

REGULAR MEETING MINUTES

Oceanport, New Jersey
January 17, 2002

- REGULAR MEETING:** The Regular Meeting of the Oceanport Mayor and Council was called to order on January 17, 2002 at 8:00 p.m.
- MEMBERS PRESENT:** Councilpersons Mahon*, Apruzzi, Gatta, Wolfe, Silkworth and Mayor Gemma.
*Councilman Mahon arrived at 8:06 p.m.
- MEMBERS ABSENT:** Councilman McGann.
- OFFICIALS PRESENT:** Borough Clerk, Patricia L. Varca.
- OFFICIALS ABSENT:** Borough Attorney, Francis A. Margalotti.
- INVOCATION:** Borough Chaplain Berry gave the invocation.
- PLEDGE OF ALLEGIANCE:** Mayor Gemma led the audience and members of the Council in the flag salute.

Mayor Gemma advised that we are going to allow the First Aid Squad to present several awards tonight and asked Ray Ciani, Carole Connor and Linda Johnson to come forward from the First Aid Squad.

Mrs. Johnson asked Ed Ryan to come up and presented him with the Ed "Pop" Ryan award for 2001 which is presented to the First Aider who responded to the most calls and stated that Ed has been on over 400 of the some 500 calls received and she and the entire Squad were very appreciative of all his efforts.

Mrs. Johnson then stated she was going to present the John Hauser Award, which is for the First Aider of the Year and commented that this year it was going to our Captain in 2001, John Flynn, who works for the NY/NJ Port Authority Police and was on duty September 11th at the World Trade Center and many people and she and the Squad member were very proud to present him with this award.

Mrs. Johnson then called up Colleen Flynn and presented her an award for all her support and courage during a very difficult year.

Mayor Gemma then asked Councilman Apruzzi to make the motions under the Police Committee for the promotions in that Department.

Councilman Apruzzi moved to promote Detective Jared Murphy to the rank of Sergeant in the Oceanport Police Department effective February 1, 2002. It was seconded by Councilwoman Silkworth and unanimously approved by Council.

The Clerk administered the Oath of Office to Sergeant Murphy after which Mayor Gemma presented him with his Sergeant's badge and the Council offered their congratulations on his promotion.

Councilman Apruzzi then moved to promote Patrolman Dan Barcus to the rank of Detective in the Oceanport Police Department effective February 1, 2002. It was seconded by Councilwoman Silkworth and unanimously approved by Council.

The Clerk administered the Oath of Office to Detective Barcus, after which Mayor Gemma presented him with his Detective's badge and the Council offered their congratulations on his promotion.

Chief Bebout asked Dale Burd to come up and accept an award from the Oceanport Police Department for the excellent job he has done since 1998 in putting together an active group of Fire Police, who respond to all emergency calls and direct traffic and help out in any way necessary and he and his Department, as well as the other emergency services, were very appreciative of all of his hard work.

Sergeant Murphy then came forward and explained that each year the PBA gives two honorary memberships to their organization and this year he wanted to present the silver cards to Mr. & Mrs. Reagor for all their support and help they have given the PBA over not only the past year, but since they broke away and became their own organization several years ago.

Mayor Gemma offered his congratulations to everyone who received awards tonight as well as to the Police Officers who were promoted and called for a five-minute recess to allow everyone to leave if they wished.

Council President Apruzzi called the meeting back into session and explained that Mayor Gemma had to leave the meeting early.

CLERK'S REPORTS:

1. Police Report for the month of DECEMBER, 2001 and a copy will be posted on the Bulletin Board.
2. Application for Special Membership to the Port-au-Peck Chemical Hose Fire Co. made by Michael Mahon.

The Clerk advised that she was in receipt of a letter from the Long Branch Fire Company stating that Mr. Mahon was a member in good standing in that Fire Company, after which Councilman Wolfe moved to approve the application. It was seconded by Councilwoman Gatta and approved by Council, with the exception of Councilman Mahon who abstained from voting.

COMMITTEES:

COUNCILMAN MAHON: Councilman Mahon commented that last Sunday he was at an event attended by Senator Bennett, who advised that the legislation granting municipalities the right to hold public hearings prior to crematoriums being allowed, had been signed and the Senator expressed his regret that he did not have the opportunity to sign that bill during his brief tenure as Acting Governor,

but he did extend his thanks and appreciation to the Officials in the Borough for all of their support on this legislation.

COUNCILWOMAN GATTA: Councilwoman Gatta reported the First Aid Squad had a total of 60 calls in December in addition expending 4,126 hours during that month, which included the time selling trees, wreaths, etc. and holding their annual holiday bazaar, plus responding to emergency calls. She continued that in 2001 the Squad responded to 540 calls, which averages out to 45 calls a month and expended 7,353 hours, which if broken down into 24-hour days, comes out to 306 days these volunteers have given to the Borough. She also pointed out that this month so far they have responded to 30 calls and it is just mid month.

Councilwoman Gatta reminded all residents that the free rabies clinic would be held this Saturday at the Port-au-Peck Chemical Hose Fire Company from 9-11 a.m.

Councilwoman Gatta extended her thanks and appreciation to Pat Orifice of Pan Gardens who donated a tree which was planted at the triangle of Wolfhill Avenue and Eatontown Blvd. and it was a beech tree, which has a very long life span and she will send him a formal letter of thanks as well.

R-02-16

COUNCILMAN WOLFE: Councilman Wolfe asked the Clerk to read resolution **R-02-16** transferring funds, after which he moved to approve same. It was seconded by Councilwoman Silkworth and unanimously approved by Council.

Councilman Wolfe moved to return a bond in the amount of \$1,000 to Mr. & Mrs. Martin for Block 10, Lot 28 upon payment of the final inspection fee and report in the amount of \$100 upon the recommendation of the Borough Engineer. It was seconded by Councilwoman Gatta and unanimously approved by Council.

Councilman Wolfe then stated although this matter was not on the agenda, he wanted to award two alternates for the Port-au-Peck Avenue road program and explained that we had already awarded the base bid and Alternate #1 to Michie Construction Co., Inc. and he now moved to award Alternate A2 which will take us from Serand Ave. to Horicon Ave. in the amount of \$31,894.53 and Alternate A3 which will take us from Horicon Ave. to Pocahontas Ave. in the amount of \$28,868.17. It was seconded by Councilwoman Silkworth and approved by Council.

Councilman Wolfe offered his congratulations to Ed Ryan for the many first aid calls he has responded to as well as to John Flynn.

COUNCILMAN MCGANN: Absent.

COUNCILWOMAN SILKWORTH: Councilwoman Silkworth called for the introduction of an amendment to the personnel ordinance and asked the Clerk to read the proposed ordinance by title only as follows: **AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "THE BOROUGH OF OCEANPORT PERSONNEL POLICY" PASSED AND APPROVED ON MARCH 20, 1986.**

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

The Clerk called the roll:

AYES: Councilpersons Mahon, Gatta, Wolfe and Silkworth.
NAYS: None.
ABSENT: Councilman McGann.
ABSTAIN: None.

Councilwoman Silkworth moved to hold the public hearing on this ordinance at the regular meeting scheduled to be held on February 7, 2002 and to advertise same in accordance with law. It was seconded by Councilman Wolfe.

The Clerk called the roll:

AYES: Councilpersons Mahon, Gatta, Wolfe and Silkworth.
NAYS: None.
ABSENT: Councilman McGann.
ABSTAIN: None.

Councilwoman Silkworth congratulated all the people honored this evening as well as those Officers who were promoted and commented that tonight's awards truly show our sense of community.

COUNCIL PRESIDENT APRUZZI: Council President Apruzzi announced that Recreation recently held its reorganization meeting and the new officers for 2002 are as follows: Chairperson, Linda Gately; Vice-Chairperson, Donna Hilcken. He also announced that there are many varied bus trips planned for this year and the next one coming up for February 9th is for the Harlem Globetrotter's and on March 3rd there is a trip to the Philadelphia Flower Show and anyone interested should contact Christine Smith, our Recreation Coordinator.

Council President Apruzzi offered his congratulations to Ed Ryan, John Flynn, Dale Burd and Mr. & Mrs. Reagor for all their volunteer work and efforts.

Council President Apruzzi then opened the meeting to the public for any comments or questions they might wish to make, but seeing none, closed the public portion of the meeting.

PETITIONS FROM THE PUBLIC:

Michael Keats, 17 Maple Ave. reminded the Council that at the last meeting he gave everyone a copy of a handout which dealt with the ventilation systems in mausoleums and asked Councilwoman Gatta if she had received any answers to the questioned he raised at that meeting.

Councilwoman Gatta stated not at this time, but she did speak with Bill Hoss from the County and had faxed him the copy of the handout as well as the concerns Mr. Keats raised and he will be getting back to her when he has some information.

Mr. Keats stated he has learned since the last Council meeting is appalling and there are absolutely no standards, regulations, Statutes, inspections or monitoring dealing with mausoleums and the DEP has no part of that and is not sure what part the County Board of Health might have. He has also learned that the cemetery does not come under the Right To Know law for chemicals in

the environment and in the community and he is allowed to have on site 9,999 lbs. of insecticides for the ventilation system without reporting this, which he finds very disturbing. Mr. Keats advised that he has since written a letter to our Legislators asking them to establish a State Task Force to look into the funeral industry because there is much about this that we do not know.

Mr. Vecchione, Woodbine Way gave copies of some documents to the Council and gave the Clerk one for the Mayor and the first one is an e-mail from the DEP regarding Woodbine Cemetery and an attempt by the cemetery to try and get a permit to fill in the wetlands, which was eventually withdrawn and he just wanted the Council to be aware of what goes on.

Mr. Vecchione stated the other document is from the Monmouth County Planning Board and in most of the applications for Woodbine Cemetery to build, our Borough Engineer states that the County says they are not interested because it does not front on a County road and it was suggested when he brought this up at the last meeting that he should look into this. Mr. Vecchione stated that they responded quite quickly back to him when he raised this issue and it was a pretty thorough letter and mentions that mistakes have been made and points out that there are only two applications on file, one from 1984 and one from 1988 and stated that there have been five applications made by Woodbine Cemetery but the County only has received two and the County says that the mistake was that they didn't realize it was on a County road and their interest is lax because there is no road being built but there are two roads there, one being gravel and one being dirt and yet, the County people don't seem to be aware of this situation.

Mr. Vecchione continued that the other problem in that area is the manner in which the area floods in a matter of minutes and people have had to be rescued from their cars and the document he has handed out says that the County is going to go out and do a study to see what can be done about the serious flooding problem and he has concerns now because the cemetery owner wants to build five mausoleums which is an impervious surface and is going to cause more flooding.

Mr. Vecchione felt that if the County is saying just yesterday that they are going to go out and perform a study in regard to the flooding, there should be a moratorium on any building until the County comes up with a solution and corrects the problem. He felt that this is not a decision that should be made by the Planning Board, but something that should be discussed among the Council and a decision made before this application goes any further.

Mary Kinslow, 23 Locust Ave., West Long Branch stated she is still concerned about a new application in the Borough and wondered about the Turtle Mill Creek that runs by the cemetery and certain run offs from buildings or potential buildings and wondered if there could be a way for the town to do a preliminary water testing now to use as a base and then compare it in a year and so on, in order to see what the run off is doing to the creek, to which Council President Apruzzi stated we could do this through our Water Watch Committee, who routinely take samples of the surrounding waterways and have them tested on a regular basis and he will check with our Council Liaison to see if that Creek is in the testing area.

Mrs. Kinslow asked when someone files an application with the Planning Board is the application taken when it is complete in accordance with the Land Use regulations to which Councilman Wolfe explained the Secretary to the Planning Board has to take the application when it is filed but before it is posted on the Agenda for a meeting, she will check to make sure all the required documentation is there and that the fees have been paid and the service notification and

then the Board Attorney reviews the application that night to make sure the Planning Board has jurisdiction.

Mrs. Kinslow asked if that is something that she receives from the Tax Assessor on paper and should that be included in the file, to which Councilman Wolfe stated that the proof of service is part of the file.

Mrs. Kinslow questioned if someone needed a stream encroachment permit as opposed to a wetlands permit, would that be considered to not be a complete application or a complete application pending the hearing, but Councilman Wolfe stated he was not sure and this is something that should be addressed to the Attorney, and there is not an Attorney at the meeting this evening.

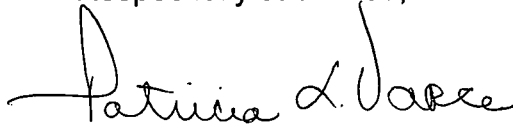
Mrs. Kinslow stated that on July 20, 2001 Mr. Rospos on a particular property at Woodbine Cemetery stated that the application required a freshwater wetlands permit from the DEP and gave a copy to Councilman Wolfe.

As no one else from the public wished to be heard, Council President Apruzzi closed the public portion of the meeting.

Councilman Wolfe moved to approve the vouchers on the Bill List dated January 17, 2002. It was seconded by Councilwoman Silkworth and unanimously approved by Council. RECREATION TRUST \$1,702.00. 2001 VOUCHERS PAID THIS MEETING \$16,556.35. TOTAL 2001 VOUCHERS \$16,556.35. 2002 VOUCHERS PAID \$86,586.98. 2002 VOUCHERS PAID THIS MEETING \$970,820.45. TOTAL 2002 VOUCHERS \$1,057,407.43 (SEE BILL LIST)

At 8:45 p.m. Councilwoman Silkworth moved to adjourn this meeting until the next regular meeting scheduled to be held on February 7, 2002 at 8:00 P.M. It was seconded by Councilwoman Gatta and unanimously approved by Council.

Respectfully submitted,


PATRICIA L. VARCA
BOROUGH CLERK