

REGULAR MINUTES

Oceanport, New Jersey
February 16, 1995

- REGULAR MEETING:** The Regular Meeting of the Oceanport Mayor and Council was held on February 16, 1995 at 8:02 P.M.
- MEMBERS PRESENT:** Councilpersons McGee, Filippone, Miller, Taylor, Wolfe, Silkworth 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.

As copies of the minutes from the Regular Meeting held on February 2, 1995 and the Special Meeting held on February 9, 1995 had been made available for review by the Governing Body, Councilman Wolfe moved to waive the reading of same and approve the minutes as presented by the Borough Clerk. It was seconded by Councilman Miller and approved by Council with the exception of Councilman Taylor who abstained from voting on the minutes of February 2, 1995 because he was away.

Mayor Cavanagh then stated the public auction would be held for six police cars as contained in Lot 1 with a minimum opening bid of \$3,500 and he asked the Borough Attorney to review the requirements listed in Resolution R-95-23 regarding this public auction, after which Mayor Cavanagh opened the bidding asking for a starting bid of \$3,500 for all six cars.

Mr. Jack Elhoushi, 800 Railroad Ave., Spring Lake Heights bid ---	\$3,500.
Performance Contracting, 160 Ocean Ave., Lakewood bid-----	\$3,600.
Mr. Elhoushi bid-----	\$3,700.
Performance Contracting bid-----	\$3,800.
Mr. Elhoushi bid-----	\$3,900.

Mayor Cavanagh asked for any more bids three times, after which he asked for a motion to close the bidding.

Councilwoman Filippone moved to close the bidding on the six police cars contained in Lot 1. It was seconded by Councilman Wolfe and unanimously approved by Council.

Councilwoman Silkworth then moved to accept the bid of \$3,900 from Mr. Jack Elhoushi for the six police cars contained in Lot 1. It was seconded by Councilman Taylor and unanimously approved by Council.

Mr. Elhoushi paid the Clerk a deposit of \$350.00 in cash as the down payment for his bid, which was a requirement of the resolution.

CLERK'S REPORTS: No Reports.

COMMITTEES:

COUNCILMAN MCGEE: Councilman McGee moved to authorize the Borough Attorney to prepare a three year contract between the Borough and the PBA and to authorize the Mayor to execute same when completed. It was seconded by Councilman Miller and unanimously approved by Council.

Councilman McGee thanked the Police Negotiating Committee for their efforts during the negotiations, which were strung out over several months and he felt that everyone is pleased under the circumstances and he continued that we have a fine Police Department and this community is well served by this Department. Councilman McGee also thanked Councilman Miller for all his assistance during the negotiations.

ORD. #661

COUNCILWOMAN FILIPPONE: Councilwoman Filippone called for the second reading of an ordinance to exceed the Cap Index Rate for 1995 and asked the Clerk to read the Affidavit of Publication and the proposed ordinance by title only, as follows: **AN ORDINANCE TO EXCEED THE CAP INDEX RATE IN THE 1995 MUNICIPAL BUDGET OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NJ.**

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

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

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

The Clerk called the roll:

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

ORD. #662

Councilwoman Filippone called for the second reading and public hearing of an ordinance creating the Oceanport Water Watch Committee and asked the Clerk to read the Affidavit of Publication and the proposed ordinance by title only, as follows: **AN ORDINANCE CREATING THE WATER WATCH COMMITTEE OF THE BOROUGH OF OCEANPORT, ESTABLISHING THE QUALIFICATIONS AND TERM OF OFFICE FOR THE MEMBERS THEREOF, AND DEFINING ITS PURPOSES, POWERS AND DUTIES.**

Mayor Cavanagh opened the meeting to the public for any questions or comments about this ordinance only.

As no one from the public wished to be heard on this matter, Councilwoman Filippone moved to close the public hearing. It was seconded by Councilman Miller and unanimously 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, Wolfe & Silkworth.
NAYS: NONE.
ABSENT: NONE.
ABSTAIN: NONE.

Councilwoman Filippone called for the introduction of an ordinance prohibiting the feeding of waterfowl in the Borough and asked the Clerk to read the proposed ordinance by title only as follows: **AN ORDINANCE PROHIBITING THE FEEDING OF WATERFOWL IN THE BOROUGH OF OCEANPORT, MONMOUTH COUNTY, NEW JERSEY, AND FIXING PENALTIES FOR THE VIOLATIONS THEREOF.**

Councilwoman Filippone moved to approve this ordinance on first reading. It was seconded by Councilman Wolfe.

The Clerk called the roll:

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

Councilwoman Filippone moved to hold the public hearing on this ordinance at the next regular meeting scheduled to be held on March 2, 1995 and to advertise same in accordance with law. It was seconded by Councilman Taylor.

The Clerk called the roll:

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

Councilwoman Filippone called for the introduction of an ordinance regarding the Oceanport Uniform Construction Code Agency and asked the Clerk to read the proposed ordinance by title only as follows: **AN ORDINANCE ESTABLISHING THE OCEANPORT UNIFORM CONSTRUCTION CODE ENFORCEMENT AGENCY, ESTABLISHING FEES AND REPEALING PRIOR ORDINANCE.**

Councilwoman Filippone moved to approve this ordinance on first reading. It was seconded by Councilwoman Silkworth.

The Clerk called the roll:

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

Councilwoman Filippone moved to hold the public hearing on this ordinance at the regular meeting scheduled to be held on March 2, 1995 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, Wolfe & Silkworth.
NAYS: NONE.
ABSENT: NONE.
ABSTAIN: NONE.

Councilwoman Filippone reported that the Oceanport First Aid Squad received 27 calls in January, 1995 for 154 man/woman hours and she wanted to offer thanks to Ray Ciani for installing a hitch on one of the vehicles for the Squad and advised that all vehicles are now equipped with chains for heavy snow, although we have been very lucky this year with the weather.

Councilwoman Filippone also offered her congratulations to Doris Agaman who was recently named Oceanport First Aider of the Year for 1994 and commented that Doris not only is a First Aider but a part time teacher, student, wife and mother and she is truly an outstanding individual.

Councilwoman Filippone also commented that the Squad is very pleased with the continuing cooperation between the Squad, Fire Department and Police Department, especially regarding the recent house fire which occurred this past week and the senior citizens call for assistance last week.

Councilwoman Filippone commended Councilman Miller and Richard Gruskos from the Oceanport Water Watch Committee on the excellent presentation they recently gave to the Monmouth County Friends of Clearwater and this group is very knowledgeable and they were highly impressed with their presentation and congratulated them on the fine job.

Councilwoman Filippone advised that we are right on track with out Hepatitis B Vaccine Program and Connie Savarese has it well under control and she also thanked Chief Joyce for his cooperation in this matter.

COUNCILMAN MILLER: Councilman Miller again thanked both Mr. Remaley of the Pleasure Bay Marina and Mr. Seeley of Oceanport Landing, who are two gentlemen in our community who take care of the Water Watch and Waterways boats and motors at no cost to the Borough and since they were in the audience this evening, he wanted to extend his appreciation to them.

Councilman Miller reported under Recreation, that we have another Eagle Scout project getting ready to be underway, which the Boy Scouts will be painting the inside walls of the Old Wharf House in March and the money will come from monies that have been donated to Old Wharf House for just this purpose and will be administered by the AdHoc Committee.

Councilman Miller stated the new members of the AdHoc Committee regarding the Old Wharf House for 1995 are as follows: Chairman, Charles Schanck; and Jack Phinney from the Senior Citizens Committee; Phil Apruzzi and Sal Gentile from the Recreation Committee and Connie Savarese as a Citizen Member.

Councilman Miller stated that it is not too early to think about spring and the Recreation Committee will be holding the Spring Egg Hunt on Saturday, April 8 with a rain date on April 9, and it will be from 11 AM to 1 PM and it coincides with the Police Rodeo Day which is held at Wolfhill School and the Police Department goes to the School and checks bicycles for the children and the Drug Alliance is also there with a program for the younger children.

Councilman Miller advised that the Summer Action Camp will begin July 5 and this year the price will be increased from \$45 to \$50 and the reason for this is to defray the cost of having to hire a Counselor who will be involved with taking care of special children and we want someone who is certified to meet these special needs.

Councilman Miller reported that the Recreation Committee has also made donations to the two music departments of both Maple Place and Shore Regional Schools for their contribution to the Borough's Holiday Tree Lighting ceremony.

Councilman Miller commented that in tonight's Asbury Park Press there was an article about the Marine Police lease being extended at the Cove Sail Marina beyond March 31, 1995. He asked the Mayor when he attends the next Two Rivers Council of Mayors meeting to please bring up this matter and possibly to our Legislators because we are very adamant about keeping the Marine Police in the two river area and if they are not, they will be taken to either Point Pleasant or Port Newark and it will make it difficult to have anyone in our area if a problem arises, like we had last year with the jet ski situation. Councilman Miller stated that Mayor Rooney of Sea Bright is presently working with the Cove Sail Marina trying to allow the Marine Police to stay beyond the March 31 date and possibly putting up some type of permanent facility at that site, which would be to the betterment of all the citizens who use the river. He further stated that in the article it stated that in 1993 and 1994, the Marine Police, when they were stationed in Monmouth Beach, tripled the amount of arrests in boardings that it made in the year before and we would like to see them remain in this area.

COUNCILMAN TAYLOR: Councilman Taylor reported that under the Drug Alliance, the Governor's Council has approved the grant request for 1995 in the amount of \$5,650 and this money goes to various programs in the community during the year.

Councilman Taylor advised that on March 10, 1995 the annual Student/Police Department Basketball Game will be held at Maple Place School starting time at 6:00 P.M. and there will be a Girl's Basketball Team playing the teachers first and following the games, the Drug Alliance will conduct a program on Drug Abuse, Prevention and Awareness and he invited all the residents to attend.

Councilman Taylor reported that for 1994 we received approximately \$2,400 from the Garden State Paper Company from our newspaper recycling program in the Borough and he advised that this money will help defray costs for recycling and he thanked all the residents in the Borough for their recycling efforts and in the next month or so, he should have an annual report of how we did in all the various recycling categories.

COUNCILMAN WOLFE: Councilman Wolfe asked the Clerk to read resolution **R-95-25** transferring funds, after which he moved to approve same. It was seconded by Councilman Taylor and unanimously approved by Council.

Councilman Wolfe asked the Clerk to read resolution **R-95-26** amending the 1995 temporary budget, after which he moved to approve same. It was seconded by Councilman Miller and unanimously approved by Council.

Councilman Wolfe commented on Tuesday night's house fire on Main Street and echoed Councilwoman Filippone's earlier comments about the different organizations and personally commended the Fire Department, First Aid Squad, Fire Police who directed traffic and the Police Department.

COUNCILWOMAN SILKWORTH: Councilwoman Silkworth reported that the frozen pipe at the Community Center has been repaired and the Borough fuel pumps will be connected to the emergency generator located on the Borough grounds.

Councilwoman Silkworth advised that there is a vacancy on the Economic Development Committee and if anyone is interested in becoming a member to please submit their names.

Councilwoman Silkworth again reminded the public that the new Bulletin deadline is March 7, 1995.

MAYOR CAVANAGH: Mayor Cavanagh read a letter from Councilman Wolfe regarding the Police and First Aid Squad's response to a call on Wednesday involving a call regarding Gary's cousin, Jack Schneider, who unfortunately suffered a massive heart attack and although Mr. Schneider passed away, the Police and First Aid volunteers were extremely caring and professional in a very difficult situation. Mayor Cavanagh asked Councilwoman Filippone to carry that back to the First Aid Squad and the Chief, who is in the audience, will carry that back to the members of his Department and Mayor Cavanagh offered the Council's condolences to the Schneider family.

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

PETITIONS FROM THE PUBLIC:

Laura Reyes, 59 Main Street questioned the increase in the Summer Action Camp from \$25 to \$50, to which Councilman Miller explained it was \$45 to \$50, which was a \$5 increase for approximately a six week program.

Mrs. Reyes stated that she has a problem with recycling and commented that many of the surrounding municipalities give out receptacles to the residents so that it is done in accordance with the town's regulations, but she placed three plastic milk jugs in a brand new Pampers box and felt that the Public Works Department should use some common sense and pick up what is put out, if it is suitable. She cannot understand why they will not pick up the recycling when it is placed in something that is brand new, like the box she recently used and felt that they should be told to use more common sense.

Councilman Wolfe advised that the regulations state that no one can use either plastic bags or cardboard boxes for recycling purposes and explained that if items are placed in a cardboard box and the bottom becomes damp or we have some rain, the box falls apart. He further explained that her situation was a very light amount of items but if it were filled with bottles and cans, it is very heavy and we have instructed the men not to accept these types of containers and why we have advised the residents, through recycling updates, to place all recycling in rigid containers, with handles if possible and no larger than 35 pounds.

Mrs. Reyes again stated that she felt that some common sense must be used and the men could have easily picked up the box with the three plastic milk jugs.

Mayor Cavanagh stated that he has been in the Borough Hall when the men are doing recycling and he has fielded calls from people who want to know why they pick up a box from one person and not another, and Councilman Wolfe has directed his men to only pick up recycling in the correct types of containers.

Mrs. Reyes stated that the Borough should then give out containers that they want the people to use and that would avoid any future problems, to which Mayor Cavanagh stated that years ago we discussed that alternative and talked to some of the towns that did that and his recollection is that the towns that did supply containers, got businesses to put up the money and advertised the businesses on the receptacles, but what everyone seemed to find was that the receptacles seemed to move around and disappear and everyone always needed new receptacles, which becomes an administrative type of nightmare trying to keep track of these types of things. He also stated that you do not see this happening now because of the cost involved and the problems involved.

Mrs. Reyes advised that in Toms River they supplied a very large garbage can, to which Mayor Cavanagh stated that perhaps their budget has more flexibility than ours. Mrs. Reyes commented that all the Council would have to do is supply each household with one can and if the homeowner wants more, they would have to buy them.

Mayor Cavanagh stated to provide this service to 1700 plus households in the Borough would cost approximately \$8,000, which is almost the entire budget for our recycling program.

Mr. Elwood Baxter, 21 Pocano Ave., questioned the ordinance introduced this evening prohibiting the feeding of waterfowl and commented that in his neighborhood, there are several domestic ducks, which people have obviously given to their children at Easter time and the ducks are now loose and he has several which live near his property and once in a while, they have to be fed if the river freezes, since they are not really wild and he was concerned about this and he understands the Council is really aiming at the geese in this matter.

Mr. Margalotti stated that this ordinance only prohibits the feeding of waterfowl in the Borough parks, to which Councilman Miller concurred was the intention of the ordinance.

Mr. Baxter commented on the auction held earlier and asked if anyone had appraised the vehicles sold to which the Mayor asked Chief Joyce to explain what condition the vehicles were in, to which Chief Joyce stated that the six vehicles were worth only \$3,900 and none of them are in working order and most were missing parts, etc.

Mr. Baxter also asked if something could be done about the pile of debris located on Pocano Avenue in front of one of the residences which has been there since October or November and he felt that when he returned from Florida, it would be gone, but it is still there and it is quite unsightly and it is tree trimmings, branches, etc. He asked if anything is done by the Borough to advise residents that things must be properly tied, to which the Mayor advised that the Public Works Department hands out notices to people who have this type of debris in front of their home.

Mr. Baxter asked what the next step is, since nothing seems to be happening to take care of the debris.

FEBRUARY 16, 1995

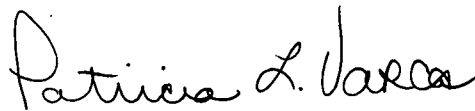
Mayor Cavanagh asked the Clerk to contact the Zoning Enforcement Officer and request that he go over and take care of this matter.

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 February 16, 1995. It was seconded by Councilman Taylor and unanimously approved by Council. TOTAL 1994 VOUCHERS PAID THIS MEETING \$1,812.31. TOTAL 1995 VOUCHERS \$763,587.36. TOTAL 1995 VOUCHERS PAID THIS MEETING \$50,713.33. TOTAL 1995 OPERATING FUND \$814,300.69. TOTAL PUBLIC ASSISTANCE II ACCOUNT \$932.00. TOTAL RECREATION TRUST ACCOUNT \$630.90. TOTAL WATER WATCH TRUST ACCOUNT \$2,024.50. TOTAL GENERAL LEDGER-SHORE REGIONAL HIGH SCHOOL \$163,074.71. TOTAL GENERAL LEDGER-LIEN REDEMPTION \$2,974.63. TOTAL GENERAL LEDGER-ELECTRICAL INSPECTIONS \$498.00. (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 March 2, 1995 at 8:00 P.M. It was seconded by Councilman Miller and unanimously approved by Council.

Respectfully submitted,



PATRICIA L. VARCA
BOROUGH CLERK