

REGULAR MEETING

Oceanport, New Jersey
January 21, 1988

REGULAR MEETING: The regular meeting of the Mayor and Council of the Borough of Oceanport was called to order on January 21, 1988 at 8:05 P.M.

MEMBERS PRESENT: Councilpersons Apruzzi, Terra, Filippone, McNish, Wolfe, Duke and Mayor Cavanagh.

OFFICERS 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 of the Regular Meeting held on December 17, 1987; the Special Meeting held on December 29, 1987 and the Reorganization Meeting held January 1, 1988 had been made available for review by 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 Councilman Duke and approved by the Council, with the exceptions of Councilmen Terra and Wolfe, who abstained from voting on the minutes from the meetings of December 17 and 29, 1987, as they were not members of the Governing Body at that time.

CLERK'S REPORTS:

1. Police report for the month of DECEMBER, 1987, a copy of which will be posted on the Bulletin Board.
2. Taxi application made by Anthony Scalzo t/a A & S Taxi Cab. The Clerk reported the fees had been paid and the vehicle inspected and approved by the Police Department.

Councilman McNish moved to approve said taxi license. It was seconded by Councilman Duke and unanimously approved by Council.

COMMITTEES:

R-88-8 COUNCILMAN APRUZZI: Councilman Apruzzi asked the Clerk to read resolution R-88-8 regarding the appointment of the Borough Auditor, after which he moved to approve same. It was seconded by Councilman Terra and unanimously approved by Council.

R-88-9 Councilman Apruzzi asked the Clerk to read resolution R-88-9 regarding an amendment to the 1988 Temporary Budget, after which he moved to approve same. It was seconded by Councilman Duke and unanimously approved by Council.

Councilman Apruzzi called for the introduction of an ordinance modifying the Interlocal Services Agreement between the Borough and the County of Monmouth for the 14th CD Year, which is something we do every year required by the County and he asked the Clerk to read the proposed ordinance by title only as follows: AN ORDINANCE AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE AN AGREEMENT WITH MONMOUTH COUNTY TO MODIFY THE INTERLOCAL SERVICES AGREEMENT DATED OCTOBER 22, 1987.

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

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The Clerk called the roll:

AYES: Councilpersons Apruzzi, Terra, Filippone, McNish,
Wolfe and Duke.
NAYS: NONE.
ABSENT: NONE.
ABSTAIN: NONE.

Councilman Apruzzi moved to hold the public hearing on this ordinance at the meeting scheduled to be held on February 18, 1988 and to advertise same in accordance with law. It was seconded by Councilman Duke.

The Clerk called the roll:

AYES: Councilpersons Apruzzi, Terra, Filippone, McNish,
Wolfe and Duke.
NAYS: NONE.
ABSENT: NONE.
ABSTAIN: NONE.

Councilman Apruzzi called for the introduction of a bond ordinance regarding the purchase of a vehicle for the Public Works Department and asked the Clerk to read the proposed ordinance by title only: BOND ORDINANCE APPROPRIATING \$28,000 AND AUTHORIZING THE ISSUANCE OF \$26,600 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY.

Councilman Apruzzi moved to approved this bond ordinance on first reading. It was seconded by Councilman McNish.

The Clerk called the roll:

AYES: Councilpersons Apruzzi, Terra, Filippone, McNish,
Wolfe and Duke.
NAYS: NONE.
ABSENT: NONE.
ABSTAIN: NONE.

Councilman Apruzzi moved to hold the public hearing on this bond ordinance at the next regular meeting scheduled to be held on February 4, 1988 and to advertise same in accordance with law. It was seconded by Councilwoman Filippone.

The Clerk called the roll:

AYES: Councilpersons Apruzzi, Terra, Filippone, McNish,
Wolfe and Duke.
NAYS: NONE.
ABSENT: NONE.
ABSTAIN: NONE.

Councilman Apruzzi then called for the introduction of an amendment to a bond ordinance for repairs to the municipal roof and he asked the Clerk to read the proposed bond amendment by title only: AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "BOND ORDINANCE

JANUARY 21, 1988

APPROPRIATING \$220,000 AND AUTHORIZING THE ISSUANCE OF \$209,000 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF OCEANPORT, IN THE COUNTY OF MONMOUTH, NEW JERSEY" PASSED AND APPROVED ON APRIL 21, 1983.

Councilman Apruzzi moved to approve this amending bond ordinance on first reading. It was seconded by Councilman Terra.

The Clerk called the roll:

AYES: Councilpersons Apruzzi, Terra, Filippone, McNish,
Wolfe and Duke.
NAYS: NONE.
ABSENT: NONE.
ABSTAIN: NONE.

Councilman Apruzzi moved to hold the public hearing on this ordinance at the next regular meeting scheduled to be held on February 4, 1988 and to advertise same in accordance with law. It was seconded by Councilman McNish.

The Clerk called the roll:

AYES: Councilpersons Apruzzi, Terra, Filippone, McNish,
Wolfe and Duke.
NAYS: NONE.
ABSENT: NONE.
ABSTAIN: NONE.

Councilman Apruzzi then called for the introduction of a flood prevention ordinance and asked the Clerk to read the proposed ordinance by title only: FLOOD DAMAGE PREVENTION ORDINANCE OF THE BOROUGH OF OCEANPORT.

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

The Clerk called the roll:

AYES: Councilpersons Apruzzi, Terra, Filippone, McNish,
Wolfe and Duke.
NAYS: NONE.
ABSENT: NONE.
ABSTAIN: NONE.

Councilman Apruzzi moved to hold the public hearing on this ordinance at the regular meeting scheduled to be held on February 4, 1988 and to advertise same in accordance with law. It was seconded by Councilwoman Filippone.

The Clerk called the roll:

AYES: Councilpersons Apruzzi, Terra, Filippone, McNish,
Wolfe and Duke.
NAYS: NONE.
ABSENT: NONE.
ABSTAIN: NONE.

Councilman Apruzzi welcomed once again the two new members of the Governing Body, Councilmen Terra and Wolfe, to their first official meeting and wished them the best of luck.

COUNCILMAN TERRA: NO REPORT.

COUNCILWOMAN FILIPPONE: Councilwoman Filippone reported that the Board of Health has reorganized and the President is Al DeSantis and the Vice President will be Patricia Orlando for 1988.

Councilwoman Filippone reported that the Local Board of Assistance also reorganized and the President is Eleanor Widdis and the Secretary is Marilyn Regan.

Councilwoman Filippone reminded the Borough residents that dog licenses are due and asked that they please renew them as soon as possible.

COUNCILMAN MC NISH: Councilman McNish asked the Clerk to read resolution R-88-10 regarding the appointment of the Borough Attorney for 1988, after which he moved to approve same. It was seconded by Councilman Duke and unanimously approved by Council.

R-88-10

Councilman McNish asked the Clerk to read resolution R-88-11 regarding the appointment of a Community Development Representative for 1988, after which he moved to approve same. It was seconded by Councilman Apruzzi and unanimously approved by Council.

R-88-11

Councilman McNish thanked the volunteer firemen for filling the ice skating rink over at Trinity Place Park and they did it on a very cold day and he appreciated their cooperation.

COUNCILMAN WOLFE: Councilman Wolfe commended Mike Giordano and the members of the Public Works Department on the very fine job they did plowing during the recent heavy snow storm and it was a very difficult storm, due to the depth of the snow the duration of the storm and they did a great job.

Councilman Wolfe also commented that last night he was sworn in as an Alternate member to Councilman Duke on the Planning Board and he sat through a meeting last night and stated that not many people realize the effort put forth at these meetings and the time involved and felt it was unfortunate that the residents do not come out to support the members of the various boards. He also stated that we are very lucky that we have Councilman Duke sitting on the Planning Board because he is a very viable person who truly understands much of what is going on and the Borough is very lucky to have him on that Board.

COUNCILMAN DUKE: Councilman Duke asked the Clerk to read resolution R-88-12 regarding the appointment of the Borough Engineer for 1988, after which he moved to approve same. It was seconded by Councilman Wolfe and unanimously approved by Council.

R-88-12

Councilman Duke reported that we will be replacing the roof on the Public Works Garage some time next week.

MAYOR CAVANAGH: Mayor Cavanagh welcomed Councilmen Terra and Wolfe again to their first regular Council meeting.

Mayor Cavanagh then opened the meeting to the public for any comments they might care to make.

PETITIONS FROM THE PUBLIC:

George Moffatt, 20 Pemberton Avenue, stated he was here this evening to complain about the lack of enforcement of the Municipal Ordinances regarding the Shell Station located at the intersection of East Main St. and Main St. He wrote to the Mayor approximately the end of February of 1987 concerning the fact that he had observed a number of violations at the Shell Station, illuminated signs, bunting, banners, etc. He also wrote again in March and spoke to the Mayor in the early part of the summer and informed Mr. Moffatt that he would find out why the Zoning Officer was not following up on this matter.

Mr. Moffatt has had several conversations with the Mayor since that time and Mr. Considine, who resides next door to the Shell Station, have been in to see Mr. Joyce, the Zoning Officer, who informed them that he would respond in writing, following his return from his vacation some time in June and this report would be sent to the Mayor and Mr. Moffatt could then contact the Mayor to discuss the report. Mr. Moffatt stated that following that time, he has spoken to the Mayor several times regarding the situation and he the fact that he has not heard anything further from the Zoning Officer.

Mr. Moffatt gave a brief review of the area and the Urban Renewal Program that took place in this location and was very successful and was now very concerned that this non-conforming business located in a residential zone, is not being monitored and made to comply with the zoning ordinance of the Borough. He felt that there should be some type of routine follow up of the types of complaints made to make sure they did not start them up again, which is exactly what has been going on for years.

Mr. Moffatt stated his complaint to the Mayor and Council is that he did write to the Zoning Officer over eleven months ago and still has not received any word from Mr. Joyce and nine months since he notified the Mayor about this matter and he feels at this point, it is reasonable for him to say that the Borough is not enforcing the Zoning Ordinance with respect to the Shell Station. He continued that one of his major complaints with the Station is that the piece of property adjacent to the station, where a house once stood, is being illegally used as part of that Station's operation and he does not think the Shell Station ever received a permit to use that property and he has brought this up before years ago and nothing was ever done as well as the other violations dealing with the signs.

Mayor Cavanagh stated that he has spoken with both Mr. Moffatt as he stated and also to Mr. Joyce, as recently as two weeks ago he called the Office and left word for Mr. Joyce to contact Mr. Joyce. He also stated that Mr. Joyce stated to the Mayor and he had attempted to contact Mr. Moffatt and could only get his answering machine. Mayor Cavanagh stated he wanted Mr. Joyce to speak directly with Mr. Moffatt because it would be easier, but he stated he will ask Mr. Joyce to meet with him and Mr. Moffatt at a time convenient to everyone and discuss the situation.

Mayor Cavanagh stated he cannot comment on whether or not there are or aren't violations, since he does not know the background on this matter. 83

Mr. Moffatt suggested that after waiting eleven months and writing several letters, that process has not worked and he would prefer that Mr. Joyce simply answer his letter in writing that he sent to the Mayor.

Mayor Cavanagh requested the Clerk to contact Mr. Joyce tomorrow and request Mr. Joyce to respond to this letter at his earliest convenience and he will advise Mr. Moffatt when he receives same.

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

Councilman Apruzzi stated before he moved to pay the bills, that the Recreation Committee had reorganized and Stan Nadler is the Chairman and the Vice Chairman will be Lee Poole.

Councilman Apruzzi moved to approve the bills as listed on the Voucher Register dated January 21, 1988. It was seconded by Councilman Duke and unanimously approved by Council. TOTAL 1987 VOUCHERS PAID IN 1987 APPROVED THIS MEETING \$25,187.59. TOTAL 1987 VOUCHERS PAID THIS MEETING \$9,196.65. TOTAL G.L. 1987 VOUCHERS PAID THIS MEETING \$538.00. TOTAL 1987 OPERATING FUND \$34,922.24. TOTAL TRUST 1987 FUND \$920.68. TOTAL 1988 VOUCHERS PAID IN 1988 APPROVED THIS MEETING \$49,436.95. TOTAL 1988 VOUCHERS PAID THIS MEETING \$3,229.89. TOTAL G.L. 1988 VOUCHERS PAID THIS MEETING \$120,436.10. TOTAL 1988 OPERATING FUND \$173,102.94. TOTAL G.L. NON-ADD 1988 \$613,672.62. (SEE VOUCHER REGISTER)

At 8:35 P.M. Councilwoman Filippone moved to adjourn this meeting into the Caucus Room, to which the public is invited, to discuss several items and will reconvene following our discussion. It was seconded by Councilman Duke and unanimously approved by Council.

At 9:50 P.M. the meeting was reconvened.

Councilman Terra moved to authorize the Borough Engineer to prepare specifications and go to bid for garbage and trash collection. It was seconded by Councilman Apruzzi and unanimously approved by Council.

At 9:53 P.M. Councilwoman Filippone moved to adjourn this meeting until our next regular meeting scheduled to be held on February 4, 1988 at 8:00 P.M. It was seconded by Councilman Wolfe and unanimously approved by Council.

Respectfully submitted,

Patricia L. Varca
PATRICIA L. VARCA
BOROUGH CLERK