

REGULAR MEETING MINUTES

Oceanport, New Jersey
December 18, 1997

- REGULAR MEETING:** The Regular Meeting of the Oceanport Mayor and Council was called to order on December 18, 1997 at 8:05 P.M.
- MEMBERS PRESENT:** Councilpersons Gemma, Filippone, Miller, Taylor, Wolfe and Silkworth.
- 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:** Council President Taylor led the audience and members of the Council in the flag salute.

Council President Taylor stated that we are going to appoint and promote some Police personnel this evening and asked Councilman Miller to make the appropriate motions.

Councilman Miller advised that prior to making the motion appointing Steven Briskey as a Patrolman, he wanted to comment that Mr. Briskey will be graduating from the Monmouth County Police Academy tomorrow and many of his fellow officers are here with us tonight and he will also be giving the graduation speech and will be graduating near the top of his class, so he felt we have made the right choice.

Councilman Miller moved to appoint Steven Briskey as a Patrolman V effective January 1, 1998. It was seconded by Councilwoman Silkworth and unanimously approved by Council.

The Clerk administered the Oath of Office to Mr. Briskey, after which the Governing Body offered their congratulations.

Councilman Miller then stated prior to his next motion, the members of the Borough Council asked him to comment on the selection of Captain in the Oceanport Police Department and he continued that it goes without saying that we have a professional and dedicated Department from the Chief on down to the newest Patrolman, we have a force to be proud of and because of that, the job of promoting one of four Sergeant candidates to the rank of Captain was a very difficult one. He stated that in hiring a Patrolman, for the most part, the Police Committee are dealing with people that we do not know except for their resume so there is no personal connection. Councilman Miller stated with the four Sergeants, we all know and respect them for their years of dedicated service to the Borough and because of this, our task was very difficult.

Councilman Miller stated that the process had to be as objective as they could possibly make it and we would have liked to be able to select all four, but obviously that was not possible and all the members of the Council feel confident in our choice for Captain, but at the same time, each of the members of the Governing Body feels a sense of sadness. He continued that there were no losers in this situation and the town will have a good person for the Captain's position and we will have three

very fine, dedicated professionals to run their Squads and perform the many other duties they are called upon to undertake. He ended by stating that the members of the Borough Council are proud of each and everyone of the members of the Police Department.

Councilman Miller then moved to promote Harold Sutton to the position of Captain in the Oceanport Police Department effective January 1, 1998. It was seconded by Councilwoman Silkworth and unanimously approved by Council.

The Clerk administered the Oath of Office to Harold Sutton as Captain and the Governing Body offered their congratulations to Captain Sutton.

As copies of the minutes from the regular meeting held on December 4, 1997 had been made available to the members of 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 Silkworth and unanimously approved by Council.

CLERK'S REPORTS:

1. Letter of resignation received from Mayor Thomas W. Cavanagh, Jr., effective December 15, 1997 upon the confirmation of his being appointed as a Superior Court Judge, which the Clerk advised had been approved by the State Senate earlier that day.
2. Correspondence received from the Oceanport Democratic Municipal Committee Chairperson, Marilyn Regan, offering three names for consideration to fill the vacancy of Mayor and they are as follows:
Gloria R. Filippone, Gordon N. Gemma and Gary E Wolfe.

Borough Attorney Margalotti explained for the record that under the statutory procedures for filling a vacancy of this type, the Municipal Committee of the political party of the out going office holder has the obligation to submit three names to the Borough Council for its consideration and this has been done and it is now up to the pleasure of the Council, if they choose to act tonight in selecting one of the three people named.

Councilwoman Filippone moved to nominate Gordon N. Gemma to fill the vacancy for Mayor of the Borough of Oceanport. It was seconded by Councilman Wolfe.

The Clerk called the roll:

AYES: Councilpersons Gemma, Filippone, Miller and Wolfe.
NAYS: None.
ABSENT: None.
ABSTAIN: Councilwoman Silkworth.

Council President Taylor offered his congratulations to Mayor Gemma and asked the Borough Attorney to administer the Oath of Office, after which the Borough Council offered their congratulations.

Mayor Gemma thanked everyone here this evening, especially his wife and children, who will be seeing less of him. He continued that he recognizes that he was not elected tonight as Mayor, but appointed by his peers in the hopes and beliefs that he can do a good job and he sincerely hopes not to disappoint them. He stated that he looks to them to be his guidance and help him out and be his friend. He particularly wanted to extend his thanks to Councilman Wolfe for his support and friendship and he hoped that after several months, he will be able to do as good a job as Judge Cavanagh has done. Mayor Gemma stated that while he is counting on his friends on the Borough Council for help, he ultimately wants everyone to know that the buck stops here and he will listen to anyone who has advice, guidance, help and he promised to do the best job he can possibly do and looks forward to working with everyone.

Mayor Gemma then took his seat on the dais and commented that one of the first things he gets to do as Mayor is to present a plaque and he has been on the Council the shortest amount of time and this plaque comes from all the members of the Council and it is to the Ex-Mayor and current Judge, Thomas W. Cavanagh, Jr., expressing the Council's appreciation and thanks for his hard work and efforts over the past sixteen years, the first two as a Councilman and the last fourteen years as Mayor of the Borough and he asked Tom to come forward and accept the plaque.

Mayor Gemma then asked any of the Council members who wished to make any comments to Judge Cavanagh, to do so now.

Councilwoman Filippone stated that she did not know what it was going to be like serving on this Council without Tom, since she has been on Council for the last fourteen years and Tom has been the Mayor for those fourteen years and she knows it will be a new experience and she will miss him. She continued that she spent many hours with Tom and he is a brilliant man and we are lucky to have him as a Judge.

Councilman Miller congratulated Tom on his appointment as a Superior Court Judge and stated that it has been a great experience serving with you on the Oceanport Council for the past eight years, when he first ran for Council with Councilwoman Filippone. Councilman Miller stated that the Mayor had pointed out to him that he would be able to put his knowledge about recreation, environmental and police to good use and the Mayor kept his word; he told him he would not have to play politics and be his own man and do what his conscience said was right and you kept your word; he promised that we would seek out the best possible people for the appointed position regardless of political affiliation and you kept your promise; he pointed out the Mayor's ability to work with the opposite political party on both the State and County level has only helped our Borough and for this he is to be commended and an example is the Wolfhill Farm project. He continued that the Mayor practiced the politics of inclusion in your tenure and were always ready to listen to ideas, positive thoughts no matter what the source.

Councilman Miller stated that Mayor Cavanagh taught him that good government moves slowly because making decisions in haste, invariably leads to bad decisions. Councilman Miller stated that he could go on longer, but that the Mayor also taught him that servants of the people should be brief, and to paraphrase the Mayor's farewell letter, he is glad that he came along for the ride and commented that he has been an excellent Mayor and I know that you will be that kind of Judge and although they will no longer be working together for Oceanport, he knows that he has gained a very good friend and for that he is thankful.

Borough Attorney, Francis A. Margalotti stated that he rarely gets an opportunity to participate in the deliberations of the Council and appreciated the opportunity to say a few words about Mayor Cavanagh. Mr. Margalotti stated he has known Tom for as long as he has served as Mayor and he has held his position as Borough Attorney for the same amount of time. He stated that working with Tom during his tenure has been interesting and at other times challenging, but always enjoyable and felt that Tom has exerted a fine quality of leadership for the town for as long as he has been Mayor. Mr. Margalotti stated he has lived in town under six Mayors and he has served in one capacity or another for five of those six Mayors and he has to say that with all due respect to former Mayor Baxter, who is in the audience tonight and with whom he had the pleasure of serving with as a Councilperson during his four year term, while Mayor Baxter was one of the better Mayors that Oceanport has had, certainly from his perspective, he felt that Elwood would be the first to agree with him that when it comes to Tom, he was a spectacular Mayor.

Mr. Margalotti stated he was spectacular because he dedicated himself to the job and was a real hands on official and he was in this Borough Hall many mornings in addition to the regular meeting schedule and worked with Patti and the staff and had his finger on the pulse of what was going on in this town and that was the way he achieved good stewardship. He continued that he has been a very fine lawyer and knows that he will make an even greater Judge and commented to Tom that it has been his pleasure to serve with him and wished him all the best in his next level of serving the law.

Councilwoman Silkworth stated it is a bit difficult to top the comments already made, but she offered her congratulations to Tom on his appointment as a Superior Court Judge and she knows that this is something he has wanted in his career and it will be meaningful to him. She felt that thanks and appreciation are definitely in order for his commitment to this Borough and you have a unique ability to bring together all types of people from all walks of life, from both parties, for the betterment of this Borough and she felt that he is very well equipped to meet the challenges and opportunities of the future and we will miss you.

Councilman Wolfe stated that it has been a great learning experience being up here following the lead that the Mayor set for all of us and he wished him well in the future and hoped he would stay in touch with all of us and wished him good luck.

Council President Taylor stated that one of his first recollections of Tom goes back to when our sons were in Scouts and at a Scout dinner, Tom was mistaken for one of the Scouts and he takes his youthfulness with him as he enters his new family role and career choice and in both of these areas, he wished him happiness and health always and thanked him for allowing him to be a part of his ride.

Mayor Gemma offered his thanks to Tom over the past year and has known Tom the least of anyone here and felt fortunate for the time they did have this last year. He assured him that he would continue to do his best and to look to Tom for guidance and wished him lots of luck and appreciated his help.

Mayor Gemma recognized Chief Joyce and Patrolman Tagerty who presented Mayor Cavanagh with a plaque from the Police Department and the PBA and Chief Joyce stated that since he was promoted to the position of Chief, he has worked under Mayor Cavanagh and stated that he has worked at many different jobs before joining the Police Department and out of all the people he has worked for, Mayor Cavanagh was the best. He continued that they have been through good and

bad times together, but when everything was over, no one was unhappy with the outcome and had a very good working relationship and did well at working out any problems and that is why he is going to make a great Judge as well as being very wise.

Patrolman Tagerty commented that he never knew him as an Attorney, but only as the Mayor and felt that if he is half the Judge that he was the Mayor, he'll be spectacular.

John Connor of the Oceanport First Aid Squad presented Mayor Cavanagh with a plaque and stated that he probably knows Tom the longest, since they attended high school together and wished him well in the future.

Former Mayor Cavanagh stated that when you do something as long as he did, it is not because you are elected, but because you enjoy doing it and this town has been special since he got here and remains special and all the people he has worked with, his Clerk, Patti Varca and Diane Super and all the other people he has worked with over the years and have become friends and we have enjoyed what we have done and he has received nothing but support from the people in the Borough. He stated the Chief was right that there were some rough times, when we would be walking in water up to our waists but those times seem to diminish the everyday problems. He also commented that if he was more spectacular than former Mayor Baxter, it was because of the advice he gave him.

Mayor Cavanagh stated that he received a lot of support from the people he served with and asked a lot from them and each of his Councilpersons have been given a lot more to do than most Councils anywhere in the County and it was done deliberately and everyone fulfilled their jobs and we all went very far and did a great job for this Borough. He quoted Thomas Jefferson who said that the strength of any Executive is the ability to put the right people not the man, to fill a position and he felt that he was able to do that with people who did great jobs and for that he is very appreciative.

Mayor Cavanagh commented that he is very appreciative of the nice things that were said about him tonight but all the years he spent here as Mayor were not difficult and they were fun and he wished everyone on the dais as much enjoyment as he had while doing them and wished everyone good health and a happy holiday season.

COMMITTEES:

COUNCILWOMAN FILIPPONE: Councilwoman Filippone congratulated Council President Taylor for the fine job he did as Mayor and enjoyed working under him and congratulated Mayor Gemma and she looked forward to the coming year under his guidance and she knows that he can do the job and he is a super guy and she is happy to have him here with us.

Councilwoman Filippone offered her congratulations to the Shore Regional High School Football Team on winning the State Championship and it was a nice thing to happen to our area at this particular time.

Councilwoman Filippone gave the Oceanport First Aid Squad's Captain's monthly report for November and advised there were 18 emergency calls, 3 motor vehicle accidents, 9 mutual aid 2 of which were to West Long Branch, 3 fires-2 being alarms only, 1 transportation and 23 for the bazaar and had a total of 40 calls and 23 for the bazaar for a total of 63 and traveled 573 miles and had 225 man/woman hours and 330 hours for the bazaar for a total of 558 hours for the month of November

and 12 total advanced life support calls and 3 calls to Monmouth Park. A special thanks in the Report from Captain Doris Agaman was to herself, the Mackays and Jill.

Councilwoman Filippone reported that due to a change in State Law, the Mayor and Council have decided that it is best for the Borough to transfer our Local Assistance Welfare Board to the County and beginning April 1, 1998 we will have our program administered through the County and it will save the Borough some money without any reduction in service.

Councilwoman Filippone stated that it has been a delight to serve with Councilman Taylor on this Council and he has a very dry sense of humor and he is always pleasant and always brings lots of goodies to the meetings. She wished him the best of luck in the future.

R-97-66

COUNCILMAN MILLER: Councilman Miller asked the Clerk to read resolution **R-97-66** authorizing the submission of a grant application for a Shoreline Stabilization and Education Project, after which he moved to approve same. It was seconded by Councilwoman Filippone and unanimously approved by Council.

R-97-67

Councilman Miller asked the Clerk to read resolution **R-97-67** awarding a garbage and trash contract to the low bidder, Carmine Forgione, after which he moved to approve same. It was seconded by Councilman Wolfe.

The Clerk called the roll:

AYES: Councilpersons Filippone, Miller, Taylor, Wolfe and Silkworth.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

Councilman Miller moved to return the bid bonds to the unsuccessful bidders for the garbage and trash bids. It was seconded by Councilman Taylor and unanimously approved by Council.

Councilman Miller offered his thanks to Chris Reisner who has been a member of the Recreation Committee for many years for her dedicated service and she is leaving the Committee this year as well as to Charles Schanck who is also leaving the Committee and they will be missed and we will be submitting the names of Tony Ferrugia and Wes Sherman, who have been attending our meetings and showing interest in what is going on with this Committee.

Councilman Miller reported that the new officers of the Recreation Committee for 1998 are as follows: President, Linda Gately; Vice President, Toni Sverapa; Treasurer, Rich Gruskos; Recording Secretary, Roseann Pizzulli; Corresponding Secretary, Addie Nelson.

Councilman Miller stated that he and Councilman Taylor go way back when he first moved into town and got involved with the soccer program and met Larry and he was very pleased when he heard he was going to run for Council and he never disappointed us and the thing he did best, was starting the Drug Alliance and has done a tremendous job with that project.

COUNCILMAN TAYLOR: Councilman Taylor reported that the 1998 Drug Alliance calendars are in and will be delivered by the Boy Scouts during the next several weeks.

Councilman Taylor stated he wanted to take this opportunity to thank everyone on the Council and commented that it has been a very interesting and rewarding six years that he has served and he has really enjoyed being here and there were very few arguments over issues and everyone tried to work together. He also thanked the Borough Attorney for his legal advice over the years and thanked all of the Staff, Patti, Diane, Kim, Cynthia, Donna and Deanne and he will miss everyone.

Councilman Taylor also offered his thanks to Tom Crochet, Superintendent of Public Works and his employees and they all do an excellent job with the recycling center and keeping it well maintained and in a tidy condition.

COUNCILMAN WOLFE: Councilman Wolfe stated it has been a great pleasure working with Councilman Taylor over the last six years and he and Larry have started out working with the soccer program and have been friends since then. Councilman Wolfe stated when Councilman Terra left, Councilman Taylor took over the recycling project and continued to do an excellent job with that program as well as the Clean Communities Program and all of these programs worked extremely well due to Councilman Taylor's guidance. Councilman Wolfe thanked him for all his hard work and wished him well in the future.

Councilman Wolfe asked the Clerk to read resolution **R-97-68** transferring funds, after which **R-97-68** he moved to approve same. It was seconded by Councilman Miller and unanimously approved by Council.

Councilman Wolfe then asked the Clerk to read resolution **R-97-69** extending the Borough's **R-97-69** agreement with Don Hansen regarding the Public Works Manager, after which he moved to approve same. It was seconded by Councilwoman Silkworth and unanimously approved by Council.

Councilman Wolfe moved to return a performance bond to Mr. & Mrs. Peter Deller in the amount of \$15,334.80 for Block 117, Lot 50, Pleasant Place and Center Street upon the receipt of a two year maintenance bond in the amount of \$2,300.22 upon the recommendation of the Borough Engineer. It was seconded by Councilman Taylor and unanimously approved by Council.

Councilman Wolfe moved to reduce the amount of the performance guarantee for Wood Hollow Estates-Robert M. Kaye, Block 117, Lots 5, 16, 17, 19 and 20 as follows: Reduced Guarantee to \$82,761.00; 90% Surety Guarantee to \$74,484.90; 10% cash guarantee to \$8,276.10 upon the recommendations of the Borough Engineer. It was seconded by Councilwoman Filippone and unanimously approved by Council.

Councilman Wolfe then moved to reduce the amount of the performance guarantee for Providence Cove/River Bend, Block 61, Lots 17.01 through 23.01 as follows: Reduced Guarantee at 30% to \$54,114.12; 90% Surety Guarantee to \$48,702.71; 10% Cash Guarantee to \$5,411.31 upon the recommendation of the Borough Engineer. It was seconded by Councilwoman Silkworth and unanimously approved by Council.

Councilman Wolfe congratulated Mayor Gemma and wished him well for the coming year and hoped that his guidance to the rest of the Council is inspirational, as was our former Mayor's.

Councilman Wolfe wished everyone a Happy Chanuka and Merry Christmas.

COUNCILWOMAN SILKWORTH: Councilwoman Silkworth wanted to express to Councilman Taylor how much she has enjoyed his sense of humor and has worked with him for only the last three years, but her observation is that he is a very quiet, solid rock and just goes about doing his job and not saying a lot about what he does, but everyone knows that the work has been done and done well and felt that everyone on the Council appreciates all he has done. She has enjoyed the time spent with him and she must say, that he has the best ties.

Councilwoman Silkworth offered her congratulations to Mayor Gemma and stated she would work with him in the coming year and wished him much success.

Councilwoman Silkworth also offered her congratulations to Steve Briskey and Harry Sutton in their new roles and she welcomed Steve to the Police Department and congratulated Harry on his promotion to Captain.

MAYOR GEMMA: Mayor Gemma offered his congratulations to Patrolman Briskey and to Captain Sutton and thanked Councilman Taylor for his service on Council and he will miss him. He also offered congratulations to the Shore Regional football team.

Mayor Gemma wished everyone a Happy Chanuka and Merry Christmas to all the residents in the Borough.

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

PETITIONS FROM THE PUBLIC:

Tom Crochet, Center Street, wished Councilman Taylor good luck and stated he will miss working with him. Mr. Crochet also congratulated Mayor Gemma and stated that anything his Department can do for him, to just let him know.

Mr. Crochet stated lastly, he wanted to thank Tom Cavanagh for all he has done for him over the last several years in showing confidence in him as Superintendent and allowing him to make mistakes and learn from them and because of that, he has become a better person and he always helped him keep things in perspective and he was a class act, and he will miss him.

Peter A. Deller, Jr., 1262 Turf Drive wished everyone a happy holiday and wanted to give his best to Tom Cavanagh.

Mr. Deller wanted to speak a little bit about the Lions Fair and stated that he has received many compliments about the Fair and one thing he wanted everyone to know that this town would never have had the opportunity to have the first Fair, if it were not for Tom Cavanagh. He continued that he gave him the okay to go forward with this project and that was the first question he was asked when he approached the race track, and that was if it was okay with Mayor Cavanagh and he helped him and worked with him and if it were not for his support, the Fair would not have become a reality.

Mr. Deller asked if it was okay with this Mayor and Council to have another Fair in 1998, since that will most likely be the first question that will be asked of him when he approaches the race track, to which Mayor Gemma stated he did not feel that there was any objection to holding another Fair and wished him well.

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 December 18, 1997. It was seconded by Councilman Taylor and approved by Council, with the exception of Councilman Miller abstaining from a bill to himself for a reimbursement. TOTAL 1997 VOUCHERS \$483,417.79. TOTAL 1997 VOUCHERS PAID THIS MEETING \$27,072.28. TOTAL 1997 OPERATING FUND \$510,490.07. TOTAL PUBLIC ASSISTANCE II ACCOUNT \$1,393.00. TOTAL RECREATION TRUST ACCOUNT \$110.40. TOTAL GENERAL LEDGER-LIEN REDEMPTION \$16,298.99. (SEE VOUCHER REGISTER)

At 9:05 P.M. Councilwoman Filippone moved to adjourn this meeting until the next regular meeting scheduled to be held on December 29, 1997 at 8:00 P.M. It was seconded by Councilwoman Silkworth and unanimously approved by Council.

Respectfully submitted,



PATRICIA L. VARCA
BOROUGH CLERK