

REGULAR MEETING

Oceanport, New Jersey
January 17, 1991

REGULAR MEETING: The regular meeting of the Oceanport Mayor and Council was called to order on January 17, 1991 at 8:10 P.M.

MEMBERS PRESENT: Councilpersons McGee, Terra, Filippone, Miller, Rodman, Wolfe and Mayor Cavanagh.

OFFICIALS PRESENT: Borough Clerk, Patricia L. Varca.

OFFICIALS ABSENT: Borough Attorney, Francis A. Margalotti.

PLEDGE OF ALLEGIANCE: Mayor Cavanagh led the audience and members of the Council in the flag salute.

Mayor Cavanagh announced that within the last several minutes it appears that Israel is now being attacked and there have been a number of missiles in Jerusalem and Tel Aviv and some are suspected to be nerve gas missiles, which has been confirmed and in light of this consequence and the status of world events, he has checked with the Governing Body and what we are going to do tonight is to perform all of the necessary functions that we are required to do by law, but we are going to dispense with the Committee Reports and with the general commentary from the members on the dais.

Mayor Cavanagh stated that we have scheduled a public hearing tonight in connection with the request to renew the application made by Storer Cable for our cable franchise system and he has asked the representatives from Storer to bear with us and dispense with the presentation they had planned to make in terms of showing a film, however since we have advertised this hearing, if there is anyone here tonight who wishes to address on this subject, we will of course take their comments and make them part of the public record and consider them in our deliberations, which will not be done tonight regarding the renewal of the franchise. He apologized and stated he did not think there was anyone on the dais who feels that business as usual is what we ought to be thinking about in the current context of what is happening in the world this evening.

As copies of the minutes from the regular meetings held on December 20 and 27, 1990 and the Reorganization Meeting held on January 1, 1991 had been made available to the Council for their review, Councilman Wolfe moved to waive the reading of same and approve the minutes as presented by the Borough Clerk. It was seconded by Councilman Terra and approved by Council with the exception of Councilmen McGee and Miller who abstained from voting on the minutes of December 27, 1990 since they were not present.

Mayor Cavanagh stated that this is the time we have fixed now for the public hearing on the Storer application renewal and asked Ms. Commisso, General Manager of Storer to make a brief statement as to why we are here and then we will entertain any comments from the audience.

Ms. Commisso asked everyone to pardon her nervousness during this ~~Dehappy~~ time and continued that she is pleased to be here and introduced

Lincoln, Attorney for Storer, Kim Allen, Regional Vice President of ComCast Cable Corporation which is a shareholder of Storer Cable and Robert McKelvey, Local Origination Manager and has been with us for the past ten years and has a long broadcast background.

Ms. Commisso stated that over the course of the franchise they have grown and made many improvements to the services and pay franchise fees to the local governments and in 1990 it totaled \$250,000; they employ 100 local residents full and part time; they provide precise monthly education and instruction program information to schools and an educator's guide to cable television is distributed to nearly 200 area educators and enables us to assist the teacher's aides. She continued that not only does cable television provide high quality programming but it also decreases the school system's dependency on expensive textbooks and audio/visual materials. Ms. Commisso reported that in 1990 alone, they showed 1,600 hours of programming about neighborhoods, schools, teams and local concerns on their cable television system and we continue to be the driving force behind the Monmouth County Food for Thought Canathon with local Rotary Clubs and all food collected in Monmouth County is being distributed in Monmouth County and she stated that Storer encourages their employees to get involved in the community they serve. She advised that some of their employees were also volunteer firemen, Central Jersey Blood Bank donors and Big Sisters and Storer also actively publicize the need to register to vote and the deadlines involved with this as well as publicizing the need for home fire safety and including the distribution of smoke detectors to cable customers.

Ms. Commisso stated that they feel that for the course of Storer's franchise term they have grown and have made service commitments to our customers and fulfilled them and continued that they have extended their office hours, we make same day service calls and our commitment is to install any new subscribers within 5 days. She stated in terms of Storer's future commitments to the Oceanport community, she commented that in 1990 alone, they spent over one million dollars in capital improvements of plant equipment and developing a state of the arts system and we anticipate to continue on such a path and look forward to a continued relationship with the Borough of Oceanport.

Ms. Commisso in closing commented that Mr. McKelevry was here tonight to introduce a tape of some of the things we do locally which benefits every one of our subscribers and Storer is proud to serve its customers in terms of same day service and we have many new plans for the future and these plans are such that the industry has never seen before and we feel strongly that we will make milestones in serving our customers.

Mayor Cavanagh reported that there is a stenographic reporter here tonight and he asked anyone in the public wishing to speak to first give your name and address before making any statement.

Mr. Steve Andrews, 6 Deal Avenue stated he was pleased to see that Storer Cable had begun broadcasting EWTN and he requested that it not only be broadcast on Sunday but that it be put on seven days a week and he felt it would be nice to have a program such as this to turn to any time of the week and out of 36 channels, he felt there should certainly be one that is of a religious nature in our area and felt it would be very beneficial to all especially on a day like today we should be able to turn to a program and perhaps have some prayer services.

Joann Cosentino, Fairfield Avenue commented that in lieu of what is happening, her complaints about Storer Cable seem extremely minute and asked if she could just put her comments in writing and forward them to the Mayor.

Mayor Cavanagh stated she could either state her comments or forward them in writing and he would see that Ms. Commisso received a copy of same.

Mrs. Cosentino stated it was not lengthy and commented that all the equipment that had been all over her living room has been cleaned up by a representative of Storer and makes it look much neater. She stated her only complaint is that they were going to be there on Friday and she waited all day and no one called her until 3:30 P.M. to say no one would be coming out and the Disney channel has not been straightened out yet and it is still scrambled when you turn it on most of the time.

Mrs. Cosentino stated one evening she was watching a movie and suddenly the television reception went to snow and when it came back on it was broadcasting the NJ NETS basketball game and the movie was gone. She called Storer on Saturday when this happened and got the answering machine which informed her that someone would get back to her on Monday morning and she felt that if something happens to your cable on the weekend it is not right that you cannot get any service until Monday and she felt that we are paying for services that we are not getting.

Ms. Commisso responded in stating that when she contacted Mrs. Cosentino she informed her that they would be there and she wanted to arrange her schedule so that she could be there as well to see what the situation was and this is her way of training herself and wanted to visually see what Mrs. Cosentino was saying and she called on Friday to say they would not be able to make it and to schedule a day in the next week.

Mrs. Cosentino commented that at the night of the meeting, Ms. Commisso asked for her number and stated she would call her the next day because she wanted to come out and Mrs. Cosentino stayed home the entire day waiting and no one called until 3:28 P.M.

Ms. Commisso stated that a technician was at Mrs. Cosentino's home and as far as she knew, the problem with the Disney channel had been resolved and she had heard nothing further regarding this matter.

Mrs. Cosentino stated that Ms. Commisso can come out to her home any morning and see the scrambling on the Disney channel to which Mayor Cavanagh requested Ms. Commisso to make a note of this problem and see that the matter is taken care of which Ms. Commisso assured him would be done.

As no one else from the public wished to be heard on the Storer Cable franchise renewal application, he closed the meeting to the public and commented for the record that the silence on the dais is not to be interpreted as anything more than a response to national events and international events. He continued we have asked for a survey and Storer has consented and done the survey and they have given him a copy of the responses and there were substantial responses, some 260 odd responses which is a high number of responses and anyone on the dais is welcome to review the responses to see what the residents have said and our intention is to familiarize ourselves with the situation and then probably speak to Storer again in terms of some suggestions and concerns within the time frame provided for us under the law to vote on the renewal of the franchise and if there are other areas to discuss, they will be done at that time. Mayor Cavanagh stated tonight's objective is to allow anyone in the public to speak on this matter.

Mayor Cavanagh thanked Ms. Commisso for not making a lengthy presentation tonight and thanked the residents for coming out and becoming part of our record.

Mrs. Cosentino asked when the franchise expires to which Mayor Cavanagh stated it was in July of 1991 and Mrs. Cosentino asked if the Borough Council had spoken to any other cable companies in this regard and Mayor Cavanagh stated that we have talked about the problem on a general basis, but we have not gone into specifics because we had to have the public hearing and we wanted to get the results back of the survey. He continued we have met with representatives of Storer three separate times to discuss the renewal process and we will pursue the process which will include if we vote to renew, a citizen advisory committee which we are all receptive to and will be involved in an on going month to month dialogue with Storer as opposed to speaking about problems at the end of a five or ten year period.

CLERK'S REPORTS:

1. Police report for the month of DECEMBER, 1990 and a copy will be posted on the Bulletin Board.
2. Taxi license renewal applications made by the following:
 - a] Anthony Sestito t/a CITY CAB
 - b] Chris Amecangelo t/a CHRIS'S TAXI
 - c] Joseph Amecangelo t/a CHARTER 1 LEASING

The Clerk reported all required fees had been paid and all vehicles had been inspected and approved by the Police Department, after which Councilman Rodman moved to approve these taxi licenses. It was seconded by Councilman Miller and unanimously approved by Council.

3. Raffle application made by the Employee Activity Assn. of Concurrent Computer Co. to be held on 2/8/91, prize is dinner and 4 hr. limo service.

As all paperwork was reported to be in order and the required fee had been paid, Councilwoman Filippone moved to approve same. It was seconded by Councilman Terra and unanimously approved by Council.

COMMITTEES:

COUNCILMAN MCGEE: Mayor Cavanagh asked Council President Terra to Chair this portion of the meeting even though he does not vote, but Statewide Maintenance Inc. is a client of his law offices and felt it would be more appropriate for Council President Terra to conduct this portion of the meeting. Councilman McGee moved to award a contract for cleaning services of Borough buildings for 1991 to the low bidder, **STATEWIDE MAINTENANCE, INC.** of South Belmar for an annual cost not to exceed \$10,970. It was seconded by Councilman Miller and unanimously approved by Council.

COUNCILMAN TERRA: Councilman Terra asked the Clerk to read resolution R-91-8 appointing the Borough Attorney for 1991, after which he moved to approve same. It was seconded by Councilman Miller and approved by Council with the exception of Councilman McGee who voted no.

Councilman Terra asked the Clerk to read resolution R-91-9 appointing Councilwoman Filippone as the 1991 Community Development representative, after which he moved to approve same. It was seconded by Councilman Wolfe and unanimously approved by Council.

COUNCILWOMAN FILIPPONE: Councilwoman Filippone asked the Clerk to read resolution R-91-10 renewing the SCAT bus transportation service for 1991, after which she moved to approve same. It was seconded by Councilman Wolfe and unanimously approved by Council.

Councilwoman Filippone stated that she wanted the residents of this Borough to know that the Oceanport First Aid Squad is on standby for the evacuees that may be coming in from Saudi Arabia who may be injured and they are on 24 hour standby and are dedicated to help.

COUNCILMAN MILLER: Councilman Miller asked the Clerk to read resolution R-91-11 with regard to awarding a contract to the low bidder, MARPAL COMPANY for solid waste collection and disposal services for the period of July 1, 1991 through June 30, 1994 in the amount of \$296,492 total and \$262,065 per year for dumping fees, after which he moved to approve same. It was seconded by Councilman Terra and unanimously approved by Council.

COUNCILMAN RODMAN: NO REPORT.

COUNCILMAN WOLFE: Councilman Wolfe asked the Clerk to read resolution R-91-12 appointing the Municipal Auditor for 1991 after which he moved to approve same. It was seconded by Councilman Miller and unanimously approved by Council.

Councilman Wolfe asked the Clerk to read resolution R-91-13 appointing the Municipal Engineer for 1991, after which he moved to approve same. It was seconded by Councilwoman Filippone and unanimously approved by Council.

Councilman Wolfe asked the Clerk to read resolution R-91-14 transferring funds, after which he moved to approve same. It was seconded by Councilman Miller and unanimously approved by Council.

Councilman Wolfe asked the Clerk to read resolution R-91-15 amending the 1991 temporary budget, after which he moved to approve same. It was seconded by Councilman Terra and unanimously approved by Council.

Councilman Wolfe asked the Clerk to read resolution R-91-16 refunding tax overpayments to Borough property owners after which he moved to approve same. It was seconded by Councilman Miller and unanimously approved by Council.

Councilman Wolfe asked the Clerk to read resolution R-91-17 correcting the job title of a Borough Employee, after which he moved to approve same. It was seconded by Councilwoman Filippone and unanimously approved by Council.

Mayor Cavanagh asked Council President Terra to chair this portion of the meeting as well in regard to Mr. Longo's bond and to take the vote after the motion has been made. Councilman Wolfe moved to authorize the release of the balance of a cash bond in the amount of \$134.00 plus any interest that has accrued to Leonard Longo re: Block 18, Lot 14 located on Algonquin Avenue per the recommendations of the Borough Engineer. It was seconded by Councilman Rodman and unanimously approved by Council.

Councilman Wolfe commented that he is praying for a speedy end to this conflict and hoped for the return of all our soldiers in the Middle East.

MAYOR CAVANAGH: Mayor Cavanagh asked someone on the Council to move resolution R-91-18 which authorizes him to execute a document, which everyone has a copy of, and will be adopted by the Two Rivers Council of Mayors of the 13 towns and was discussed and agreed upon last Saturday and we all agreed to go back to our Governing Bodies and request authorization to direct us to execute the resolution that basically says that we as a group, call upon the Legislators of the State to fix a CAP on the spending as it applies to the State, not only as it applies to municipal governments and we believe that if it is logical and it is now legal to require that from municipalities, we do not understand why the State is exempt and may spend whatever percentage they deem fit.

Mayor Cavanagh reported there will be a second resolution which will probably be adopted somewhat similar, which has not been drawn yet, the concept of which is what he has already explained to you is what we have already talked about previously which was if a State mandated program emanates in Trenton and is affixed upon the municipalities, we are going to draw a resolution which indicates that the responsibility should be concomitantly followed by money and if they are going to mandate that we are going to pay for a program, then they should provide the funding for us to that.

Councilman Terra moved to approve resolution R-91-18. It was seconded by Councilwoman Filippone and unanimously approved by Council.

Mayor Cavanagh offered the name of Mary Bova to be reappointed to the Shade Tree Committee for a regular five year term.

Councilwoman Filippone moved to approve this reappointment. It was seconded by Councilman Miller and unanimously approved by Council.

Mayor Cavanagh stated we are all deeply concerned about the events in the Middle East.

Mayor Cavanagh then opened the meeting to the public if anyone wished to make any comments.

PETITIONS FROM THE PUBLIC:

As no one 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 17, 1991. It was seconded by Councilman Miller and unanimously approved by Council. TOTAL 1990 VOUCHERS \$33,779.92. TOTAL 1990 VOUCHERS PAID THIS MEETING \$11,351.58. TOTAL 1990 OPERATING FUND \$45,131.50. TOTAL GENERAL LEDGER TAX OVERPAYMENTS \$9,392.40. TOTAL 1991 VOUCHERS \$53,767.05. TOTAL 1991 VOUCHERS PAID THIS MEETING \$53,043.66. TOTAL 1991 OPERATING FUND \$106,810.71. TOTAL CAPITAL ACCOUNT \$1,984.00. TOTAL RECREATION TRUST ACCOUNT \$2,624.00. TOTAL TRUST ACCOUNT - SUI \$68.29. TOTAL DOG REGISTRY ACCOUNT \$163.89. TOTAL GENERAL LEDGER FIRE PREVENTION \$9.75. TOTAL GENERAL LEDGER - CHANGE FUND \$100.00. TOTAL GENERAL LEDGER-SHORE REGIONAL HIGH SCHOOL-JANUARY \$147,392.50. TOTAL GENERAL LEDGER-OCEANPORT BOARD OF EDUCATION-JANUARY \$572,579.60. TOTAL GENERAL LEDGER-SHORE REGIONAL HIGH SCHOOL-FEBRUARY \$147,392.50. TOTAL GENERAL LEDGER-OCEANPORT BOARD OF EDUCATION-FEBRUARY \$2,000.00. TOTAL GENERAL LEDGER-COUNTY TAX \$495,688.05. TOTAL GENERAL LEDGER-LIBRARY TAX \$16,656.96. TOTAL GENERAL LEDGER-OPEN SPACE TAX \$12,137.70. (SEE VOUCHER REGISTER)

At 8:43 P.M. Councilwoman Filippone moved to adjourn this meeting until the next regular meeting scheduled to be held on February 7, 1991 at 8:00 P.M. It was seconded by Councilman Miller and unanimously approved by Council.

Respectfully submitted,

Patricia L. Varca

PATRICIA L. VARCA
BOROUGH CLERK