

REGULAR MEETING MINUTES

Oceanport, New Jersey
January 15, 1998

- REGULAR MEETING:** The Regular Meeting of the Oceanport Mayor and Council was called to order on January 15, 1998 at 8:00 P.M.
- MEMBERS PRESENT:** Councilpersons Apruzzi, Filippone, Miller, Wolfe, McGann, Silkworth and Mayor Gemma.
- OFFICIALS PRESENT:** Borough Clerk, Patricia L. Varca and Borough Attorney, Francis A. Margalotti.
- INVOCATION:** The invocation was given by Borough Chaplain Berry.
- PLEDGE OF ALLEGIANCE:** Mayor Gemma led the audience and members of the Council in the flag salute.

As copies of the minutes from the regular meetings held on December 18 and 29, 1997 and the Reorganization Meeting held on January 1, 1998 had been made available to the members of the Governing Body, Councilwoman Silkworth moved to waive the reading of same and approve the minutes as presented by the Borough Clerk. It was seconded by Councilman McGann and approved by Council, with the exception of Councilman Apruzzi who abstained from voting on the meetings of December 18 and 29, 1997, since he was not a member of the Council.

CLERK'S REPORTS:

1. Police report for the month of DECEMBER, 1997 and a copy will be posted on the Bulletin Board.
2. Application for membership to the Oceanport Hook & Ladder Fire Company made by Jeffrey D. Waybright.

The Clerk advised that the application had been reviewed by the Police Department and she had received a letter from the Captain that everything was found to be in order, after which Councilman Wolfe moved to approve said membership. It was seconded by Councilwoman Filippone and unanimously approved by Council.

COMMITTEES:

COUNCILMAN APRUZZI: Councilman Apruzzi advised that last evening the Recreation Committee held their annual reorganization dinner which was attended by Councilmen Miller and Wolfe and the members of the Committee and it was a very nice time. He thanked Richard Gruskos who chaired this Committee for the past two years and did a great job and also Carol Pierson as his back up. He reported that the new officers for the next two years are Linda Gately, Chairperson and Toni Sverapa, Vice-Chairperson. He also thanked Sal Gentile for organizing the dinner meeting at the Squire's Pub and everyone enjoyed themselves.

COUNCILWOMAN FILIPPONE: Councilwoman Filippone reminded everyone that the rabies clinic is scheduled to be held on Saturday, January 24 at the Port-au-Peck Chemical Hose Fire Company between 9-11 AM.

Councilwoman Filippone reported that she attended a meeting for the Board of Health on geese at Brookdale College, which held a Goose Management Symposium yesterday and it was an all day affair, but it was extremely interesting and the geese are a major problem in the State of New Jersey and it is very heavy in our area and west of here and she came back with some suggestions that she will pass on and Councilman Wolfe was going to speak with the Board of Health today because we had received complaints about the geese droppings at Old Wharf Park, where they will wind up in the river, causing pollution.

Councilman Wolfe stated that Public Works will be making up some signs to install in the Park advising people not to feed the geese, which is part of the problem with them staying in one area, rather than migrating more.

Councilwoman Filippone gave a sample ordinance which was handed out at the seminar to the Borough Attorney, since they asked that this be reviewed to make sure our ordinance contained the proper wording and certain requirements in this regard.

Councilwoman Filippone advised that she attended the Planning Board meeting for Councilman Wolfe last night.

Councilwoman Filippone reported that the annual Health Screening will be held on March 28 and the registration will be on Tuesday, March 24, 1998 at Borough Hall from 3:30-5:00 PM and 7-8 PM and the actual testing takes place at the Oceanport First Aid Squad and the price will remain the same as last year at \$28 for the complete blood screening, urinalysis and hemocult and an additional \$20 for the PSA testing.

Councilwoman Filippone stated that at the seminar she attended yesterday, she was speaking with Lester Jargowsky of the Monmouth County Board of Health and he advised her that Branchport Creek is going to be the major thrust of that Board this year, to find out exactly what is wrong in that area and they cannot figure out what the problem is in that area and several other issues were discussed regarding the impact of the golf course that is at the end of the creek and the dump that is on Atlantic Avenue and they are going to investigate this matter to find out what is causing the problems in this Creek and hopefully, this will be the year the problem is resolved.

COUNCILMAN MILLER: Councilman Miller asked the Clerk to read resolution **R-98-8** appointing a Community Development representative and alternate for 1998, after which he moved to approve same. It was seconded by Councilman Apruzzi and unanimously approved by Council. #R-98-8

Councilman Miller asked the Clerk to read resolution **R-98-9** appointing a Public Agency Compliance Officer for 1998, after which he moved to approve same. It was seconded by Councilwoman Silkworth and unanimously approved by Council. #R-98-9

Councilman Miller asked the Clerk to read resolution **R-98-10** approving an agreement between the Borough of Oceanport and the former Police Chief, Robert Joyce, after which he moved to approve same. It was seconded by Councilwoman Silkworth and unanimously approved by Council. #R-98-10

#R-98-11 Councilman Miller asked the Clerk to read resolution **R-98-11** regarding the acquisition of Block 107, Lot 2 located on Horseneck Point Road under a Green Acres/Coastal Blue Acres loan/grant program, after which he moved to approve same. It was seconded by Councilman Wolfe and unanimously approved by Council.

Councilwoman Filippone requested that the Governing Body conduct a public hearing on this matter before we go into final acquisition of this property and she felt this was absolutely necessary in order to keep the public informed on this matter, to which Mayor Gemma concurred and stated there would be a public hearing before it goes forward.

#R-98-12 Councilman Miller then asked the Clerk to read resolution **R-98-12** urging the approval of a recreational facility concept at the Wolfhill Farm property, after which he moved to approve same. It was seconded by Councilwoman Silkworth and unanimously approved by Council.

Councilman Miller reported that the Wolfhill Farm Steering Committee met on Tuesday evening at the Reading Room with representatives from the Economic Development and Recreation Committees, Historical Society, Library Association and citizens and Councilpersons Filippone and Silkworth and himself as well as Jim Truncer from the Monmouth County Parks System. He stated that we reviewed the steps that got the Borough to leasing this portion of the property which entails three acres and the Reading Room for the next 57 years at a nominal fee of \$10 per year and we also asked him about the resolution we just adopted with regard to a recreational facility which could house an Olympic style swimming pool, hot pools, walking areas, etc. which would be great for all the citizens in this area.

Councilman Miller stated following the above, we introduced everyone and held an election and the Chairman of the Steering Committee is Gary Edwards, Vice-Chairman is Tom Cavanagh, Recording Secretary is Dick Bingham, Corresponding Secretary is Mary Lu Pingitore and our Treasurer is Barbara Silkworth. He advised that also attending the meeting was Daphne Halpern who is a professional fund raiser, presently working with the Recreation Committee and she will be looking into what is available and to point the Committee in the proper direction for fund raising and for the acquisition of grants, which she is doing on a volunteer basis. He commented that in order to have the building ready for such purposes as the Library, Office for the Emergency Management Coordinator, Historical Society Offices, etc. we are probably looking at six figures and we will need to find all the grants we can in order to accomplish our goals.

Councilman Miller advised that the first Committee put together will be chaired by Councilwoman Silkworth that deals with bringing in Architects, Civil Engineers, electricians, etc. to take a look at the building and see what has to be done and hopefully that will be done prior to our next meeting, which is scheduled to be held on February 24, 1998.

Councilman Miller reported that the Recreation Committee had a very nice reorganizational meeting at the Squires Pub last night and in addition to our Chairman and Vice Chairman being elected, the Corresponding Secretary is Addie Nelson, Recording Secretary is Roseann Pizzulli and our new Treasurer is Richard Gruskos. He commented that we said goodbye last night to Phil Apruzzi who had been a member of the Committee for the last eight years and is now the Council Liaison back up to the Recreation Committee and also said goodbye to Chris Reisner who has been a member for the last 19 years and Charles Schanck who has been a member for the last four years and a very able Chairman of the AdHoc Committee. He stated we welcomed to the Recreation

Committee two new members Wes Sherman and Anthony Ferrugia and we still have one opening on the Committee and anyone who is interested, should contact him.'

Councilman Miller announced that Captain Sutton contacted him this morning to advise that the PBA has come to an agreement and the present three year contract will be signed on Saturday and he thanked Councilwoman Silkworth for her assistance, as well as former Mayor Cavanagh for his help, Borough Attorney, Andy Margalotti for his advice and he wanted to say that there are probably very few communities where the Council people and the PBA representatives can sit down in a rather friendly manner and settle a contract, where other towns have outside representatives come in to take care of the negotiations.

Councilman Miller also wanted to mention that in this new contract there is something very proactive which was mentioned in the Governor's State Address with regard to capping sick leave buy outs and we have already done that, because we realized that in the future years, this could get quite expensive for the residents and it was a negotiated item and he thanked the PBA for their cooperation in this matter.

#R-98-13

COUNCILMAN WOLFE: Councilman Wolfe asked the Clerk to read resolution **R-98-13** transferring funds, after which he moved to approve same. It was seconded by Councilman McGann and unanimously approved by Council.

#R-98-14

Councilman Wolfe asked the Clerk to read resolution **R-98-14** amending the 1998 temporary budget, after which he moved to approve same. It was seconded by Councilman Apruzzi and unanimously approved by Council.

#R-98-15

Councilman Wolfe asked the Clerk to read resolution **R-98-15** appointing a Borough Auditor for 1998, after which he moved to approve same. It was seconded by Councilman McGann and unanimously approved by Council.

Councilman Wolfe commented that he and Mayor Gemma met with Mr. Hulsart this morning and briefly went over the end of year close out of the Borough accounts and reviewed some of the budget requirements.

#R-98-16

Councilman Wolfe asked the Clerk to read resolution **R-98-16** appointing a Borough Engineer for 1998, after which he moved to approve same. It was seconded by Councilman Apruzzi and unanimously approved by Council.

#R-98-17

Councilman Wolfe asked the Clerk to read resolution **R-98-17** appointing a Borough Attorney for 1998, after which he moved to approve same. It was seconded by Councilman McGann and unanimously approved by Council.

#R-98-18

Councilman Wolfe asked the Clerk to read resolution **R-98-18** appointing an Insurance Commissioner for 1998 regarding Excess Liability coverage, after which he moved to approve same. It was seconded by Councilman McGann and unanimously approved by Council.

Councilman Wolfe moved to award a contract for the reconstruction of Tecumseh Avenue to the low bidder, Mecos, Inc., Clarksburg, NJ in the amount of \$118,671.40 contingent upon the approval of the Department of Transportation. It was seconded by Councilman Miller and unanimously approved by Council.

Councilman Wolfe moved to return the bid bonds to the unsuccessful bidders regarding the Tecumseh Avenue project. It was seconded by Councilwoman Filippone and unanimously approved by Council.

Councilman Wolfe stated that this reconstruction project is quite extensive and will include the regrading of the entire roadway and installation of curbing and concrete gutters as well as the installation of drainage that does not presently exist on this street and this will be a major improvement for this location, since the street has not been done in over thirty years and in speaking with the Engineer earlier today, we are hoping to begin this project in early April of 1998.

Councilman Wolfe moved to appoint two appraisers for the acquisition of Block 107, Lot 2 located on Horseneck Point Road under the Borough's application to Green Acres/Coastal Blue Acres Program, which is a requirement and they are as follows: CJ Guiney & Associates, Red Bank in the amount of \$3,000 and A.J. Lehman Appraisal Company of Freehold in the amount of \$2,800. It was seconded by Councilman McGann and unanimously approved by Council.

Councilman Wolfe stated this is part of the requirements under the grant/loan application from the State and he and Councilman Miller and a representative of Birdsall Engineering went out to Trenton and received the guidelines, which state the first step is appointing two appraisers for this property and we have a March 31 deadline for the appraisals to be completed. He further advised that the cost of the appraisals will be reimbursed 75% from the State following their reports.

ORD.
#697 **COUNCILMAN MCGANN:** Councilman McGann called for the second reading and public hearing of an ordinance creating the position of Municipal Court Public Defender and asked the Clerk to read the Affidavit of Publication and the proposed ordinance by title only as follows: **AN ORDINANCE CREATING THE OFFICE OF MUNICIPAL COURT PUBLIC DEFENDER IN THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY.**

Mayor Gemma then opened the meeting to the public for any comments or questions on this subject only.

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

Councilman McGann then 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 Apruzzi, Filippone, Miller, Wolfe, McGann and Silkworth.
NAYS: NONE.
ABSENT: NONE.
ABSTAIN: NONE.

Councilman McGann then called for the introduction of an ordinance amending the present personnel ordinance and asked the Clerk to read the proposed ordinance by title only, as follows:
AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED THE "PERSONNEL POLICY ORDINANCE OF THE BOROUGH OF OCEANPORT" PASSED AND APPROVED ON MARCH 20, 1986.

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

The Clerk called the roll:

AYES: Councilpersons Apruzzi, Filippone, Miller, Wolfe, McGann and Silkworth.
NAYS: NONE.
ABSENT: NONE.
ABSTAIN: NONE.

Councilman McGann then moved to hold the public hearing on this ordinance at the next regular meeting scheduled to be held on February 5, 1998 and to advertise same in accordance with law. It was seconded by Councilman Wolfe.

The Clerk called the roll:

AYES: Councilpersons Apruzzi, Filippone, Miller, Wolfe, McGann and Silkworth.
NAYS: NONE.
ABSENT: NONE.
ABSTAIN: NONE.

Councilman McGann reported to Mayor Gemma and the members of the Council that he has had several discussions with Joanne Nadell regarding the Public Defender's position and she is receptive to taking this position at a salary of \$200 per court day and he felt that there were other details the Council would have to discuss, specifically the issue of liability with regard to legal malpractice and our Borough Attorney is going to research that issue of who would be responsible and he is also going to request from Ms. Nadell a copy of her malpractice insurance to keep on file in the Borough.

Councilman McGann stated he would also like to discuss at the next work shop, in the event that funds accumulate in that portion of the Treasury in reference to application fees that the Municipal Court Judge may impose on applicants, what happens if that fund exceeds the \$2,500 that has been budgeted for this purpose.

COUNCILWOMAN SILKWORTH: Councilwoman Silkworth reported that the heating and air conditioning in the Port-au-Peck Chemical Hose Fire House has been installed.

Councilwoman Silkworth also was pleased to report that we will again this year be experiencing some savings in our insurance premiums for 1998.

Councilwoman Silkworth advised that the Economic Development Committee will be meeting with the Planning Board to look for ways to implement features of the revised Master Plan.

Councilwoman Silkworth wanted to add something to Councilman Miller's report with regard to the Wolfhill Farm and that is in keeping with Borough tradition, we have already had several volunteers come forward to work on this architectural and building committee, but there will also be lots of room for volunteer participation as future committees are established and after we finish the initial assessment of the building and the other committees are established, we will list those Committees in the Bulletin advising those residents who wish to volunteer of what Committees are available.

MAYOR GEMMA: Mayor Gemma offered a motion to approve the Council Committee appointments as listed on the January 1, 1998 Reorganization Meeting agenda.

Councilman Wolfe moved to approve said appointments. It was seconded by Councilman McGann and unanimously approved by Council.

Mayor Gemma then appointed Joseph Lyons to fill the vacancy on the Planning Board as a Class I member, which term expires December 31, 1999 and this position is one that is the Mayor's designee when the Mayor cannot be present at the Planning Board meetings. He advised that he has known Joe for many years and also spoke with the Chairman of the Planning Board, Jim Slattery, who has no objections to this appointment.

Mayor Gemma commented on his meeting with Councilman Wolfe and Mr. Hulsart earlier today and obtained some information as to where we are going and we discussed the Concurrent tax appeal and the impact that may have as well as the Wolfhill Farm being purchased by the County and removed from the tax roles, as well as the impact of the Blue Acres acquisition of the property on Horseneck Point Road. He stated they also discussed the capital programs and he felt that Mr. Hulsart will be an asset in that regard, as well as discussing the possibility of using notes rather than bonds for funding purposes.

Mayor Gemma stated he also had the opportunity to attend the Recreation Committee meeting and appreciated the invitation and congratulated the new officers and thanked the out going officers for all their help.

Mayor Gemma also attended the Wolfhill Steering Committee meeting and felt that it was in good hands and felt that everyone involved will continue keeping this Committee moving forward.

Mayor Gemma advised that he also had the opportunity to attend the monthly meeting at the Oceanport Hook & Ladder Fire Company Tuesday evening with Councilman Wolfe and at the meeting, the capital budget discussion took place and they will be putting together their needs in the coming years, so the Council will be able to review what each department will be requiring.

Mayor Gemma then opened the meeting to the public for any comments or questions they might have.

PETITIONS FROM THE PUBLIC:

John Schneider, Fire Chief, Oceanport Fire Department commented that he appreciated the Mayor attending the meeting with Councilman Wolfe, who is normally at their meetings, but thought it was a good thing to have the Mayor present.

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

Councilman Wolfe moved to approve the bills as listed on the Voucher Register dated January 15, 1998. It was seconded by Councilman Miller and unanimously approved by Council. 1997 VOUCHERS \$51,000.00. TOTAL 1997 VOUCHERS PAID THIS MEETING \$189,396.13. TOTAL 1997 OPERATING FUND \$69,396.13. TOTAL 1998 VOUCHERS \$52,534.75. TOTAL 1998 VOUCHERS PAID THIS MEETING \$31,173.19. TOTAL 1998 OPERATING FUND \$83,707.94. TOTAL TRUST ACCOUNT \$414.97. TOTAL RECREATION TRUST ACCOUNT \$250.00. TOTAL PUBLIC ASSISTANCE II ACCOUNT \$927.00. TOTAL CAPITAL ACCOUNT \$148.26. TOTAL GENERAL LEDGER-LIEN REDEMPTION \$16,734.96. TOTAL GENERAL LEDGER-MARRIAGE LICENSES \$175.00. TOTAL GENERAL LEDGER-SHORE REGIONAL HIGH SCHOOL \$349,759.20. (SEE VOUCHER REGISTER)

At 8:43 P.M. Councilman McGann moved to adjourn this meeting until the next regular meeting scheduled to be held on February 5, 1998 at 8:00 P.M. It was seconded by Councilwoman Silkworth and unanimously approved by Council.

Respectfully submitted,



PATRICIA L. VARCA
BOROUGH CLERK