

REGULAR MEETING MINUTES

Oceanport, New Jersey
December 1, 1998

- REGULAR MEETING:** The Regular Meeting of the Oceanport Mayor and Council was called to order on December 1, 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:** In the absence of Borough Chaplain Berry, Mayor Gemma asked for a moment of silence to give our prayers and thoughts.
- 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 meeting held on November 19, 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 unanimously approved by Council.

CLERK'S REPORTS: No Reports.

COMMITTEES:

COUNCILMAN APRUZZI: Councilman Apruzzi reminded everyone that the annual Holiday Tree Lighting would be held on Sunday, December 6, 1998 at 5:00 P.M. at Borough Hall and there will be singing of Christmas carols, a visit from Santa followed by refreshments at the Port-au-Peck Chemical Hose Fire House.

Councilman Apruzzi reported that he recently met with the Capital Improvement Committee and both Recreation and the Public Works Superintendent gave their assessments of their needs for the next five years and the next step will be that the Committee will review all the material they have received from the various departments and prioritize the needs and make a recommendation to the Mayor and Council with regard to the next budget year.

COUNCILWOMAN FILIPPONE: Councilwoman Filippone reported that the Blood Drive held recently was successful especially since it was right before the Thanksgiving holiday, but they collected 11 pints of blood and she commended Donnie Ross for the great job he is doing as the Coordinator of the Blood Bank as well as Ed Ryan, President of the First Aid Squad for all his assistance.

Councilwoman Filippone reminded everyone that the First Aid Squad's holiday bazaar would be held on Saturday, December 12 and stated that this is their major fund raiser and a great day for everyone in the Community to come out and support our volunteers. She also advised that the

Squad will be selling wreaths, trees and grave blankets as well and commended the volunteers who got up at 4 AM on Saturday to drive up to Pennsylvania to pick up the trees and were back in town that evening and it just shows how very dedicated the members are.

Councilwoman Filippone then read a letter which was addressed to the Mayor and Council from the Wolfhill Steering Committee in which they advise that their recommendation, which was unanimously approved by the Committee, is to return the building to the County that the Borough presently is leasing and had planned to move the Library there. She continued that the County Librarian, Mr. Schienbaum had commented that in his opinion, the building was not conducive to a modern day library and the Architectural/Building Subcommittee chaired by Councilwoman Silkworth was also of the same opinion due to the cost involved in doing any type of renovation to the building.

Mayor Gemma stated that we will further review this recommendation, but in order to be fair to the County, he will be sending a letter of the Borough's intent to return the property to the County in the near future in order to assist them in their master plan for that area.

Councilwoman Filippone explained that Chaplain Betty Berry was unable to be here this evening because she was in Florida attending a funeral.

COUNCILMAN MILLER: Councilman Miller thanked Anthony Ferrugia of the Shade Tree Committee for his assistance in planting two 12' trees by the Community Center kiddy park which will allow the parents to sit in the shade while their children are playing and they also planted another tree at Blackberry Bay Park.

Councilman Miller stated at the last meeting he reported about the problem with some landscapers who are putting leaves and debris down our storm drains and he has been provided with a copy of an ordinance from the Clerk's Office which states this is a violation and he has provided copies to Chief Bebout who will instruct his men to monitor this situation and issue summonses to violators.

Councilman Miller reported that Sgt. Steven Cioffi has successfully completed a Field Training Officers Course held at the Division of Criminal Justice Academy.

R-98-68 COUNCILMAN WOLFE: Councilman Wolfe asked the Clerk to read resolution **R-98-68** regarding an Interlocal agreement between the Borough and the County regarding the computer system for the Tax Assessor's Office, after which he moved to approve same. It was seconded by Councilman Apruzzi and unanimously approved by Council.

COUNCILMAN MCGANN: Councilman McGann moved to award a bid for the collection of garbage and trash in the Borough, for a three year period, including the pick up of garbage and trash to 11 named businesses in the Borough at the low bid of \$755,505 to Carmine Forgione & Sons, Inc., South Plainfield, NJ and to return the bid bonds to the unsuccessful bidders. It was seconded by Councilman Wolfe and unanimously approved by Council.

Councilman McGann reported that he and the Mayor recently met with representatives of the Department of Transportation with regard to the deplorable condition of the Route 36 corridor, which leads directly to Monmouth Park and the DOT plans to begin immediately working on this matter and they will be looking into a Capital Program for the beautification of this highway from the Garden State Parkway Exit 105 to Monmouth Park and they will be keeping him advised as soon as they

have further information. He commented he was pleased with their quick response to our correspondence regarding our concerns about this highway and looks forward to seeing improvements in this situation.

Mayor Gemma commented that they also have included the Mayor of West Long Branch and the Mayor Elect of Eatontown in order to regionalize the efforts to have this problem abated.

COUNCILWOMAN SILKWORTH: Councilwoman Silkworth advised that Tom Crochet has received a certificate of completion on a seminar on working in confined spaces from the Statewide Workers' Compensation Fund, of which we are a member and part of the requirements are that we attend a certain number of seminars each year.

MAYOR GEMMA: Mayor Gemma offered the name of Coleen Pokross as a member of the Capital Improvement Committee. Councilman Apruzzi moved to approve this appointment. It was seconded by Councilman Wolfe and unanimously approved by Council.

Mayor Gemma reported that on January 19 the County is going to have the continuation of the Cross Acceptance Meetings and they have asked representatives of the town to attend in order to give our opinion in regard to the Master Plan and he will ask the Council Liaisons to the Planning Board, whoever is appointed on January 1, to attend these meetings in order to put forth our opinion as to Cross Acceptance and the Master Plan.

Mayor Gemma further reported that on April 14 at Brookdale, the League of Women Voters is going to present a Forum of Critical Land Use Challenges in Monmouth County and we have been asked as a municipality in Monmouth County to present our concerns as to land use issues and he felt that is very important to not only Oceanport residents, but to everyone in the County.

Mayor Gemma lastly reported that on December 16 the County is going to have a public hearing on input as to the best utilization of the property known as Wolfhill Farm and they are also providing an e-mail Address for those residents of the County who are unable to attend as well as a written address for all comments and he asked the Clerk to post the notice on the Bulletin Board.

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

PETITIONS FROM THE PUBLIC:

Bob Kelly, 76 Gooseneck Point Road commented that approximately 8-10 years ago the Borough spent a considerable amount of money resurfacing Gooseneck Point Road, but no maintenance has been done in that time frame. He continued that there are many pot holes which have now gone through the blacktop and sub-base as well as openings made by various utility companies which have sunk causing dips in the street.

Councilman Wolfe advised that this is the first he has heard about this problem and he will take a tour of the street in question, as well as Shore Drive to determine what needs to be done and he will check back with Mr. Kelly to make sure he has addressed all the problems and then advise the Pubic Works Superintendent to schedule the appropriate repairs.

Mr. Kelly also commented that he has now learned that the traffic light at the intersection of Monmouth Blvd. and Myrtle Ave. will not be installed until the summer of 1999, rather than the initial date of Fall of 1998, but he wanted the Governing Body to know that he is going to write to the County again requesting they allow no right turn on red since this will cause a problem to the residents trying to get out of Gooseneck Point and he fears that they will just run the light, as they now run the stop sign. He also advised that he is going to request some type of warning on the bridge, if possible, to alert drivers coming from Little Silver that they are approaching a traffic signal, since he feels this will become a dangerous situation.

Mayor Gemma stated that Chief Bebout is also contacting the County with regard to the change in the installation of the traffic signal and he is also looking into this matter.

Mr. Decesare, 435 Branchport Ave. asked if the Council would consider adopting an ordinance which would regulate hours of operation for businesses located in R-3 residential areas, so that if the business is sold, the hours of operation cannot be changed and become a problem for homeowners who live nearby. He stated that a business near him years ago was closed at 6 PM and not open on Sundays, but when the business was sold, the hours changed to 8 PM during the week and they are open on Sundays till 6 PM.

Mayor Gemma asked the Borough Attorney if we have anything in our present ordinance, to which Mr. Margalotti commented he would have to research the matter, but stated that if the hours of operation were to change, the owners would have to go before the Zoning Board of Adjustment, since it might be considered an expansion of a non-conforming use, but he also pointed out that the law recognizes these potential problems and has legislation in place to protect other property owners from expansion of non-conforming uses.

Mr. Margalotti stated he would research this matter further, but felt the only restriction on hours of operation of a business in our code covers the sale of alcoholic beverages, but he will look into this matter further, as well as if the Governing Body could legally adopt this type of an ordinance.

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 1, 1998. It was seconded by Councilman Apruzzi and approved by Council, with the exception of Councilman Wolfe who abstained from voting on a voucher reimbursing himself. TOTAL 1998 VOUCHERS \$61,137.91. TOTAL 1998 VOUCHER PAID THIS MEETING \$36,083.96. TOTAL 1998 OPERATING FUND \$97,221.87. TOTAL RECREATION TRUST ACCOUNT \$68.80. TOTAL GENERAL LEDGER-LIEN REDEMPTION \$9,483.01. (SEE VOUCHER REGISTER)

At 8:40 P.M. Councilwoman Silkworth moved to adjourn this meeting until the next regular meeting scheduled to be held on December 17, 1998 at 8:00 P.M. It was seconded by Councilwoman Filippone and unanimously approved by Council.

Respectfully submitted,



PATRICIA L. VARCA, BOROUGH CLERK