approve same. It was seconded by Councilman Miller and unanimously approved by Council. R-94-18

Councilman Clark asked the Clerk to read resolution **R-94-19** amending the 1994 temporary budget, after which he moved to approve same. It was seconded by Councilman Wolfe and unanimously approved by Council. R-94-19

COUNCILMAN MCGEE: Councilman McGee asked the Clerk to read resolution **R-94-20** regarding the approval of the amendments to the By-Laws of the Statewide Excess Liability Fund, after which he moved to approve same. It was seconded by Councilman Taylor and unanimously approved by Council. R-94-20

Councilman McGee commented he is in receipt of a copy of a letter commending Patrolman Cioffi for his assistance during a breakdown from a resident from another town and commented on his courtesy and cooperation in the manner in which he handled the situation.

COUNCILWOMAN FILIPPONE: Councilwoman Filippone announced there will be a meeting on March 8, 1994 at 7:00 P.M. in the Borough Hall of the Memorial Day Parade Committee and she invited anyone interested in participating to attend. She also stated that she is looking for any veterans who may have been involved with the Invasion of Normandy and asked the newspapers to report on this, since she would like to have a resident, if possible, who was involved in D-Day to be the guest speaker at the ceremonies.

Councilwoman Filippone gave the Captain's Report for the Oceanport First Aid Squad stating that in January they had 24 calls, traveled 173 miles as a result of the calls and there were 174 man/woman hours and one of the calls was to Monmouth Park.

Councilwoman Filippone commented that the Squad is putting out a plea to residents to please put up large sized house numbers, preferably near an outside light, because they are having trouble finding the correct residence when an emergency call is placed and in this type of situation, every minute counts.

Councilwoman Filippone also reported that the Squad has received some good response to their plea for donations which would allow them to purchase two defibrillators and recently received a donation of \$1,000 from one of our residents. She reminded everyone that the purchase of this equipment is approximately \$8,000 so we have a ways to go, but there has been a lot of volunteers who have come forward to help out with some fundraising projects for the Squad.

Councilwoman Filippone reminded the Borough residents that the annual Health Screening Program will be on April 16, 1994 with the pre-registration being held on Wednesday, April 13, 1994 in the Borough Hall and she will have more details in the near future as to the cost and what type of testing will be performed.

Councilwoman Filippone stated she has been in touch with Rabbi Daina's wife and was sorry to report that the Rabbi is not doing well and she will continue to keep in touch with his wife and wished him all the best.

Councilwoman Filippone also advised that Ed Dangler who is a member of the First Aid Squad, who does not live in town, but is a very active volunteer, suffered a serious stroke and she wished him all the best for a quick recovery.

COUNCILMAN MILLER: Councilman Miller reported that Recreation will be assisting Suzanne Burns of the First Aid Squad with a tennis fund raiser for the purchase of the needed defibrillators and also commented that there are several other ideas presently being discussed and he will comment further when definite plans have been made.

COUNCILMAN TAYLOR: Councilman Taylor reported he attended a recycling meeting by the County and was advised that they will continue to hold Hazardous Waste Days and will be scheduling three days in the near future and he will report on them as soon as they are received.

Councilman Taylor advised that there will be an audit in the Borough with regard to the businesses and someone from the County will be contacting him and they will go around to see what they can do to help the businesses do more recycling in order to meet the County's goal of 60%.

Councilman Taylor also commented he has recycling newspapers, which are available in the Borough Hall Foyer area, and they contain many helpful hints on recycling, composting, etc. with phone numbers available for addition information.

Councilman Taylor advised that he has received notice that the 1992 Recycling grant should be received in the very near future and this year the Borough will be receiving \$5,748.45 and he thanked the residents of the Borough for all their efforts in this regard.

Councilman Taylor announced that Crazy George will be at the basketball game between the Police and the Maple Place students scheduled for February 25, 1994 at 7:00 P.M. and urged everyone to come out and support the game.

Councilman Taylor reported under the Library, that last year the Oceanport Library had 23,538 transactions.

Councilman Taylor advised that the Board of Education announced that there will be school on April 4, 1994 in order to make up one of the snow days and he continued that the Asbury Park Press PRESTO hotline will contain school activities and they will be updated on a weekly basis.

R-94-21 Councilman Taylor then asked the Clerk to read resolution **R-94-21** reappointing Cornelius Hughes as the Borough Representative to the Northeast Monmouth County Regional Sewerage Authority for a five year term, which term expires January 31, 1999, after which he moved to approve same. It was seconded by Councilman Wolfe and unanimously approved by Council.

COUNCILMAN WOLFE: Councilman Wolfe wanted to publicly commend the employees in the Road Department for their hard work and long hours during the extreme weather we experienced last week and went on to say that they all worked from early Friday morning when the Police called them at approximately 3:00 A.M. and stayed out for 24 hours straight, went home for 5 hours and returned to work again, through the night. He also wanted to point out to residents who may have had some

complaints, that there are only three men in the Road Department plus the Superintendent and they did their best in a very difficult situation. Councilman Wolfe stated that the average snow fall over the last 10 years has been 2-4 inches and in this last storm, we had 2-3 inches of snow falling per hour and it was just not possible to stay ahead of the snow. Councilman Wolfe felt that the dedication shown by the Road Department employees certainly deserved to be publicly acknowledged.

Councilman Wolfe also thanked the Police Department and the Dispatchers for their help in keeping the communications going between the Road Department and phone calls that were being received for plowing.

Councilman Wolfe commented that recently we had to bring over to Monmouth Processing approximately 1 ton of newspapers, which had occurred when the normal trailers had been full and we used our Borough truck to take care of the overflow and it cost us \$30 to dispose of the newspapers. He stated that under our present agreement we are paid a small amount of money, per ton and dispose of approximately 400 tons of paper each year and if we had to pay to dispose of this amount it would cost the Borough \$12,000 per year and felt we were very lucky to have the agreement with the company since it has saved the Borough a lot of money over the last several years.

MAYOR CAVANAGH: Mayor Cavanagh reported that there is a very nice article in the Two River Times about Eleanor Widdis and her receipt of the Mayor's Lifetime Achievement Award.

Mayor Cavanagh also commented that we had received some good news in that the State of New Jersey will allow the costs involved with snow removal to be placed outside the CAP, but unfortunately, they did not come up with a way to take care of the costs involved, which would have been a tremendous help in view of the terrible weather we have been experiencing.

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

PETITIONS FROM THE PUBLIC:

Peter Dellera, 8 Maple Court stated he is building a new house at this property and had been in to see the Mayor 2 weeks ago about the construction of his home and certain things that were said to him, which he had relayed to the Mayor and the Mayor advised him to speak with Mr. Joyce. Mr. Dellera stated he has chosen not to do that because he does not have an argument with Mr. Joyce. He has contacted the State Agencies on three different occasions and has found a law and has ordered one and it is the Uniform Construction Code and Regulations and when he receives same, he will be happy to make a copy for the Mayor if he would like. Mr. Dellera stated what bothers him is that the one major thing people do in their life time is to build a home and it is very expensive, although he is very fortunate because he has been a builder for 40 years and knows the codes and has never violated any codes, but he does believe that any inspector that comes on someone's property should give every courtesy and all the advice possible, although in his case he is up on the codes and he does not need any advice and could give advice in this area.

Mr. Dellera commented that the Mayor had informed him that the law forbids him or anyone else in town from taking any action on this, to which Mayor Cavanagh stated that is not what he said, but informed Mr. Dellera that the Council and the Mayor have no role in the substitutive decisions made by the Construction Department and we do not approve them, we do not review them and we

are not in charge of supervising them. Mayor Cavanagh continued that if someone has a disagreement with a decision made by the Construction Official or his subordinates, you must process that through the channel of initially the Board of Appeals in Freehold and then ultimately, to the Department of Community Affairs through the Uniform Construction Act in Trenton and that is what essentially he informed Mr. Dellera.

Mr. Dellera stated there is a gray area in who controls what given subject and there are different ways of getting people to do their jobs and it can be done through the Borough, it can be subbed out and have a private outfit do it or the towns can join together if they cannot afford to hire someone and stated that all the building officials are licensed and they have taken a test and have some basic knowledge, but the State does not pay them and he thinks that there is enough to be said here that can resolve some of these problems in the way some people act on other people's property and how to treat other people when they build a home in the Borough. He believes that courtesy should be extended and when people need advice, they should receive friendly advice and if they go out of the code, they should be told how to get back into the code.

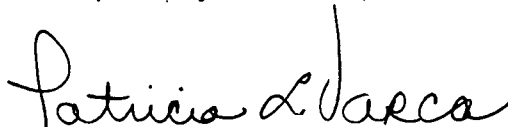
Ed Ryan, 24 Willow Court wanted to thank the Dispatchers and Road Department for coming over to his home on Friday to clear the street due to a gas leak at his home and loss of heat and he wanted to speak to Councilman Wolfe after the meeting about some problems that occurred.

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

Councilman Clark moved to approve the bills as listed on the Voucher Register dated February 17, 1994. It was seconded by Councilman Taylor and unanimously approved by Council. TOTAL 1993 VOUCHERS PAID THIS MEETING \$343.60. TOTAL 1994 VOUCHERS \$553,344.51. TOTAL 1994 VOUCHERS PAID THIS MEETING \$9,554.28. TOTAL 1994 OPERATING FUND \$562,898.79. TOTAL RECREATION TRUST \$868.60. TOTAL PUBLIC ASSISTANCE I ACCOUNT \$560.00. TOTAL PUBLIC ASSISTANCE II ACCOUNT \$560.00. TOTAL GENERAL LEDGER-OCEANPORT BOARD OF EDUCATION \$359,752.60. TOTAL GENERAL LEDGER-TAX COURT APPEAL \$3,243.29. TOTAL GENERAL LEDGER-REDEMPTIONS \$32,767.89. (SEE VOUCHER REGISTER)

At 8:31 P.M. Councilman Miller moved to adjourn this meeting until the next regular meeting scheduled to be held on March 3, 1994 at 8:00 P.M. It was seconded by Councilman Clark and unanimously approved by Council.

Respectfully submitted,



PATRICIA L. VARCA
BOROUGH CLERK