

## REGULAR MEETING

Oceanport, New Jersey  
December 3, 1992

REGULAR MEETING: The regular meeting of the Oceanport Mayor and Council was called to order on December 3, 1992 at 8:02 P.M.

MEMBERS PRESENT: Councilpersons Clark, Terra, Filippone, Taylor, Wolfe and Mayor Cavanagh.

MEMBERS ABSENT: Councilman Miller.

OFFICIALS PRESENT: Borough Clerk, Patricia L. Varca and Borough Attorney, Francis A. Margalotti.

INVOCATION: The invocation was given by Rabbi Daina.

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

CLERK'S REPORTS:

1. Taxi license renewal application made by Anthony Sestito t/a CITY CAB.

The Clerk reported the required fees had been paid and the cab had been inspected and approved by the Police Department, after which Councilman Terra moved to approve said application. It was seconded by Councilman Wolfe and approved by Council.

## COMMITTEES:

COUNCILMAN CLARK: Councilman Clark read the following from correspondence he had received today from the Monmouth County Recycling Bulletin dated November 30, 1992 "please be advised that empty paint cans with lids removed and empty aerosol cans should be placed in regular household trash and need not be brought to the County sponsored household hazardous waste collection sites. Disposal of these materials through this program are extremely expensive and funds must be reserved for the proper disposal of hazardous materials only". He commented that this information will be placed in the next Bulletin. He stated that it also states that less than 1" of all oil base paints should have the lids removed to allow the paint to dry before placing it in the trash.

Councilman Clark stated he has been trying to get this matter reconciled with the Monmouth County Recycling people for the last three to four months and they have finally put it in writing.

Councilman Clark reported that the Borough's 1991 tonnage grant was reviewed by the State and they have found no discrepancies and they have allowed 2,843.79 tons and he thanked Councilman Terra for his assistance.

Councilman Clark advised that there was a solid waste inspection of our recycling drop off site made and it was written up as neat, well maintained and no odor or litter and this is an improvement in the past and it is due in part to the residents adhering to the regulations and the employees in the Public Works Department who monitor the drop off site.

Councilman Clark lastly reported that the mixed paper/junk mail container is near the two newspaper trailers and he asked all residents not to place any plastic bags, cardboard or brown paper bags in it.

Councilman Clark also advised that the valve needed to repair the heating system in the Meeting Room at the Port-au-Peck Chemical Hose Fire Company was installed last week and they did not have the proper thermostat and he was promised that thermostat will be installed tomorrow and the Member's Room thermostat will be fixed at the same time and there will be one thermostat in the Meeting Room which will control both the baseboard heat and the overhead heat.

COUNCILMAN TERRA: Councilman Terra extended the Council's thank you to all the members of the Fire Department who participated in the recent fire at Wolfhill School and the response was fantastic and he also commended Jim Slattery who had the sprinkler system installed in that room as well as the Board of Education for funding that system.

Councilman Terra reported that he is the Coordinator of the Americans with Disabilities Act program, he is putting together a Committee to begin canvassing the Borough's buildings and streets to begin to organize our plan for bringing Oceanport into compliance with the new regulations.

Councilman Terra called for the second reading and public hearing of an ordinance amending the vehicle and traffic ordinance regarding limited parking on East Main Street and asked the Clerk to read the Affidavit of Publication and the proposed ordinance by title only as follows: AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "THE VEHICLE AND TRAFFIC ORDINANCE" OF THE BOROUGH OF OCEANPORT PASSED AND APPROVED ON DECEMBER 3, 1970.

Mayor Cavanagh opened the meeting to the public for any comments anyone might wish to make on this subject only.

Jim Slattery, 25 Comanche Drive and owns a business located on East Main Street and he has read the ordinance, which he found out about in the newspaper and he is not sure that the other businesses are aware of this proposed change. Mr. Slattery stated that 15 minutes is going to hurt some of the businesses in that area and continued that many of the people who stop in to see him at his place of business and park on that side of the street and when they visit him they are there sometimes for fifteen minutes and sometimes for forty-five minutes and he felt this would injure his business by making them go out and move their car and injure it even more if they went elsewhere where there was on street parking.

Mr. Slattery stated he also researched some of the other businesses in the area and stated that the Teicher Real Estate Office, which has been at the same location for at least the last 25 years, requires more than 15 minutes to list a house with the Agency and would take closer to an hour; if you get a haircut at Just Hair, a hair cut for a man could take 15 minutes, but a haircut for a woman takes a lot longer; if you go into Enzo's Deli and order a sub and sit down in the deli to eat it you will not be back in your car within 15 minutes; across the street there is Jim Stapleton's repair shop for cars and if you park and walk across the street to speak with Mr. Stapleton it is usually for more than 15 minutes.

Mr. Slattery requested that the time limit be changed from the proposed 15 minutes to 1 hour which he felt would give all of the business people equal time. He stated that in front of the Post Office there are signs limiting the parking to 15 minutes, which have been there for years

and there is no problem with people going in and out of the Post Office within the 15 minute requirement. He stated he did not feel it was fair to take up the entire side of the street in order to benefit one entity.

Mr. Slattery also commented that he is aware that there is off street parking, but seldom does anyone park behind the Post Office who is going to the Post Office or to any of the other businesses he has mentioned and he felt there has not really been a problem with the exception of one or two people that work locally, who habitually park in front of one of the businesses.

Mr. Margalotti, Borough Attorney stated that the reason the ordinance was introduced was at the request of the Chief of Police and he believed that he did so because without this ordinance the existing time limitations that Mr. Slattery has referred to in front of the Post Office are unenforceable. He went on to comment that the signs may have been there for a long time as Mr. Slattery stated, but without the ordinance in place they cannot be enforced and if a summons would be issued for lengthy parking, technically the violator could have it dismissed because the ordinance is not in place, which was already approved by the Department of Transportation. Mr. Margalotti felt this was the reason the Chief had requested this ordinance to basically legitimize a parking restriction that has been in existence for many years.

Mr. Margalotti also commented that Stapleton's Repair business, which Mr. Slattery had also mentioned, across the street from the Post Office, does have a lengthy driveway and some off street parking, although to a limited degree and also recently installed some extra stone to increase his parking area; he stated that the postal patrons would not have to park in the rear of the Post Office, but anyone going to Teicher's Real Estate Office or the other businesses could use the rear lot as well as the other side lot at the end near the Deli near Lake Avenue which would service the Deli and Just Hair and continued that the video place on the opposite end which faces Bridgewaters Drive, they have off street parking off of that street, so he questioned with the off street parking he has just mentioned, he does not understand how this would be a gross imposition on businesses that are affected on that side of the street.

Mr. Slattery commented that the off street parking near Enzo's Deli has about 7 spaces and stated this is continuously filled on a regular basis; the driveway that Mr. Stapleton has is not a parking lot since there are cars, trucks, police cars, etc. on a regular basis going in and out and his employees either park on Lake Drive or park out in front of the building. Mr. Slattery again stated that to allow 15 minute parking across the street from him is unfair to the rest of the businesses.

Mayor Cavanagh commented that the concept is safety because of the corner and the speed limit and stated that the Chief is not here in order for us to question him and the recommendation came from the Department of Transportation on March 17, 1981 and apparently after all the paperwork was done it was referred to but never formally codified in an ordinance, so it has been in effect for 11 years, but in essence tickets cannot be written against this since there is no ordinance.

Mayor Cavanagh stated that if the Council is so inclined, he would not suggest that we vote against the ordinance, but maybe what we should do is table the implementation of the ordinance until the Chief is here and allow him to put on the record exactly why he feels this is necessary and then the Council can vote.

Mr. Margalotti, Borough Attorney recommended that if the ordinance is going to be tabled, that it be tabled to the next regular public meeting scheduled for December 17 and if action is then going to be taken to approve this, it must be taken during this calendar year.

Mr. Slattery commented that the area that is now set up with signs for limited 15 minute parking in front of the Post Office is the area which he thinks should be left 15 minutes and feels that has never created a problem, but felt that the expansion of the time limited parking does not seem fair.

Mr. Rick Sweger, 1244 Turf Drive stated the Borough Attorney made the statement that this matter must be taken care of during the year and asked why, since this has been going on for years?

Mr. Margalotti answered Mr. Sweger's inquiry by stating that at the end of each year, the Council reorganizes itself as of January 1, so that any legislation that is pending has to be completed within the same calendar year.

Councilman Terra moved to table this ordinance until the next regular meeting scheduled to be held on December 17, 1992. It was seconded by Councilwoman Filippone and unanimously approved by Council.

Mr. Margalotti commented that the Chief may have to look into to whether or not we are able to modify the ordinance to impose the restriction on an area which is different from what DOT approved in 1981 and logically one might think that if they approved it for the entire block between Lake and Bridgewater, you should be able to do it for a lesser extent, but he does not know that this is so, since DOT has already approved a given area.

Mayor Cavanagh asked the Clerk to request the Chief to contact the DOT regarding this matter prior to the next regular meeting.

Councilman Terra then called for the second reading and public hearing of an ordinance authorizing participation in a mutual aid agreement and asked the Clerk to read the Affidavit of Publication and the proposed ordinance by title only as follows: AN ORDINANCE AUTHORIZING THE PARTICIPATION BY THE BOROUGH OF OCEANPORT IN THE COUNTY OF MONMOUTH MUTUAL AID AGREEMENT. ORD.  
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Mayor Cavanagh then opened the meeting to the public on this subject only.

As no one from the public wished to be heard, Councilman Terra moved to close the public portion. It was seconded by Councilwoman Filippone and approved by Council.

Councilman Terra moved to adopt this ordinance on second and final reading and to advertise same in accordance with law. It was seconded by Councilwoman Filippone.

The Clerk called the roll:

AYES: Councilpersons Clark, Terra, Filippone, Taylor & Wolfe.  
NAYS: NONE.  
ABSENT: Councilman Miller.  
ABSTAIN: NONE.

R-92-71 Councilman Terra then asked the Clerk to read resolution R-92-71 which authorizes and accepts the mutual aid agreement, after which he moved to approve same. It was seconded by Councilman Taylor and approved by Council.

COUNCILWOMAN FILIPPONE: Councilwoman Filippone commented that it is very nice to see the Rabbi back with us and wished him good health.

Councilwoman Filippone reminded the Borough residents that the Oceanport First Aid Squad will be holding their bazaar on Saturday, December 12 and she urged everyone to please support them because this is their big fund raiser for the year. She also advised that the Christmas trees will go on sale next week and stated that volunteers are needed to bake cakes for the Bazaar and help making the wreaths, so anyone who is interested, there will be people there next week during the evening.

Councilwoman Filippone thanked the Port-au-Peck Chemical Hose Fire Company again publicly for their support in allowing us to hold the rabies clinic at their fire house which is scheduled for February 20, 1993 and are appreciative of their help.

COUNCILMAN MILLER: ABSENT.

COUNCILMAN TAYLOR: Councilman Taylor reported the new Oceanport Drug Alliance community calendars are ready and thanked all the sponsors who contributed to get this project going in a short amount of time. He also advised that this year there is a drug hotline number listed on the calendar and the Drug Alliance will be selling them at the PTO Holiday Bazaar, at the Oceanport First Aid Squad Bazaar as well as students from Shore Regional going door to door selling them and there will be tables set up at the Recreation Basketball games on Saturdays at Maple Place.

Councilman Taylor announced that the Oceanport Drug Alliance has received notification that they will receive a \$4,800 grant for 1993 which will help fund various programs, including a program called "BABES" which is for students from Kindergarden to 4th Grade using puppets, music, etc. to teach children that they are special just the way they are and teach them how to build positive self esteem. He also advised that some of the funds will be used for the Center State Hospital where we would be conducting trips to the Hospital in Freehold and they have programs for children K through 12 and he stated he had a flyer on Center State Hospital which described it as unique state of the arts three dimensional teaching exhibit and specially trained Health Educators who help participants explore the nature and action of various chemical abuses. He commented that he is going to try and get over to the Hospital for a tour and will report back to the Council after he has reviewed the program.

Councilman Taylor advised that the next meeting of the Oceanport Drug Alliance will be held on January 13, 1993 at the Maple Place School at 7:30 P.M. and there will be a Speaker from Monmouth County and everyone is invited to attend.

COUNCILMAN WOLFE: Councilman Wolfe reminded the Community that Friday, December 11 at 7:00 P.M. is the annual holiday tree lighting in front of the Borough Hall and the Phil Budinski Memorial Tree will be lit and used as our annual tree lighting.

Councilman Wolfe advised that the Oceanport Baseball Association through the coordination of Dave Radeschi, a member of the Association, has been planning the conversion of a baseball field in Oceanport from a clay

infield to a sod infield to make it more in line with Little League regulations in tournaments and they received permission from the Wolfhill School to use their baseball field and make the changes. He continued that the Baseball Association put out the word about two weeks ago for volunteers and on Saturday and Sunday two weekends ago they showed up and converted the infield to sod using all volunteers including not just hand labor, but Mr. Fiore from Oceanport donated his time and piece of equipment for the entire day for over 6 hours leveling the site and he was there the other afternoon and the sod is taking and it looks great.

Councilman Wolfe reminded all the citizens that the leaves will be picked up as quickly as Public Works can get to their particular street and they have been out there 6 days per week and this year has been difficult since all the leaves came down in a one week period and within another two weeks, we should have 90% of them picked up and under control and asked everyone to be patient.

Councilman Wolfe stated he has a letter received from our insurance agent, Boynton & Boynton, which advises they have enclosed a check in the amount of \$2,641 which represents a policy holder's dividend for worker's compensation policy, which is due to a change in insurance companies in 1991 and this was discussed when we selected the changed coverage.

Councilman Wolfe asked the Clerk to read resolution R-92-72 R-92-72 transferring funds, after which Councilman Wolfe moved to approve same. It was seconded by Councilman Taylor and approved by Council.

MAYOR CAVANAGH: No Report.

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

#### PETITIONS FROM THE PUBLIC:

Bob D'Agostino, 45 Shrewsbury Ave., stated that during the time that many volunteers came over to help put down the sod at Wolfhill, one person who did not have a child of Little League age and was there about the entire time and he acknowledged and thanked Councilman Wolfe for his help.

Jim Slattery, Emergency Management Coordinator, presented the Mayor with a copy of the approved emergency management plan, which was approved on November 6, 1992 by the State of NJ.

Mayor Cavanagh stated to Jim Slattery and Bob Joyce as well as all the other volunteers who assisted in this project, gave hours and hours of time, the various services that participated his thanks and would not like to think what this would have cost if we would have had to pay someone to do the kind of work and the hours it entailed in order to get to this point.

Mr. Slattery pointed out that only 51% of all municipalities in the State of New Jersey have an approved plan.

Councilman Terra thanked Mr. Slattery for all the flyers that he manages to prepare for the Bulletin as inserts for emergency situations as to how to respond to various disasters.

Rick Sweger, 1244 Turf Drive stated at the last meeting he had questioned Councilman Taylor's absence, but wanted it known that it was not asked as any kind of dig, but out of curiosity.

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Mr. Sweger stated with regard to the fire last Thursday, he wanted to personally thank everybody who came out and all the various services, the First Aid Squad volunteers sat out and waited for us in case we needed them and the Police were excellent.

Mayor Cavanagh stated we should also publicly congratulate the Shore Regional Field Hockey Team who won the State Title in Field Hockey and it is a tremendous accomplishment. He also stated for the record that the Shore Regional Fall Sports program went through the entire fall sports season without losing a conference game in any of the three major sports, the football team, the soccer team and the Girls Field Hockey Team finished undefeated in the conference in all three sports.

Mr. Walter Prang, 91 Bridgewater Drive stated that he volunteers for the Emergency Management Office in Freehold and although it may be too late now, he might have been able to help.

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

Mayor Cavanagh also requested that the reimbursement to the Mayor listed on the voucher register be deleted in the amount of \$37.00 and it represents the dues as the Two Rivers Council of Mayors and he paid that amount himself and does not want it paid with public monies.

Councilman Wolfe moved to add a bill due Concorde Heating and Air Conditioning in the amount of \$5,873, since the work has been completed and it will come out of Buildings & Grounds. It was seconded by Councilman Clark and approved by Council.

Councilman Wolfe also moved to temporarily appoint Councilman Taylor to the Finance Committee in the absence of Councilman Miller for the purpose of signing several vouchers. It was seconded by Councilman Clark and approved by Council.

Councilman Wolfe then moved to approve the bills as listed on the Voucher Register, with the aforementioned addition and deletion, dated December 3, 1992. It was seconded by Councilman Clark and approved by Council with the exception of Councilman Wolfe who abstained from voting on the vouchers due Morton International. TOTAL 1992 VOUCHERS \$83,508.39. TOTAL 1992 VOUCHERS PAID THIS MEETING \$19,365.42. TOTAL 1992 OPERATING FUND \$102,873.81. TOTAL GENERAL LEDGER-OCEANPORT BOARD OF EDUCATION \$685,505.00. TOTAL GENERAL LEDGER-ELECTRICAL INSPECTIONS \$321.00. TOTAL GENERAL LEDGER-FIRE PREVENTION \$490.00. (SEE VOUCHER REGISTER)

At 8:48 P.M. Councilman Terra moved to adjourn this meeting until the next regular meeting scheduled to be held on December 17, 1992 at 8:00 P.M. It was seconded by Councilman Taylor and approved by Council.

Respectfully submitted,

*Patricia L. Varca*  
PATRICIA L. VARCA  
BOROUGH CLERK