

REGULAR MINUTES

Oceanport, New Jersey
January 19, 1995

- REGULAR MEETING:** The regular meeting of the Oceanport Mayor and Council was held on January 19, 1995 at 8:05 P.M.
- MEMBERS PRESENT:** Councilpersons Filippone, Miller, Taylor, Wolfe, Silkworth and Mayor Cavanagh.
- MEMBERS ABSENT:** Councilman McGee.
- 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.

Mayor Cavanagh commented that our new Chaplain is not with us tonight, but he wanted to begin the meeting this evening with a moment of silence on behalf of the passing of Rabbi Daina, who has been the Chaplain of this Borough for the past 25 years.

Following the moment of silence, Mayor Cavanagh stated for the record he wanted to ask that someone move to offer a motion that states that this Governing Body notes with extreme sadness, the passing of our Borough Chaplain for the last 25 years, Rabbi Max Daina. He continued that he wanted the minutes to officially record that we began this meeting with this motion as an indication of the sincere and genuine feelings that we all had for the Rabbi, who was one of the sweetest men he had ever met and he will miss him terribly. Mayor Cavanagh also added that we had designated the Rabbi as Borough Chaplain-Emeritus on January 1, 1995, and he wanted to carry this distinction now and in the future, because he felt the Rabbi deserved this honor. Councilwoman Filippone moved to approve this motion. It was seconded by Councilman Wolfe and unanimously approved by Council.

Mayor Cavanagh asked the Borough Clerk to remind him to construct a letter to the Daina family and include an official copy of the minutes and point out to them our official, as well as individual feelings about losing the Rabbi. Mayor Cavanagh commented that the Rabbi used send him a Christmas card every year, with a personalized note and he remembered one meeting, where the Rabbi had to leave early and the Rabbi called him the next day to apologize, because apparently it was considered disrespectful to leave a meeting or someone's home when they were speaking and he was upset that he had to leave. Mayor Cavanagh stated that the Rabbi and his son, to the best of his knowledge, were the only two practicing Rabbis in the active Armed Services, at the same time, which is an incredible distinction.

Mayor Cavanagh also commented that he always thought that the Rabbi became a terrific ecumenical force because it was impossible to listen to him speak and not feel that he had the best interests of everyone at heart and if all religious officially designated people had that ability to just make you feel as comfortable as he did, this would be a much easier world to live in and he really is very saddened by his passing. He continued that he would not have traded the experience of living

as a man who escaped from Russia with his parents, being shot as they ran away during the revolution, and his life was just an incredible one and he became a wonderful person.

As copies of the minutes from the Regular Meetings held on December 15 and 28, 1994 and the Reorganization Meeting held on January 1, 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 Councilwoman Filippone and approved by Council with the exception of Councilman Taylor who abstained from voting on the minutes from December 28, 1994 since he was not present and Councilwoman Silkworth who abstained from voting on the minutes of December 15 and 28, 1994, since she was not a member of the Council at that time.

CLERK'S REPORTS:

1. Police report for the month of DECEMBER, 1994 and a copy will be posted on the Bulletin Board.
2. Taxi license renewal application made by Chris Amecangelo t/a Chris' Taxi.

The Clerk advised the Police Department had inspected and approved the vehicle and the required fee had been paid, after which Councilman Miller moved to approve same. It was seconded by Councilman Taylor and unanimously approved by Council.

COMMITTEES:

COUNCILMAN MCGEE: ABSENT.

Mayor Cavanagh stated that Councilman McGee was absent due to the recent passing of his mother and conveyed his sympathies to him and his family on their loss.

COUNCILWOMAN FILIPPONE: Councilwoman Filippone stated that she was very sorry over the Rabbi's passing and she remembered the Rabbi many years ago when her children were young and he would do all of the ceremonies for the Borough and for the past 11 years, she became very close to him and she hoped that he considered her a friend, because she definitely considered him her friend and she received many lovely notes and telephone messages over the years, that she will sorely miss and she extended her sympathies to his family.

Councilwoman Filippone also extended her sympathy to Councilman McGee on the passing of his mother and hoped that he will get through this difficult time.

Councilwoman Filippone reminded everyone that the Rabies Clinic will be held on January 28, 1995 at the Port-au-Peck Chemical Hose Fire House from 9-11 AM and it is for both dogs and cats.

Councilwoman Filippone reported that the Board of Health had their reorganization meeting this week and Connie Savarese was elected President and Carole Apicelli was elected Vice-President.

Councilwoman Filippone also reported that the Local Assistance Board met this week and Eleanor Widdis was elected President and Marilyn Regan was elected Secretary.

Councilwoman Filippone gave the following report from the Oceanport First Aid and Rescue Squad for 1994 and stated they received 219 emergency calls; 48 motor vehicle accidents; 58

mutual aid calls; 20 fire responses; 8 transportation calls and 35 other, for a total of 330 calls, which amounted to 4,458 man/woman hours. She also advised there were 6 calls to Monmouth Park and 127 total advanced life support calls.

Councilwoman Filippone mentioned that the Squad acquired a new ambulance this year and a special thanks was given to Joe Lombardo for all his work in preparing the ambulance for service. She also advised that the Squad obtained two defibrillators this year and the Squad members have been certified to use them. She stated the Squad also expressed their appreciation to all the Squad members and to the Fire Department for their professional performance particularly during the difficult winter we experienced last year. Councilwoman Filippone commented that they commended Doris Agaman and Joe Lombardo for responding to 85% of all the First Aid calls during 1994.

Councilwoman Filippone then called for the introduction of an ordinance to exceed the cap index rate for the 1995 budget and asked the Clerk to read 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 N.J.**

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

The Clerk called the roll:

AYES: Councilpersons Filippone, Miller, Taylor, Wolfe and Silkworth.
NAYS: None.
ABSENT: Councilman McGee.
ABSTAIN: None.

Councilwoman Filippone moved to hold the public hearing on this ordinance at the meeting scheduled for February 16, 1995 and to advertise same in accordance with law. It was seconded by Councilman Wolfe.

The Clerk called the roll:

AYES: Councilpersons Filippone, Miller, Taylor, Wolfe and Silkworth.
NAYS: None.
ABSENT: Councilman McGee.
ABSTAIN: None.

R-95-8 Councilwoman Filippone then asked the Clerk to read resolution **R-95-8** appointing Borough representatives to the North Coast Regional Environmental Commission, after which she moved to approve same. It was seconded by Councilman Miller and unanimously approved by Council.

COUNCILMAN MILLER: Councilman Miller reiterated the comments made by the Mayor and Councilwoman Filippone as to Rabbi Daina and he had a chance to speak with him on several occasions when he would pick him up for the meetings and he was one of the most gentle and kind persons he has ever met and members of the Clergy should all be like he was.

Councilman Miller also expressed his condolences to Councilman McGee on his mother's passing.

Councilman Miller reported that the officers for the Recreation Committee in 1995 are Chairman, Phil Apruzzi; Vice-Chairman, Richard Gruskos; Cheryl Moore, Treasurer and Roseann Pizzulli, Secretary.

Councilman Miller asked the Clerk to read resolution **R-95-9** regarding a public auction for used police cars, after which he moved to approve same. It was seconded by Councilman Wolfe and unanimously approved by Council. R-95-9

COUNCILMAN TAYLOR: Councilman Taylor expressed his condolences to Councilman McGee on the recent loss of his mother as well as to Rabbi Daina's family.

Councilman Taylor advised that Oceanport residents recycled 1/2 ton of batteries last year and now they can also recycle the batteries at the Oceanport Post Office, where a receptacle for this purpose has been placed and he thanked the Post Master for his cooperation in this program.

Councilman Taylor also reported that he recently attended a recycling meeting in Manalapan where his main question to them was where was our 1993 recycling grant funds; to which Ann Scott, Monmouth County Recycling Coordinator advised that the municipalities will be receiving a letter shortly advising how much we will be receiving, but she did not know when the actual funds would be distributed.

Councilman Taylor expressed his thanks to the Public Works Employees in the picking up of the Christmas trees, as well as to Marpal for the use of their dumpsters in transporting them to the reclamation center.

Councilman Taylor reported that he attended the PTO meeting last evening along with other members of the Council and the Mayor and the program was about current issues in the Oceanport Schools. He continued that the members of the Board of Education gave reports to the community about increasing enrollment, inadequate facilities, reduced State Aid, impact of Sea Bright, State and Federal Mandates and Demands of Technology and he felt it was a very informative evening and he thanked the Board of Education and the PTO for an excellent program in keeping our community informed.

Councilman Taylor asked the Clerk to read resolution **R-95-10** appointing a Borough Representative to the Sewerage Authority, after which he moved to approve same. It was seconded by Councilman Wolfe and unanimously approved by Council. R-95-10

COUNCILMAN WOLFE: Councilman Wolfe reported he attended the first meeting of the Oceanport Zoning Board of Adjustment on January 4, 1995 and they reorganized and the Chairman is Bob Skolnik, Vice-Chairperson is Donna Liska, Kim Jungfer is the Secretary and Jim Siciliano was appointed the Board Attorney in 1995.

Councilman Wolfe advised that he has been in contact with a representative from JCP & L and spoke with Mr. Dave Biggs again on Tuesday regarding the Brayson Estates Sub-Division now known as Maple Court concerning the installation of a street light that was supposed to be installed prior to the new year. He continued that Mr. Biggs informed him that the light would be installed within the next 2-3 weeks and there had been some scheduling problems with the previous work order.

- R-95-11 Councilman Wolfe asked the Clerk to read resolution **R-95-11** appointing the Emergency Management Council for 1995, after which he moved to approve same. It was seconded by Councilwoman Silkworth and unanimously approved by Council.
- R-95-12 Councilman Wolfe asked the Clerk to read resolution **R-95-12** appointing the Municipal Attorney under the Local Public Contracts Law for 1995, after which he moved to approve same. It was seconded by Councilwoman Filippone and unanimously approved by Council.
- R-95-13 Councilman Wolfe asked the Clerk to read resolution **R-95-13** appointing the Municipal Auditor under the Local Public Contracts Law for 1995, after which he moved to approve same. It was seconded by Councilwoman Silkworth and unanimously approved by Council.
- R-95-14 Councilman Wolfe asked the Clerk to read resolution **R-95-14** appointing the Municipal Engineer under the Local Public Contracts Law for 1995, after which he moved to approve same. It was seconded by Councilwoman Filippone and unanimously approved by Council.
- R-95-15 Councilman Wolfe asked the Clerk to read resolution **R-95-15** transferring funds, after which he moved to approve same. It was seconded by Councilman Miller and unanimously approved by Council.
- R-95-16 Councilman Wolfe asked the Clerk to read resolution **R-95-16** amending the 1995 Temporary Budget, after which he moved to approve same. It was seconded by Councilman Taylor and unanimously approved by Council.
- R-95-17 Councilman Wolfe asked the Clerk to read resolution **R-95-17** refunding an overpayment of 1993 taxes, after which he moved to approve same. It was seconded by Councilwoman Silkworth and unanimously approved by Council.
- R-95-18 Councilman Wolfe asked the Clerk to read resolution **R-95-18** regarding the termination of the Restrictive Covenant for a major subdivision, after which he moved to approve same. It was seconded by Councilman Taylor and unanimously approved by Council.
- R-95-19 Councilman Wolfe asked the Clerk to read resolution **R-95-19** regarding tax foreclosure action on 5 parcels of land, after which he moved to approve same. It was seconded by Councilman Miller and unanimously approved by Council.
- R-95-20 Councilman Wolfe asked the Clerk to read resolution **R-95-20** canceling unpaid taxes regarding foreclosure action, after which he moved to approve same. It was seconded by Councilman Taylor and unanimously approved by Council.

Councilman Wolfe then moved that the performance bond for Block 72, Lots 3, 4 and 5 known as Blackberry Creek Estates be returned to the developer and replaced with a maintenance bond in the amount of \$54,124.74, per the recommendation of the Borough Engineer, Thomas Rospos. It was seconded by Councilman Miller and unanimously approved by Council.

Councilman Wolfe moved to accept the resignation by the Superintendent of the Public Works Department, Anthony Giurlando, effective January 17, 1995. It was seconded by Councilman Taylor and unanimously approved by Council.

COUNCILWOMAN SILKWORTH: Councilwoman Silkworth echoed the sentiments expressed regarding Rabbi Daina and Councilman McGee's mother.

Councilwoman Silkworth reported she has met with Rosemarie Terra to familiarize herself with the Bulletin and she wanted to announce that there will be a change in the deadline date, which will now be the 7th of the month prior to the mailing, so if the deadline is March 7 it will be for the April mailing and she will have a notice about this in the current Bulletin.

Councilwoman Silkworth advised that she has spoken with the Borough Clerk about getting the Directory ready to be out in a timely fashion and we are going to attempt to have everything ready to go to the printer's as soon as the Board of Education holds their elections in April.

Councilwoman Silkworth advised that she has inspected Borough Hall, Old Wharf House and the Community Center to determine any needs that may exist and she will be making contact with a representative of the Port-au-Peck Chemical Hose Fire Company to do the same in that building.

Councilwoman Silkworth reported that she recently attended a County seminar on Municipal Government which was quite informative and will be helpful and she plans to take the Rutgers Course on Municipal Government.

MAYOR CAVANAGH: Mayor Cavanagh reported that Tuesday morning he testified at the public hearing of the Appropriations Committee of the State Assembly concerning the pre-collected tax problem and the ability to defer it into an emergency appropriation and hopefully this matter will be resolved in a favorable manner shortly.

Mayor Cavanagh commented that when we were naming the Emergency Management Council, he could not help but think about similar Councils in Japan and how they are going to cope with this disaster and his heart goes out to the people in Japan, because almost everyone has lost either a relative or friend within 20-30 miles of the earthquake and it is a very sad situation.

Mayor Cavanagh stated we have been working on the 1995 budget in order to hopefully be ready by the deadline date of February 10, 1995 and we also awarded the Holiday Decorating Contest prizes earlier this evening. Mayor Cavanagh stated he felt he would combine these two matters and give the Chief an award for the best prepared budget in terms of appeal, cover, etc. and commented that it was only received this evening and has yet to be reviewed by the Council.

Mayor Cavanagh advised that he had brought some material with him this evening regarding building inspections and the number of times people go out, but since there is no one in the audience this evening concerning this matter, he will pass on this subject.

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

PETITIONS FROM THE PUBLIC:

Ex-Fire Chief, Peter McOrmond, 19 Branch Avenue stated that since he was unable to be present at the Reorganization Meeting on January 1, 1995, he wanted to thank the Mayor and Council for their support and assistance during his year as Chief of the Fire Department.

Mayor Cavanagh stated that the Council was most appreciative of Chief McOrmond's efforts during 1994 and especially, since this is not his first time as Chief and it is a very time consuming position to be in for more than one term. Chief McOrmond thanked the Mayor for his comments and added that Councilman Wolfe was a big help to him during the past year.

Mr. McOrmond also questioned the receipt of his property taxes and assessed value on a post card, which he felt was not very private, and to him this is a private matter, but also the fact that he received his neighbor's by mistake and felt it was somewhat embarrassing.

Mr. Margalotti, the Borough Attorney, commented that the law states that these notices must be sent out and most likely it would be too expensive to mail them any other way. Mr. Margalotti also pointed out to Mr. McOrmond that this is public information and although it may be embarrassing to receive your neighbor's assessment and taxes, anyone can come down to Borough Hall and look it up for themselves.

Councilman Wolfe added that most of the other surrounding municipalities undertake this mailing using post cards as well because of the expenses involved.

Mr. McOrmond also complained about a home located near his house on Branch Avenue which is rented out and the cars are parked not only on the grass, but across the front lawn, there is garbage and debris everywhere and he would like to see this situation taken care of, to which Councilman Wolfe stated he would take a drive over there and report his findings to the Zoning Officer.

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 January 19, 1995. It was seconded by Councilman Taylor and unanimously approved by Council.

TOTAL 1994 VOUCHERS \$59,400.00. TOTAL 1994 VOUCHERS PAID THIS MEETING \$20,012.12. TOTAL 1994 OPERATING FUND \$79,412.12. TOTAL 1995 VOUCHERS \$588,723.76. TOTAL 1995 VOUCHERS PAID THIS MEETING \$80,242.58. TOTAL 1995 OPERATING \$668,966.34. TOTAL PUBLIC ASSISTANCE I ACCOUNT \$900.00. TOTAL PUBLIC ASSISTANCE II ACCOUNT \$792.00. TOTAL DOG REGISTRY ACCOUNT \$12.00. TOTAL CAPITAL-1994 RD. IMPROVEMENT PROGRAM \$111,658.07. TOTAL GENERAL LEDGER-1994 RD. IMPROVEMENT PROGRAM \$6,753.62. TOTAL GENERAL LEDGER-MIDDLE DEPT. INSPECTION AGENCY \$689.50. TOTAL GENERAL LEDGER-TAX OVERPAYMENT \$100.00. TOTAL GENERAL LEDGER-COUNTY TAX \$508,667.25. TOTAL GENERAL LEDGER-LIBRARY TAX \$22,149.51. TOTAL GENERAL LEDGER-OPEN SPACE TAX \$11,443.53. TOTAL GENERAL LEDGER-HEALTH TAX \$9,279.40. TOTAL GENERAL LEDGER-ADDED & OMITTED COUNTY TAX \$22,855.67. TOTAL GENERAL LEDGER-ADDED & OMITTED LIBRARY TAX \$1,018.19. TOTAL GENERAL LEDGER-ADDED & OMITTED OPEN SPACE TAX \$512.99. TOTAL GENERAL LEDGER-ADDED & OMITTED HEALTH TAX \$410.38. TOTAL GENERAL LEDGER-SHORE REGIONAL HIGH SCHOOL \$326,149.42. TOTAL GENERAL LEDGER-STATE TRAINING FEES \$731.10. (SEE VOUCHER REGISTER).

At 8:50 P.M. Councilwoman Filippone moved to adjourn this meeting until the next regular meeting scheduled to be held on February 2, 1995 at 8:00 P.M. It was seconded by Councilman Miller and unanimously approved by Council.

Respectfully submitted,

7 Patricia L. Varca
PATRICIA L. VARCA, BOROUGH CLERK